



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

Project: Right of Entry License Agreement to San Diego County Regional Airport Authority for Site Inspections

Location: 2535 Pacific Highway, San Diego, CA 92101;
3032 N. Harbor Drive, San Diego, CA 92101;
3125 Pacific Highway, San Diego, CA 92101;
1420 West Palm Street, San Diego, CA 92101; and
1550 West Palm Street, San Diego, CA 92101

Parcel No.: 007-038, 008-003, 016-064, and 016-066

Project No.: 2020-092

Applicant: Eric Podnieks, Program Manager, Strategy and New Business – Revenue Development and Partnerships, San Diego County Regional Airport Authority, 3225 North Harbor Drive, San Diego, CA 92101

Date Approved: August 17, 2020

PROJECT DESCRIPTION

The proposed project is a Right of Entry License Agreement (ROELA) to the San Diego County Regional Airport Authority (Licensee) to enter six properties located in the city of San Diego, California, as shown on Exhibit A. The area proposed for use under this ROELA would be used by the Licensee, and its authorized agent(s) and contractor(s), for the purpose of site inspections, assessments, surveys, and geotechnical and environmental studies, including soil borings and infiltration tests, as well as associated ingress and egress. The properties are not currently being used, but are improved (with paving and other minor structures) and were utilized for parking and other uses as recently as May 2020.

The ROELA would have a total duration of approximately one (1) year, or would terminate upon completion of the Work, whichever occurs earlier. Due to its nature and limited scope, implementation of the proposed project would generate a minor amount of vehicle and truck trips and would require limited use of construction equipment. Vehicle and truck trips would be associated with transport of inspectors and equipment. Therefore, no significant impacts would occur. Any disturbed surfaces would be restored to pre-project conditions. Furthermore, the Licensee would be responsible for abiding by and conforming to all laws and regulations associated with the activities on or in connection with the above-described premises, including hazards and hazardous materials and stormwater.

The following categorical determinations are based on the ROELA 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 ; SG §15304, Class 4/Section 3.d: Minor Alterations to Land; and SG §15306, Class 6/Section 3.f: Information Collection

- 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.

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:

- (7) Minor trenching and backfilling where the surface is restored.

AND/OR

- 3.f. Information Collection (SG § 15306) (Class 6): Includes basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be for information gathering purposes, or as part of a study leading to an action which has not yet been approved, adopted or funded.

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 would consist of a ROELA for site inspections and assessments that would involve no expansion of use beyond that previously existing, would not involve the removal of mature, scenic trees, and would not result in a serious or major disturbance to an environmental resource. In addition, all surfaces disturbed by the proposed project would be restored to match the surrounding surface areas. 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: Airport Related Commercial; Aviation Related Industrial; Harbor Services; and Industrial Business Park

The proposed project conforms to the certified Port Master Plan because it would consist of a ROELA for site inspections and assessments consistent with the existing certified Land use designations. The proposed project would not change the use of the sites nor would it interrupt or expand the existing conforming use of the sites.

CATEGORICAL DETERMINATION

Categorical Exclusions: Section 8.a: Existing Facilities; and Section 8.d.: Minor Alterations to Land; and Section 8.e: Information Collection

- 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.

AND/OR

- 8.d. Minor Alterations to Land: Includes minor alterations in the condition of land, water and/or vegetation not involving removal of mature, scenic trees, including, but not limited to:

- (6) Minor temporary use of land having negligible or no permanent effects on the environment

AND/OR

- 8.e. Information Collection: Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major significant disturbance to an environmental resource.

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 consist of a ROELA for site inspections and assessments that would involve no expansion of use beyond that previously existing, would not involve the removal of mature,

scenic trees, would have no permanent effects on the environment, and would not result in a serious or major significant disturbance to an environmental resource.

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)(3) of the Port Act, which allows for the establishment, improvement, and conduct of airport and heliport or aviation facilities, including, but not limited to, approach, takeoff, and clear zones in connection with airport runways, and for the construction, reconstruction, repair, maintenance, and operation of terminal buildings, runways, roadways, aprons, taxiways, parking areas, and all other works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of air commerce and air 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.

