



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

Project: Lease to Harvest Meat at the National Distribution Center
Location: 1000 and 1022 Bay Marina Drive, National City, CA 91950
Parcel No.: 027-051
Project No.: 2020-149
Applicant: Jesus Lopez, Director of Operations, Harvest Meat Company, 1022 Bay Marina Drive, Suite 106, National City, CA 91950
Date Approved: Feb 2, 2021

PROJECT DESCRIPTION

The proposed project consists of a lease (Lease) to Harvest Meat Company (Lessee) for their use of approximately 97,084 square feet of building area comprised of four parcels (Nos. 1, 2A, 2B, and 3) within an industrial center commonly known as National Distribution Center (Industrial Center) in the City of National City, California. Each parcel is as follows: Parcel No. 1 consists of approximately 69,801 sq. ft. of "Warehouse Space"; Parcel No. 2A consists of approximately 16,290 sq. ft. of "Office Space"; Parcel No. 2B consists of approximately 4,805 sq. ft. of "Office Space"; and Parcel No. 3 consists of approximately 6,188 sq. ft. "Additional Warehouse Space". In addition, the Lessee has historically used a portion of the adjacent dock area and courtyard space, and as part of the Lease shall have the exclusive use of (i) the dock area directly adjacent to Parcel No. 1 and (ii) the courtyard space directly adjacent to Parcel No. 2A, as such dock area and courtyard space. The areas proposed for use under this Lease are currently and are proposed to be used only and exclusively for the purpose of corporate office and general storage, processing, and distribution of meat, poultry, seafood, produce, frozen foods, and other food or for supply and food service distribution and related products and other such standard operations as may be directly related to the foregoing, and for no other purposes whatsoever without the prior written consent of the Executive Director of District in each instance.

In addition, the Lessee shall have use of a maximum of eighty-three (83) standard auto parking spaces located to the east side of 1000 Bay Marina Drive. Additionally, adjacent to 1022 Bay Marina Drive, Lessee shall have nineteen (19) standard auto parking spaces next to Suite 106; twenty-eight (28) oversized vehicle parking stalls along the dock area; four (4) oversized vehicle parking stalls south of the dock area and in front of the ammonia room; ten (10) standard auto parking spaces north of Suite 100; and forty-one (41) oversized vehicle parking stalls located adjacent to the westerly property line adjacent to the entry driveway to the Industrial Center.

The Lessee may utilize common areas described as areas and facilities outside the leased premises and within the exterior boundary line of the Industrial Center and interior utility raceways within the Industrial Center.

The Lessee would be responsible for compliance with all laws and regulations associated with the activities on or in connection with the above-described premises, and in all uses thereof, including those regulating stormwater and hazardous materials. No new development, construction, or increase in the size of the property is proposed or authorized as part of the Lease.

It is anticipated that the Lease would have a total term of approximately five (5) years. The Lease may be terminated by the District or Tenant as a matter of right and without cause at any time upon providing thirty (30) days' notice in writing to the other party of such termination.

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:
- (4) New and renewed short-term tenancy agreements which do not result in change in the existing use. This exemption does not apply to any new development associated with the activities of the tenant. This exception is also inapplicable if the cumulative impact of continuing the existing use or conditions in the same place, over time, is significant.

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 consists of a lease of existing space within the Industrial Center for the purpose of corporate office, general storage, processing, and supply and distribution of goods, would involve no expansion of use beyond that previously existing, and would not result in a significant cumulative impact due to the continuation of the existing use. 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 consists of a lease of existing space within the Industrial Center for the purpose of corporate office, general storage, processing, and supply and distribution of goods, 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 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 consists of a lease of existing space within the Industrial Center for the purpose of corporate office, general storage, processing, and supply and distribution of goods, and 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)(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: Feb 2, 2021

Deputy General Counsel

Signature: Rebecca S. Harrington
Date: Feb 2, 2021