



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

Project: Agreement with Marine Group Boat Works for Full Service Impounded Vessel Services at National City Bayfront
Location: Marine Group Boat Works, 1313 Bay Marina Drive, National City, CA 91950
Parcel No.: 026-047
Project No.: 2020-062
Applicant: Corrina Perry, General Services, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101
Date Approved: May 26, 2020

PROJECT DESCRIPTION

The proposed project involves renewal of an existing agreement with Marine Group Boat Works (MGBW) to continue to provide impounded vessel services at their existing facility in the city of National City, California. Services include acceptance of towed vessels, inventory reports, storage, vessel haul out, vessel transportation, the lien sale and title acquisition processes, and vessel demolition. The proposed project will be required to comply with all waste discharge requirements outlined in the California Regional Water Quality Control Board Order No. R9-2013-0001, National Pollutant Discharge Elimination System Permit No. CASO109266, and the Municipal Permit. No new development, construction, or increase in the size of the property is proposed or authorized as part of the Agreement.

Due to its nature and limited scope, the proposed project would generate a minor amount of vehicle trips and would require limited use of equipment. Impacts related to air quality, greenhouse gas emissions, and transportation and traffic are not anticipated to occur. Furthermore, MGBW would be responsible for complying with all applicable federal, state, and local laws regarding 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

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:

- (6) Demolition and removal of individual structures listed in the subsection except where the structures are of historical, archaeological, or architectural significance. These include, but are not limited to, commercial, industrial, airport, or marine terminal structures or facilities if designed for an occupancy load of 30 persons or less, and not in conjunction with the demolition of improvements on an entire site. Examples are warehouses, sheds, miscellaneous work buildings, piers, floats, piles, marine ways, electrical, mechanical, or utility systems, railroad improvements, dilapidated vessels, navigation aids, or similar related structures.

The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Section of the District's *Guidelines for Compliance with CEQA* as identified above. This is appropriate for the proposed project because it would consist of an agreement for continuation of impounded vessel services at an existing facility that would involve no expansion of use beyond that previously existing. 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 Related Industrial

The proposed project conforms to the certified Port Master Plan because it would consist of an agreement for continuation of impounded vessel services at an existing facility consistent with the existing certified Land use designation. The proposed project would not change the use of the sites nor would it interrupt or expand the existing conforming uses of the sites.

CATEGORICAL DETERMINATION

Categorical Exclusion: Section 8.a: Existing Facilities

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.

The proposed project is determined to be Categorically Excluded pursuant to the Section of the District's *Coastal Development Permit Regulations* as identified above. This is appropriate for the proposed project because it would consist of an agreement for continuation of impounded vessel services at an existing facility that would involve no expansion of use beyond that previously existing.

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)(5) 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:
Cameron McLeod
Associate Planner
Development Services

Signature: Cameron McLeod
Date: May 26, 2020

Deputy General Counsel

Signature: Chris Burt
Date: May 26, 2020