



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

Project: FY 2020 Port Security Grant Program
Location: 1401 Shelter Island Drive, San Diego, CA 92106
 3380 North Harbor Drive, San Diego, CA 92101
 3165 Pacific Highway, San Diego, CA 92101
 1790 Switzer Street, San Diego, CA 92101
Parcel No.: Various
Project No.: 2020-099
Applicant: Aimee Heim, Grants and Policy Manager, Government and Civic Relations, San Diego
 Unified Port District, 3165 Pacific Highway, San Diego CA 92101
Date Approved: October 9, 2020

PROJECT DESCRIPTION

The proposed project involves funding for six (6) security-related projects for the Fiscal Year 2020 (FY20) Port Security Grant Program. In February 2020 the Department of Homeland Security awarded the San Diego Unified Port District (District) \$750,000 and Harbor Police Department (HPD) \$600,000, for a total of \$1,300,000 in funding for various District and HPD projects through its Port Security Grant Program. All Port Security Grant Program projects for FY20, listed and described below, were selected to help protect critical District infrastructure from terrorism and to increase maritime domain awareness around the San Diego Bay.

- Patrol Vessel Maintenance: Procurement of parts (engines, transmissions, jet drives, fire pumps, turbo chargers) and installation support for its eight grant funded patrol vessels.
- Command Van Update: Updates hardware and software for remote data and voice communication connectivity for the mobile command vehicle, replace 1-2 PVS camera trailers and lease up to two (2) tethered drones
- MARTAC Security Equipment (Telescopic Pole and Ladder): Purchase telescopic pole with controls for use when conducting a tactical boarding of a large ship while underway with hook points capable of reaching up to 45 feet.
- Emergency Management Program: Advanced exercises including business continuity workshop/assistance for Port businesses and stakeholders, and operations development support to address and correct major gap areas in the Port's ability to detect/prevent/mitigate, respond to and recover from a Soft Target/Crowded Places incidents, and any incident disrupting Port operations.
- Tenth Avenue Marine Terminal (TAMT) Access Control – Phase III: Replace Entry Control Facility, two traffic lane kinetic barriers, and two drop arm traffic barriers with supporting infrastructure to harden ingress/egress points and continue phased upgrades to TAMT to prevent or deter unauthorized vehicle entry to the restricted terminal and support the security requirements for military and commercial operations.
- High End Cameras at TAMT: Purchase and installation of Marine Grade, all-weather, day/night security Pan, Tilt, Zoom, (PTZ) cameras for local and area maritime security. Increasing the coverage will provide USCG, HPD and Port security with an enhanced capability to detect and deter unauthorized access and/or hostile activity in the vicinity of the terminals.

Construction of the security-related projects is anticipated to commence in Fall 2020, and must be completed no later than August 31, 2023. Due to their nature and limited scope, construction of the proposed projects 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; 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:

- (1) Repair, maintenance or minor alteration of existing mooring facilities, floats, piers, piles, wharves, bulkhead, revetment, buoys, or similar structures; marine terminal facilities; airport facilities; and commercial industrial, or recreational facilities.

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.

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.

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

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 funding for and development of security-related projects that would involve negligible expansion of use beyond that previously existing, would consist of the replacement of an existing facilities, would be located on the same site as the structure replaced, would have substantially the same purpose and capacity, would consist of construction and location of new, small facilities, would have 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 Districts: 1 - Shelter Island/La Playa (Precise Plan Figure 4); 2 - Harbor Island/Lindbergh Field (Precise Plan Figure 9); and 4 - Tenth Avenue Marine Terminal (Precise Plan Figure 13)

Land Use Designation: Commercial Recreation; Harbor Services; Marine Related Industrial;and Marine Terminal

The proposed project conforms to the certified Port Master Plan because it would involve funding for and development of security-related projects, consistent with the existing certified Land use designations. 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 Alterations 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:

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

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.

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:

- (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 involves funding for and development of security-related projects that would involve negligible expansion of use beyond that previously existing, would be located essentially on the same site as the structure replaced, would have substantially the same purpose and capacity as the structure replaced, would have no permanent effects on the environment, 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: Oct 12, 2020

Deputy General Counsel

Signature: Chris Burt
Date: Oct 12, 2020