



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

**Project:** Ammonia Diffusion Tank Installation by Harvest Meat Company at National City Bayfront  
**Location:** 1022 Bay Marina Drive, Suite 106, National City, CA 91950  
**Parcel No.:** 027-051 and 027-049  
**Project No.:** 2020-065  
**Applicant:** Jesus Lopez, Director of Operations, Harvest Meat Company, 1022 Bay Marina Drive, Suite 106, National City, CA 91950  
**Date Approved:** August 31, 2020

**PROJECT DESCRIPTION**

The proposed project would involve installation of an ammonia diffusion tank (ADT) and associated utility improvements by Harvest Meat Company (Tenant) in the City of National City, California. Work to specifically complete the proposed project would involve installation of a 5,000 gallon ADT with supporting concrete pad to the building exterior, a two (2)-inch ammonia relief vent pipe, a one (1)-inch industrial cold water pipe riser, and backflow prevention device, and removal of an existing material shed, backflow prevention device, and diffusion vessel within the Tenant building. The base of the concrete pad would by eleven (11) square feet would require excavation to fourteen (14)-feet in depth. The proposed project would allow the Tenant to be in compliance with the Certified Unified Program Agency, San Diego County Hazardous Materials Division, statewide and environmental quality protection standards. Construction of the proposed project is anticipated to occur in Summer 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.

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**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

***CATEGORICAL DETERMINATION***

Categorical Exemptions: SG §15303, Class 3/Section 3.c: New Construction or Conversion of Small Structures; SG §15304, Class 4/Section 3.d: Minor Alternations to Land; and SG §15311, Class 11/Section 3.i: Accessory Structures

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.

AND/OR

3.i. Accessory Structures (SG § 15311) (Class 11): Includes construction, or placement of minor structures accessory to (appurtenant to) existing facilities, including:

- (2) Construction or placement of minor structures or equipment accessory to (appurtenant to) existing airport or marine terminal facilities.

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 installation of an ADT and associated utility improvements and would involve construction and location of new, small facilities, 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 Related Industrial

The proposed project conforms to the certified Port Master Plan because it would involve installation of an ADT and associated utility improvements, 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.c: New Construction or Conversion of Small Structures; and Section 8.d: Minor Alterations to Land

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.

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 consists of installation of an ADT and associated utility improvements and would involve negligible change of existing use of the property, 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: Aug 31, 2020

Deputy General Counsel

Signature: Rebecca Harrington  
Date: Aug 31, 2020