



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

Project: Roof and HVAC Replacement by San Diego Unified Port District at Harbor Police Headquarters
Location: 3380 North Harbor Drive, San Diego, CA 92101
Parcel No.: 007-028
Project No.: 2020-090
Applicant: Perla Goco, Capital Project Manager I, Engineering-Construction, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101
Date Approved: August 26, 2020

PROJECT DESCRIPTION

The proposed project would involve removal and replacement of the existing roof and Heating Ventilation and Air Conditioning (HVAC) system replacement by the San Diego Unified Port District (District) at the Harbor Police Headquarters in San Diego, California. The proposed roof replacement would consist of removal and replacement of approximately 12,000 square feet of existing roof with new Thermoplastic polyolefin (TPO) single-ply roofing system and all necessary flashing at parapets, windowsills, skylights, penetrations and at new HVAC curbs. The existing roofing is known to contain asbestos containing materials (ACM), which will be removed and disposed by a licensed asbestos abatement contractor and consistent with applicable regulations, including those of the San Diego Air Pollution Control District. The proposed HVAC replacement would replace existing air conditioning units and building control system for the Harbor Police Headquarters building. Construction of the proposed project is anticipated to commence Summer 2021 and take approximately four (4) months to complete.

Due to its nature and limited scope, the 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:
- (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;
 - (9) Restoration or rehabilitation of deteriorated or damaged structures, facilities or mechanical equipment to meet current standards of public health and safety or permit requirements, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood.

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.

(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.

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 replacement of an existing roof and HVAC systems 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 structure 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: 2 - Harbor Island/Lindbergh Field (Precise Plan Figure 9)

Land Use Designation: Industrial Business Park

The proposed project conforms to the certified Port Master Plan because it consists of replacement of an existing roof and HVAC systems, 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 uses 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:

(1) Interior or exterior alterations involving such things as partitions, plumbing, and electrical conveyances;

(4) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health, safety, District policy, or as required by contractual conditions.

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.

(2) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity

The proposed project is determined to be Categorical 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 replacement of an existing roof and HVAC systems and would involve no expansion of use beyond that previously existing, would be located essentially on the same site as the structure replaced, and would have substantially the same purpose and capacity as the structures 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)(5) of the Port Act, which allows for the construction, reconstruction, repair, maintenance, and operation of public buildings, public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and fishing piers, public recreation facilities, including, but not limited to, public golf courses, and for all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses. 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 26, 2020

Deputy General Counsel

Signature: Chris Burt
Date: Aug 26, 2020