PORT of SAN DIEGO
Waterfront of Opportunity

CEQA and COASTAL DETERMINATIONS
and
NOTICE OF APPROVAL

Project:	Right of Entry License Agreement to the Regents of the University of California for the Wave and Groundwater Monitoring Project
Location:	Shore line of Imperial Beach in Imperial Beach, California
Parcel No.:	Various
Project No.:	2020-031
Applicant:	Michele Okihrio, Logistics and Outreach Coordinator, Scripps Institute of Oceanography, 9500 Gilman Drive, La Jolla, CA 92093-0209
Date Approved:	March 4, 2020

PROJECT DESCRIPTION

The proposed project is a renewal of a Right of Entry Permit License Agreement (ROELA) to the Regents of the University of California (Licensee) for the Wave, and Groundwater Monitoring Project, which will take place along the Imperial Beach shoreline in the City of Imperial Beach, California. The proposed project will involve a series of experiments measuring the effects of storms on beach groundwater, water level, waves, wave run-up, tides, and evolving sand levels, as well as ingress and egress in support of those activities. The purpose of the experiments is to improve and calibrate predictive numerical models simulating beach groundwater hydraulics, beach change and inundation as a function of waves and tides prior to, during, and after storm events when shoreline infrastructure is most at risk. The proposed project includes the following experiments:

Waves:

The wave climate offshore of Imperial Beach will be measured using existing offshore wave buoys. Bottom-mounted pressure sensors and current meters attached to pipes anchored to the sea floor may be periodically deployed to collect nearshore wave measurements. Sensors are self-contained (internal power and data acquisition), have no moving parts, and are low power (electrical emissions are harmless to humans and ocean life). A downward looking radar system mounted to the pier and powered by solar cells will measure waves and water levels.

Wave Runup and Water Levels:

Wave runup heights and water levels will be measured using pressure sensors buried in the beach face (see figure below), a stationary LiDAR, or an unmanned aerial system (UAS) mounted LiDAR. Pipe-mounted pressure sensors may also be deployed to measure water levels in the Tijuana Estuary. Pressure sensors in the beach face will be buried by either fluidizing the surrounding sand with high-powered water jets or by digging holes with shovels or a well-drilling auger. Beach face pressure sensors will be attached to pipes anchored well below the surface with no parts protruding above the sand.

Groundwater Levels:

Groundwater levels may be monitored using conductivity, density and temperature (CTD) sensors buried in the back-beach. These sensors are contained in small wells and broadcast live-time data via a small solar powered modem. A temporary pole approximately ten (10) feet tall will be required to affix a solar cell and modem. CTDs contain no moving parts are low power and harmless to humans and animals. Cellular text message will alert at the onset of potential flooding events.

In response to flooding at other locations additional sensors may be temporarily deployed, with permission from the City of Imperial Beach. Sensors will be periodically serviced to download data and replace batteries. All sensors will be regularly monitored during the experiments and re-buried if they become exposed. Sensor locations will be determined by global positioning system (GPS).

Sand Level Monitoring:

Measurements of the evolving sand levels, between the back beach out to about eight (8) meter water depth will be obtained with GPS and LiDAR equipped survey tools including an all-terrain vehicle (ATV), jetski, hand-pushed dolly, truck, and UAS. LiDAR (truck or UAS mounted) sand level surveys between the back beach and the waterline will typically occur once a month at low tide. More extensive sand level surveys from the back beach out approximately eight-meter water depth will be conducted quarterly.

The Licensee will be responsible for compliance with all laws and regulations associated with the activities on or in connection with the above-described premises, including stormwater and water quality. Due to its nature and limited scope, the proposed project will generate a minor amount of vehicle trips. Additionally, the project is not anticipated to result in significant impacts, including, but not limited to, air quality, greenhouse gas emissions, noise, or traffic.

The ROELA is anticipated to commence on in May 1, 2020 and terminate on April 30, 2025, or upon completion of the work, whichever occurs earlier. The deployment of the sensors is anticipated to occur in May 2020 and will take approximately one week. The ROELA may be terminated by the District, as a matter of right or without cause at any time upon providing thirty (30) days' written notice to Licensee of such termination.

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 §15304, Class 4/Section 3.d: Minor Alternations to Land; and SG §15306, Class 6/Section 3.f: Information Collection

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.

The proposed project is determined to be Categorically 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 consists of a renewal of an existing real estate agreement for basic data collection, research, and resource evaluation activities and would result in no permanent effects on the environment, would not involve the removal of mature, scenic trees, and 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: Imperial Beach Oceanfront (Precise Plan Figure 25)

Water Use Designation: Open Bay/Water

The portion of the proposed project located within the Coastal Development Permit (CDP) jurisdiction of the District conforms to the certified Port Master Plan because it consists of a renewal of an existing real estate agreement for basic data collection, research, and resource evaluation activities, consistent with the existing certified Water use designation. The proposed project would not change the use of the site nor would it interrupt or expand the existing conforming use of the site.

CATEGORICAL DETERMINATION

Categorical Exclusions: Section 8.d: Minor Alternations 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, including but not limited to:

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 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 consists of a renewal of an existing real estate agreement for basic data collection, research, and resource evaluation activities, 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.

For the portion of the proposed project located outside of the District's CDP jurisdiction, additional approvals may be required from other agencies.

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:
Michael Paul
Assistant Planner
Development Services

Signature: _____
Date: 3/4/20

Deputy General Counsel

Signature: _____
Date: 3/3/20