



**CEQA and COASTAL DETERMINATIONS
and
NOTICE OF APPROVAL**

Project: Agreement with Downstream Services, Inc. for As-Needed Storm Drain Cleaning and Maintenance Services
Location: San Diego, Coronado, National City, Chula Vista, and Imperial Beach California
Parcel No.: Various
Project No.: 2020-022
Applicant: Allison Vosskuhler, Program Manager, Environmental Protection, Planning and Green Port, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101
Date Approved: March 10, 2020

PROJECT DESCRIPTION

The proposed project involves an agreement between San Diego Unified Port District (District) and Downstream Services, Inc. (Downstream) to provide as-needed storm drain cleaning and maintenance services at various District locations. The amount of the Downstream agreement is not to exceed a \$180,000 budget for a period of three years, through 2023. More specifically, services may include, but not be limited to, maintenance, repair, and/or replacement of structural controls to ensure that discharges of pollutants are minimized in accordance with best management practices (BMPs). Storm drain maintenance services may include the inspection and cleaning of storm drain lines, catch basins, and structural controls.

The following categorical determinations are based on the project submittal and all project information known to the District as of the date of this determination.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

CATEGORICAL DETERMINATION

Categorical Exemption: SG §15301, Class 1/Section 3.a: Existing Facilities.

3.a. Existing Facilities (SG § 15301) (Class 1): Includes operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:

- (7) Existing facilities used to provide electric power, natural gas, sewerage, or other public utility service.
- (12) Maintenance of existing landscaping, native growth, and water supply reservoirs.

The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Section of the District's *Guidelines for Compliance with CEQA* as identified above. This is appropriate for the proposed project because it would involve no expansion of use beyond that previously existing and would not result in a significant cumulative impact due to the continuation of the existing use. The District has determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

Pursuant to CEQA Guidelines Section 15062, a 35-day statute of limitations for this CEQA exemption shall apply from the date a Notice of Exemption is posted with the San Diego County Clerk, or a 180-day statute of limitations for this CEQA exemption shall apply if no Notice of Exemption is filed.

CALIFORNIA COASTAL ACT

PORT MASTER PLAN CONSISTENCY

Applies to all Planning Districts.

The proposed project applies to all District's planning districts. The Port Master Plan land and water use designations within the limits of the proposed project may include, but are not limited to, Open Space, Park/Plaza, Harbor Services, Commercial Recreation, and/or Promenade. The proposed project conforms to the certified Port Master Plan because it is an agreement for storm drain services consistent with the existing certified land use designations. The proposed project would not change the uses of the sites nor would it interrupt or expand the existing conforming uses of the sites.

CATEGORICAL DETERMINATION

Categorical Exclusion: Section 8.a: Existing Facilities.

8.a. Existing Facilities: The operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:

(2) Public and private utilities used to provide electric power, natural gas, sewer, or other utility services

(3) Streets, sidewalks, gutters, bicycle and pedestrian paths, and similar facilities

The proposed project is determined to be Categorically Excluded pursuant to the Section of the District's *Coastal Development Permit Regulations* as identified above. This is appropriate for the proposed project because it would involve negligible or no expansion of use beyond that previously existing.

Pursuant to California Coastal Act Section 30717, there is a 10-working-day period to appeal this "Coastal Act Categorical Determination of Exclusion" to the California Coastal Commission.

CALIFORNIA PUBLIC TRUST DOCTRINE

The proposed project complies with Section 87.(a)(5) of the Port Act, which allows for construction, reconstruction, repair, maintenance, and operation of public buildings public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and fishing piers, public recreation facilities, including, but not limited to, public golf courses, and for all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed project is consistent with the Public Trust Doctrine.

RANDA CONIGLIO
President/CEO

Determination by:
Maggie Weber
Senior Planner
Planning Department

Signature: Maggie Weber
Date: Apr 6, 2020

Deputy General Counsel

Signature: Chris Burt
Date: Apr 6, 2020