



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

Project: Environmental Investigation Services
Location: San Diego, Coronado, National City, Chula Vista, and Imperial Beach, California
Parcel No.: Various
Project No.: 2020-025
Applicant: George Liddle, Environmental Protection, Planning, Environment & Government Relations, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101
Date Approved: March 10, 2020

PROJECT DESCRIPTION

The proposed project is agreement between the San Diego Unified Port District (District) and Kleinfelder, Inc., Ninyo & Moore Geotechnical & Environmental Sciences Consultants, and Wood Environment & Infrastructure Solutions, Inc. to provide on-call environmental investigation services to address environmental impairments related to pollution, sediment contamination, and hazardous materials in and around San Diego Bay. Consulting services are needed to complete major maintenance, capital improvement, environmental compliance projects, and to comply with regulatory requirements. Routine tasks under this agreement may include but are not limited to: investigations or corrective action work plans for soil, sediment or groundwater, at areas undergoing redevelopment, or under a regulatory order; investigations of public works and General Services project locations where the presence of subsurface contamination requires special conditions or alterations to projects to avoid delays and change-orders; baseline condition studies of properties for real estate acquisition or new leases; historical leasehold assessments based on prior use, development, and activities; tenant exit audits relating to lease terminations; storm water pollution impact and mitigation studies to address pollutant loading and water quality impairments; and assistance on, and oversight of, tenant-led environmental projects.

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: SG §15301, Class 1/Section 3.a: Existing Facilities; SG §15304, Class 4/Section 3.d: Minor Alterations to Land; SG §15306, Class 6/Section 3.f: Information Collection and/or SG §15308, Class 8/Section 3.h: Actions by Regulatory Agency for Protection of the Environment

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.

AND/OR

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.

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 for protection 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 Sections of the District's *Guidelines for Compliance with CEQA* as identified above. These are 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, would result in no permanent effects on the environment, would not involve the removal of mature, scenic trees, would be for the purpose of basic data collection and resource evaluation activities which would not result in a serious or major disturbance to an environmental resource, and would include actions taken by regulatory agencies where the regulatory process involves procedures for protection of the environment. 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

The proposed project involves environmental investigation services within all ten of the District's planning districts. The proposed project generally conforms with the certified Port Master Plan because it is consistent with and furthers Goals VIII, X, and XI of the Port Master Plan. Goal VIII identifies that the District will enhance and maintain San Diego Bay as an attractive physical and biological entity. Goal X identifies that the quality of water in San Diego Bay will be maintained at such a level as will permit human contact activities. Goal XI identifies that the District will protect, preserve and enhance natural resources in San Diego as a desirable amenity, an ecological necessity, and a valuable and usable resource. Further, activities included under the proposed project would not change the uses of the site nor would it interrupt or expand the existing conforming uses of the site.

CATEGORICAL DETERMINATION

Categorical Exclusions: Section 8.a: Existing Facilities; Section 8.d: Minor Alterations to Land; Section 8.e: Information Collection; and Section 8.f: Inspections

- 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.

AND/OR

- 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.

AND/OR

8.f. Inspection: Activities limited to inspection, checking or performance or quality of an operation, examining the health and safety of a project, or related activities.

The proposed project is determined to be Categorically Excluded pursuant to the Sections of the District's *Coastal Development Permit Regulations* as identified above. These are appropriate for the proposed project because it would involve negligible or no expansion of use beyond that previously existing, would not involve the removal of mature, scenic trees, would not result in a serious or major significant disturbance to an environmental resource, and would be limited to inspection, checking or performance or quality of an operation, examining the health and safety of a project, or related activities.


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

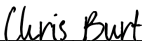
The proposed project complies with Section 87.(a)(6) of the Port Act, which allows for the establishment, improvement, and conduct of small boat harbors, marinas, aquatic playgrounds, and similar recreational facilities, and for the construction, reconstruction, repair, maintenance, and operation of all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses, including, but not limited to, snack bars, cafes, restaurants, motels, launching ramps, and hoists, storage sheds, boat repair facilities with cranes and marine ways, administration buildings, public restrooms, bait and tackle shops, chandleries, boat sales establishments, service stations and fuel docks, yacht club buildings, parking areas, roadways, pedestrian ways, and landscaped areas. 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:
Lily Tsukayama
Associate Planner
Planning and Green Port

Signature: 
Date: Mar 23, 2020

Deputy General Counsel

Signature: 
Date: Mar 21, 2020