



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

Project: Right of Entry License Agreement to Rohr, Inc., for Interim Remediation and Site Investigation at Chula Vista Bayfront
Location: Parcel H-3, 460 Sandpiper Way, Chula Vista, CA 91910
Parcel No.: Various
Project No.: 2020-023a
Applicant: Rick Siordia, EHS Facilities Manager, Rohr Inc., A Collins Aerospace Company, 850 Lagoon Drive, Chula Vista CA 91910
Date Approved: 5/7/2025

PROJECT DESCRIPTION

The proposed project would consist of an amendment to extend the term of the existing Right of Entry License Agreement (ROELA) to Rohr, Inc. (Grantee) to allow entrance to certain properties located in the City of Chula Vista, California. This term extension is not a separate project for CEQA purposes and would not allow for an expansion of use from the previously approved ROELA (Document No. 71131) but would instead be an adjustment to the total term duration. The area proposed for use under this ROELA would continue to be used by the Grantee and their authorized agent(s) and contractor(s) for the purpose of interim remediation, site investigation, and monitoring efforts to address subsurface groundwater contamination, consistent with the Cleanup and Abatement Order (Order No. 98-08), as issued by the San Diego Regional Water Quality Control Board in 1998 (the "Project"). The project generally includes the following remediation, site investigation, and monitoring activities: installation of four (4) permeable reactive barriers to inject approximately 611,000 pounds of slurry containing zero valent iron, biodegradable carbon substrate, and long-term electron donor solution (e.g., emulsified vegetable oil) to depths of approximately 15 to 70 feet (ft) below ground surface (bgs) to target Volatile Organic Compound (VOC) contamination; install cone penetrometer/membrane interface probe borings to a maximum depth of 95 ft bgs as needed for data collection; install 12 temporary monitoring well clusters (to be removed after completion of remediation); install 24 monitoring well clusters (to be constructed after future tenant proposed construction activities are complete and long-term access is available); collect discrete-depth groundwater samples in accordance with the Waste Discharge Requirement to be issued by the Regional Water Quality Control Board as well as ingress and egress in support of those activities. Based on the results obtained from borings and monitoring wells, additional borings or wells may be conducted to address data gaps within the ROELA term.

It is anticipated that the ROELA would have a total term of approximately five (5) years, or upon completion of the work, whichever occurs earlier. The ROELA may be terminated by the District as a matter of right and without cause at any time upon providing twenty-four (24) hours' notice in writing to the Grantee of such termination.

Due to its nature and limited scope, construction of the Project would generate a minor amount of vehicle trips and would require limited use of equipment. Also, as discussed above, the Project proposes activities that are intended to remediate and monitor existing groundwater contamination, consistent with orders of the Regional Water Quality Control Board. Therefore, significant impacts related to air quality, greenhouse gas emissions, and transportation and traffic are not anticipated to occur. Furthermore, the Grantee would be responsible for complying with all applicable federal, state, and local laws regarding construction demolition debris, hazards and hazardous materials, and stormwater.

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 Exemptions: CEQA Guidelines Section 15304 (Class 4)/District Guidelines for

Compliance with CEQA Section 3.d: Minor Alterations to Land; CEQA Guidelines Section 15306 (Class 6)/District Guidelines for Compliance with CEQA Section 3.f: Information Collection; and CEQA Guidelines Section 15308 (Class 8)/District Guidelines for Compliance with CEQA Section 3.h: Actions by Regulatory Agency for Protection of the Environment

3.d. Minor Alterations to Land (SG § 15304) (Class 4): Includes minor alterations in the condition of land, water and/or vegetation not involving removal of mature, scenic trees, including, but not limited to:

(6) Minor temporary use of land having negligible or no permanent effects on the environment.

AND/OR

3.f. Information Collection (SG § 15306) (Class 6): Includes basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be for information gathering purposes, or as part of a study leading to an action which has not yet been approved, adopted or funded.

AND/OR

3.h. Actions by Regulatory Agency for Protection of the Environment (SG § 15308) (Class 8): Includes actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption.

The proposed project is determined to be Categorical Exempt pursuant to the CEQA Guidelines and the Section(s) of the District's *Guidelines for Compliance with CEQA* as identified above because the proposed project consists of a ROELA for remediation, site investigation, and monitoring pursuant to Regional Water Quality Control Board orders. The Project, and associated remedial actions, would not result in any permanent effects on the environment, and would minimize and stabilize the release or threat of release of hazardous substances from the project site. The Project remediation activities would be undertaken strategically, and consistent with Regional Water Quality Control Board authorization, to effectively treat and monitor existing subsurface contamination. The Project will also be subject to, and must adhere to, all applicable regulations related to such activities, including the California Water Code and Regional Water Quality Control Board regulations and orders. Moreover, the Project would not involve the removal of mature, scenic trees, and is for the purpose of basic data collection, research, and resource evaluation activities which would not result in a serious or major disturbance to an environmental resource. 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

Planning District: 7 - Chula Vista Bayfront (Precise Plan Figure 19)

Land Use Designation: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it would consist of a ROELA for remediation and site investigation, consistent with the existing certified Land Use designation. The proposed project would not change the use of the site nor would it interrupt or expand the existing conforming uses of the site.

CATEGORICAL DETERMINATION

Categorical Exclusions: Section 8.d: Minor Alterations to Land and Section 8.e: Information Collection

8.d. Minor Alterations to Land: Minor public or private alterations in the condition of land, water, and/or vegetation which do not involve the removal of mature, scenic trees.

AND/OR

8.e. Information Collection: Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major significant disturbance to an environmental resource.

The proposed project is determined to be Categorical Excluded pursuant to the Sections of the District's *Coastal Development Permit Regulations* as identified above because the proposed project consists of a ROELA for remediation, site investigation, and monitoring pursuant to Regional Water Quality Control Board orders. The Project, and associated remedial actions, would not result in any permanent effects on the environment, and would minimize and stabilize the release or threat of release of hazardous substances from the project site. The Project remediation activities would be undertaken strategically, and consistent with Regional Water Quality Control Board authorization, to effectively treat and monitor existing subsurface contamination. The Project will also be subject to, and must adhere to, all applicable regulations related to such activities, including the California Water Code and Regional Water Quality Control Board regulations and orders. Moreover, the Project would not involve the removal of mature, scenic trees, and would not result in a serious or major significant disturbance to an environmental resource.

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)(7) of the Port Act, which allows for the establishment and maintenance of those lands for open space, ecological preservation, and habitat restoration. 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.

SCOTT CHADWICK
President/CEO

Determination by:
Betsy Viramontes
Assistant Planner
Development Services

Signature: Betsy Viramontes
Date: 5/7/2025

Assistant/Deputy General Counsel

Signature: Shiraz Tangri
Date: 5/7/2025