



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

Project: Charging Station Improvements by Pasha Automotive at National City Bayfront
Location: 3199 Tidelands Avenue and east side of Tidelands Avenue between Bay Marina Drive and West 32nd Street, National City, CA 91950
Parcel No.: 027-029
Project No.: 2020-057
Applicant: Sophie Silvestri, Manager, Business Development and Government Affairs, Pasha Automotive Services, 1309 Bay Marina Drive, National City, CA 91950
Date Approved: June 15, 2020

PROJECT DESCRIPTION

The proposed project would involve charging station improvements by Pasha Automotive Services (Applicant) in the City of National City, California. Work to specifically complete the proposed project would involve removal and relocation of one (1) yard tractor EV charging station from the west side of Warehouse 24-1 to Berth 24-10, the removal and relocation of two (2) existing drayage truck electric vehicle (EV) charging stations from the west side of Warehouse 24-1 to the east side of Tidelands Avenue, installation of a new drayage EV charging station near the two relocated drayage stations, installation of a load center and new fenced enclosure, and replacement of an existing transformer. Excavation of up to approximately 120 feet in length, 18 inches in width, and 36 inches in depth (approximately 540 cubic feet of excavated material) would be required to install the relocated and new EV charging stations; no excavation would be required at the existing charger locations. The existing parking spaces on the east side of Tidelands Avenue would be restriped from five (5) to three (3) spaces after installation of the proposed charging station improvements. Construction of the proposed project is anticipated to occur in July 2020 and would take approximately one month 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 Tenant 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 Exemption: SG §15301, Class 1/Section 3.a: Existing Facilities; SG §15302, Class 2/Section 3.b: Replacement or Reconstruction; SG §15303, Class 3/Section 3.c: New Construction or Conversion of Small Structures and SG §15304, Class 4/Section 3.d: Minor Alternations to Land

- 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:
- (3) Interior and exterior remodeling or alterations, involving negligible or no expansion of use beyond that previously existing, including, but not limited to, marine terminal facilities, and marine-oriented commercial, industrial, and public and commercial recreational facilities, including buildings, piers, wharves, marine ways; railroads; airport facilities, runways, taxiways, aprons, and ancillary structures to those facilities; or mechanical systems and equipment.
 - (7) Existing facilities used to provide electric power, natural gas, sewerage, or other public utility service.

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. This exemption includes, but is not limited to:

- (2) Replacement or reconstruction of marine terminal facilities, and marine-oriented commercial, industrial, and public and commercial recreational facilities, including buildings, piers, piles, wharves, marine ways; railroads; airport facilities, runways, taxiways, aprons, and ancillary structures to those facilities; electrical and mechanical systems and equipment; where the new structure will be on essentially the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

AND/OR

- 3.c. New Construction or Conversion of Small Structures (SG § 15303) (Class 3): Includes construction of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and conversion of existing small structures from one use to another with minor modifications to the exterior of the structure.

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, including, but not limited to:

- (1) Filling of earth on previously disturbed land with material compatible with the natural features of the site.
- (7) Minor trenching and backfilling where the surface is restored.

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 consists of removal and relocation of existing EV charging stations and installation of a new charging station and associated equipment, and 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 have substantially the same purpose and capacity, would result in no permanent effects on the environment, and would not involve the removal of mature, scenic trees. 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: 5 - National City Bayfront (Precise Plan Figure 15)

Land Use Designation: Marine Terminal

The proposed project conforms to the certified Port Master Plan because it consists of removal and relocation of existing EV charging stations and installation of a new charging station and associated 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; Section 8.b: Replacement or Reconstruction; Section 8.c: New Construction or Conversion of Small Structures; and Section 8.d: Minor Alternations

to Land

- 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:
- (12) Interior and exterior remodeling of airport facilities, marine terminal facilities, existing marine-oriented industrial structures, and commercial or recreational facilities.

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, including but not limited to:
- (2) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

AND/OR

- 8.c. New Construction or Conversion of Small Structures: Construction and location of limited numbers of new, small facilities or structures and installation of small, new equipment and facilities, involving negligible or no change of existing use of the property.

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, including but not limited to:
- (1) Land grading, except where located in a waterway, wetland, officially designated scenic area, or in officially mapped areas of severe geologic hazard;
- (3) Filling of earth into previously excavated land with material compatible with the natural features of the site;
- (6) Minor trenching or backfilling where the surface is restored.

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 removal and relocation of existing EV charging stations and installation of a new charging station and associated equipment, would involve no change of existing use of the property, would have substantially the same purpose and capacity as the structure replaced, and would not involve the removal of mature, scenic trees.

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: Jun 15, 2020

Deputy General Counsel

Signature: Chris Burt
Date: Jun 15, 2020