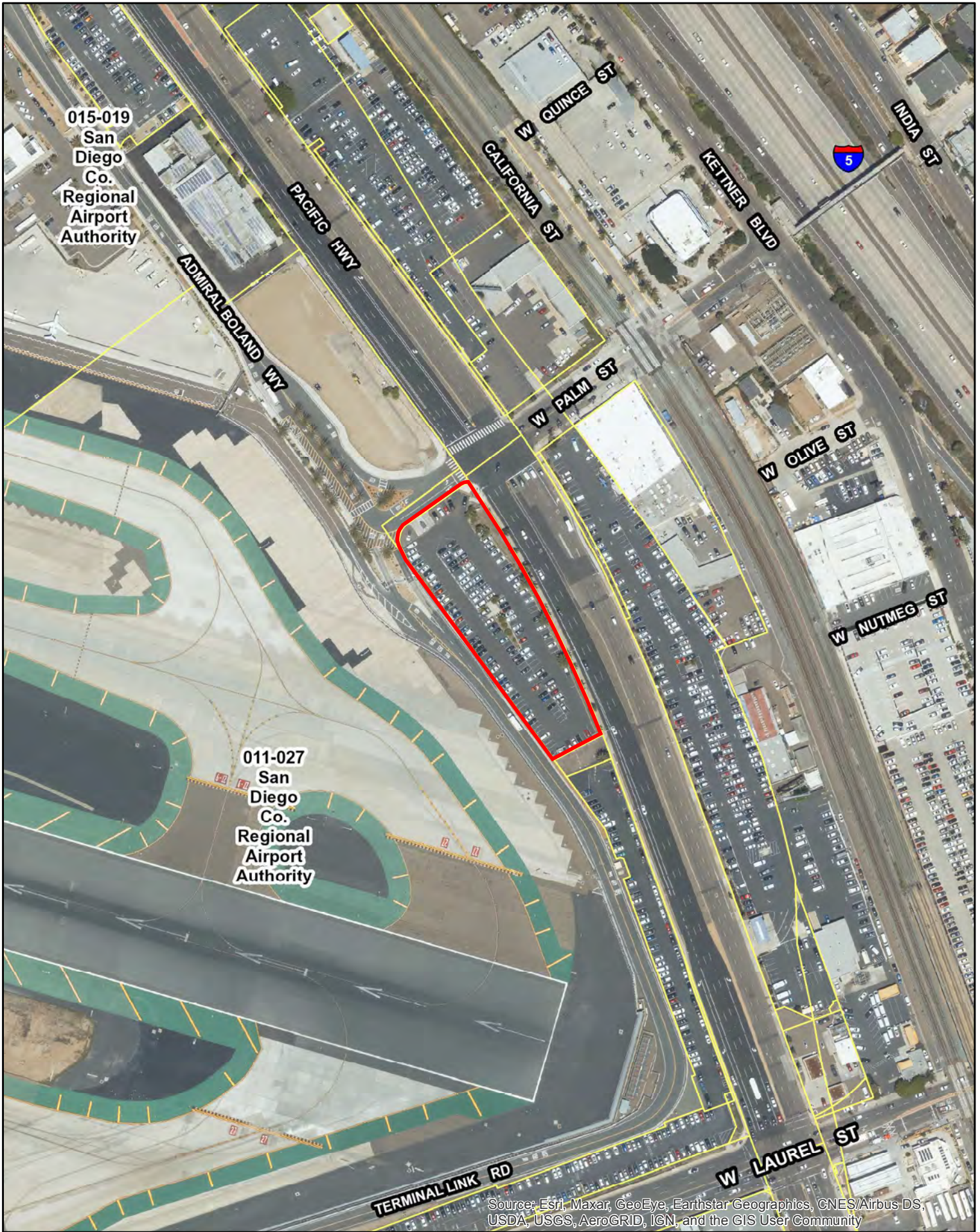
RANDA CONIGLIO
President/CEO

Determination by:
Cameron McLeod
Associate Planner
Development Services

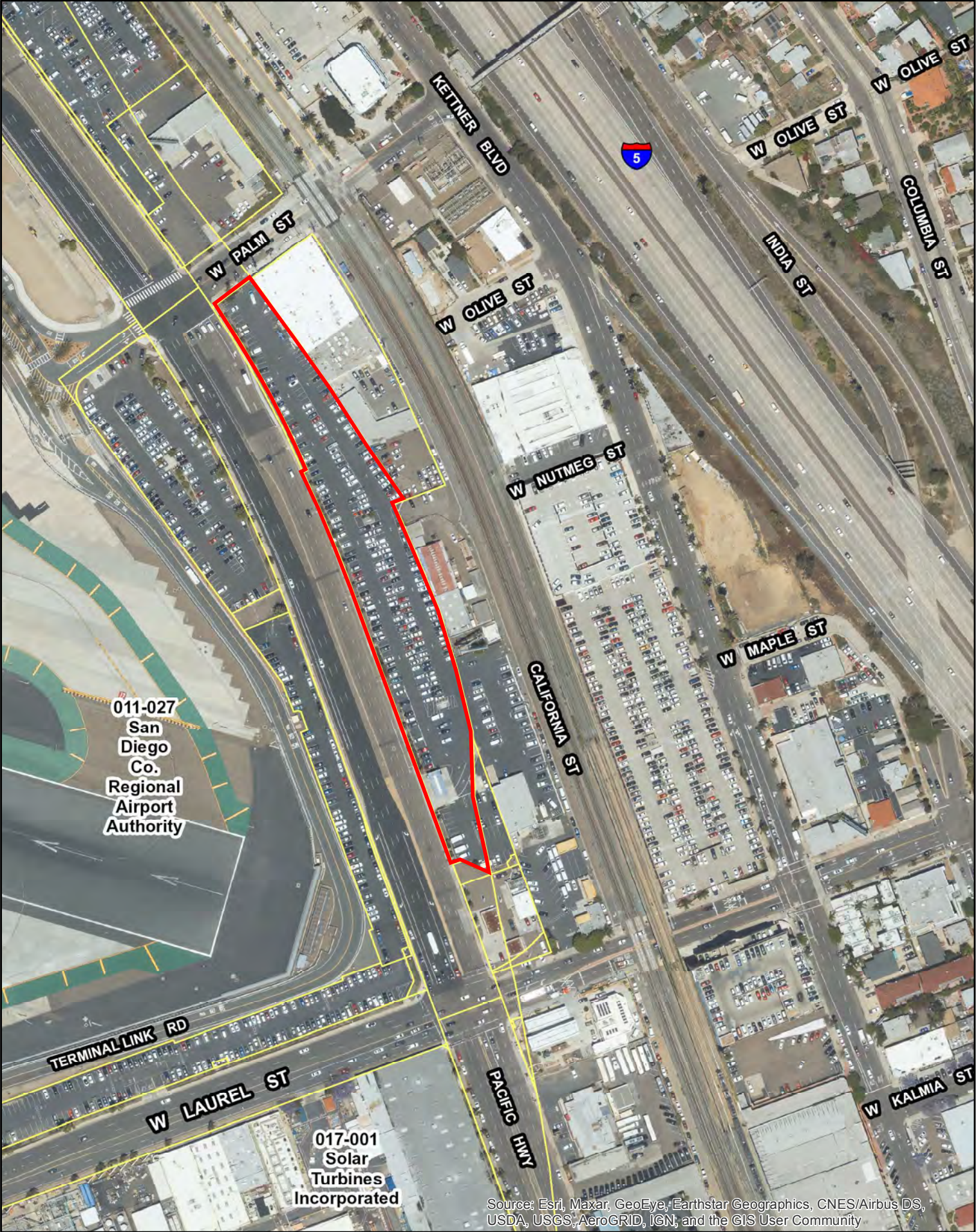
Signature: Cameron McLeod
Date: Aug 17, 2020

Deputy General Counsel

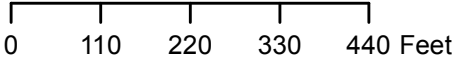
Signature: Chris Burt
Date: Aug 17, 2020



Lot 1: 58,621 sqft

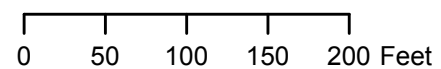


Lot 2: 98,142 sqft





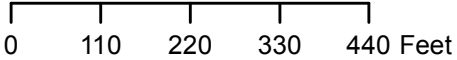
Lot 3: 102,510 sqft





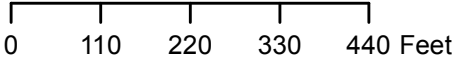
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Lot 4: 44,530 sqft





Lot 5: 135,521 sqft





Lot 6: 28,675 sqft

