



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

Project: Power Your Drive Program – EV Charging Station at Pepper Park
Location: Pepper Park, 3300 Goesno Place, National City, 91950
Parcel No.: 028-011
Project No.: 2021-015
Applicant: Zach Birmingham, Energy, San Diego Unified Port District, 3165 Pacific Highway,
 San Diego, California 92101
Date Approved: March 9, 2021

PROJECT DESCRIPTION

The proposed project would involve an agreement with San Diego Gas and Electric (SDG&E) to install, operate, and maintain five (5) dual port electric vehicle (EV) charging stations and one (1) single port EV charging station within in the Pepper Park parking lot in National City. The six (6) stations in total would serve eleven (11) parking stalls with Level 2 EV charging. The agreement would be pursuant to SDG&E's Power Your Drive for Parks Program. A utility and site access easement for the proposed project site, in addition to the site hosting participation agreement between the District and SDG&E (both for a term of eight-years) are required for the proposed site and project and anticipated to commence in March 2021 upon obtaining Board approval.

The EV charging stations would be located on the eastern edge of the middle row of parking stalls within the Pepper Park parking lot, just north of the National City Aquatic Center. The proposed project would convert eleven (11) of the existing parking stalls to EV charging stations: nine (9) would be standard parking stalls, one (1) would be a standard ADA parking stall, and finally, one (1) would be a van ADA parking stall, available per California Building Code section 11B-228.3. Existing parking stalls will be restriped consistent with National City Municipal Code (NCMC) and shortened in width to ensure no net loss in parking. The restriping may result in the conversion of some standard size parking spaces to compact size; however any new compact parking spaces will fall below the NCMC 25% cap of how many compact parking spaces can be included within a parking lot. Additionally, there is sufficient space within the parking lot to comply with NCMC parking space widths and back-up dimensions.

It is anticipated that the installation and construction of the six (6) EV charging stations would occur in late 2021 within a construction window of four to five weeks and generate approximately 5 vehicle truck trips on a peak day of construction. Construction activities would include approximately 180 feet of minor trenching and backfilling to connect the EV charging stations to an existing fuse cabinet, a new meter, and a new transformer. The new meter and transformer would be installed adjacent to the EV charging stations. Due to its nature and limited scope, construction of the project would generate a minor amount of vehicle trips and would require limited use of construction equipment, such as a mini excavator, bobcat, backhoe, and a temporary storage container. Therefore, since all activities would occur in a preexisting parking lot, no impacts would occur. Finally, the applicant would be responsible for complying with all applicable federal, state, and local laws regarding construction demolition debris, noise, hazards and hazardous materials, and stormwater.

It is expected that EV charging would be in operation at Pepper Park before the end of 2021.

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 §15303, Class 3/Section 3.c: New Construction or Conversion of Small Structures; and SG §15304, Class 4/Section 3.d: Minor Alterations 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:
- (7) Existing facilities used to provide electric power, natural gas, sewerage, or other public utility service.

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. Examples of this exemption include:
- (2) Accessory (appurtenant) structures and mechanical equipment including, but not limited to, garages, sheds, railway spur tracks, pilings, temporary trailers, industrial equipment enclosures, fences, parking, on-site roadways, walkways and health and safety devices.
 - (3) Water, sewer, electrical, gas, telephone, and other utility structures or facilities.

AND/OR

- 3.d. Minor Alterations to Land (SG § 15304) (Class 4): 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:
- (7) Minor trenching or 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 would not impact existing uses, would consist of the installation of small new equipment, and finally, would result in no permanent effects on the environment or 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 because the proposed site is an existing parking lot that is not a particularly sensitive environment or a hazardous waste site; and the proposed project would not result in damage to scenic resources, would not cause a substantial adverse change in the significance of a historical resource, would not create a significant cumulative impact, and finally, would not have a significant effect on the environment due to unusual circumstances (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: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because recreational vehicle parks, such as the parking lot at Pepper Park, is specifically identified as a use within Commercial Recreation, the existing certified land use designation, and EV charging stations within the parking lot support sustainable access to Pepper Park and adjacent aquatic center. 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; 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:

- (2) Public and private utilities used to provide electric power, natural gas, sewer, or other utility services

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, including but not limited to:

- (2) Water main, sewer, electrical, gas, or other utility extensions of reasonable length to serve such construction

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 would involve a negligible expansion of existing use of the parking lot by providing the opportunity for EV charging within existing parking stalls, would consist of the installation of small new equipment, and finally, would result in no permanent effects on the environment or the removal of mature, scenic trees because development would be limited to installing the EV charging stations in the existing parking lot.

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)(4) of the Port Act, which allows for the construction, reconstruction, repair, and maintenance of highways, streets, roadways, bridges,

belt line railroads, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, and all other transportation and utility facilities or betterments incidental, necessary, or convenient for the promotion and accommodation of any of the uses set forth in this section.

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.

JOE STUYVESANT
President/CEO

Determination by:

Maggie Weber
Senior Planner
Planning, Environment, and
Government Relations

Signature: Maggie Weber
Date: Mar 10, 2021

Deputy General Counsel

Signature: Chris Burt
Date: Mar 10, 2021