



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

Project: Waterline Equipment Replacement by San Diego Unified Port District at Tenth Avenue Marine Terminal
Location: Warehouse C, Tenth Avenue Marine Terminal, 1800 Crosby Road, San Diego, CA 92101
Parcel No.: 020-019 and 020-025
Project No.: 2020-036
Applicant: Perla Goco, Capital Project Manager I, Engineering-Construction, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101
Date Approved: March 24, 2020

PROJECT DESCRIPTION

The proposed project would involve waterline equipment replacement by the San Diego Unified Port District (District) in the City of San Diego, California. Work to specifically complete the proposed project would involve removal and replacement of the following: two (2) post indicator valves; approximately twelve (12) feet (ft.) by ten (10) ft. of six (6) inch (in.) fire sprinkler riser; 12 ft. by 10 ft. of four (4) in. riser for fire hose; 6 in. control valve; approximately 10 ft. by 10 ft. by eight (8) in. thick portion of concrete slab, three (3) ft. by 3 ft. by 8 in. thick concrete floor, and five (5) ft. by 5 ft. by 6 in. thick portion of asphalt. The proposed improvements would also include disposal of excess excavation with dewatering as necessary, and installation of new stainless steel 4 in. and 6 in. fire risers. Construction of the proposed project is anticipated to occur in summer 2020 and would take approximately 2 months to complete.

Due to its nature and limited scope, construction of the proposed project would generate a minor amount of vehicle trips and would require limited use of equipment. Therefore, significant impacts related to air quality, greenhouse gas emissions, and transportation and traffic are not anticipated to occur. Furthermore, the District 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: SG §15301, Class 1/Section 3.a: Existing Facilities; and SG §15302, Class 2/Section 3.b: Replacement or Reconstruction

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.
- (10) Addition of safety or health protection devices for use during construction of or in conjunction with existing structures, facilities, or mechanical equipment, or topographical features including navigational devices.

AND/OR

3.b. Replacement or Reconstruction (SG § 15302) (Class 2): Includes replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structure being replaced.

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 replacement of waterline equipment and would involve no expansion of use beyond that previously existing, would not result in a significant cumulative impact due to the continuation of the existing use, would consist of the replacement of existing facilities, would be located on the same site as the facilities replaced, and would have substantially the same purpose and capacity. 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: 4 - Tenth Avenue Marine Terminal (Precise Plan Figure 13)

Land Use Designation: Marine Terminal

The proposed project conforms to the certified Port Master Plan because it would involve replacement of waterline equipment, 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 use of the site.

CATEGORICAL DETERMINATION

Categorical Exclusions: Section 8.a: Existing Facilities; and Section 8.b: Replacement or Reconstruction

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

AND/OR

8.b. Replacement or Reconstruction: Replacement or reconstruction of existing structures and facilities where the new structure will be located essentially on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

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 no expansion of use beyond that previously existing, would be located on the same site as the structures replaced, and would have substantially the same purpose and capacity as the facilities replaced.

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)(1) of the Port Act, which allows for the establishment, improvement, and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient, for the promotion and accommodation of commerce and navigation. 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: Michael Paul
Date: Mar 25, 2020

Deputy General Counsel

Signature: Chris Burt
Date: Mar 25, 2020