



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

Project: Soil Vapor Testing by RIDA Chula Vista, LLC at Chula Vista Bayfront
Location: South of G Street and West of Marina Parkway, Chula Vista, CA 91910
Parcel No.: Various
Project No.: 2021-027
Applicant: Ashley Homrighaus, SVP of Development, RIDA Development Corporation, 1777 Walker Street, Suite 501, Houston, TX 77010
Date Approved: Mar 24, 2021

PROJECT DESCRIPTION

The proposed project is a Right of Entry License Agreement (ROELA) to RIDA Chula Vista, LLC (Licensee) to enter certain property located in the city of Chula Vista, California. The area proposed for use under this ROELA would be used by the Licensee and their authorized agent(s) and contractor(s) for the purpose of on-site soil vapor investigation, as well as ingress and egress in support of those activities. No new development, construction, or increase in the size of the area is proposed or authorized as part of the ROELA.

It is anticipated that the ROELA would have a total term of approximately three (3) months, or upon completion of the work, whichever occurs earlier. The ROELA may be terminated by the District as a matter of right and without cause at any time upon providing forty-eight (48) hours' notice in writing to the Licensee of such termination.

Due to its nature and limited scope, activities associated with the proposed project would generate a minor amount of vehicle trips and would require limited use of equipment. Therefore, impacts related to air quality, greenhouse gas emissions, and transportation and traffic are not anticipated to occur. Furthermore, the Licensee would be responsible for complying with all applicable federal, state, and local laws regarding 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)

The proposed project was adequately covered in the Final Environmental Impact Report (FEIR) for the Chula Vista Bayfront Master Plan (UPD #83356-EIR-658; SCH #2005081077; Clerk Document No. 56562), certified by the District on May 18, 2010 (Resolution No. 2010-78), the Addendum to the FEIR, which was adopted by the Board on August 13, 2013 (Resolution No. 2013-138), the Second Addendum to the FEIR, which was adopted by the Board on April 10, 2018 (Resolution No. 2018-0069), and the Third Addendum to the FEIR, which was adopted by the Board on December 8, 2020 (Resolution No. 2020-116). The proposed project is not a separate "project" for CEQA purposes but is a subsequent discretionary approval related to a previously approved project. (CEQA Guidelines § 15378(c); Van de Kamps Coalition v. Board of Trustees of Los Angeles Comm. College Dist. (2012) 206 Cal.App.4th 1036.) Additionally, pursuant to CEQA Guidelines Sections 15162 and 15163, and based on the review of the entire record, the FEIR and Addendums, the District finds that the proposed project would not require further environmental review and is merely a step in furtherance of the original project for which environmental review was performed and no supplemental or subsequent CEQA has been triggered, and no further environmental review is required.

CALIFORNIA COASTAL ACT

PORT MASTER PLAN CONSISTENCY

Planning District: 7 - Chula Vista Bayfront (Precise Plan Figure 19)

Land Use Designation: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it would involve investigative soil sampling, 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 Exclusions: Section 8.d: Minor Alterations to Land; and Section 8.e: Information Collection

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:

- (5) Minor temporary uses of land and water having negligible or no permanent effects on the environment, including festivals, boating activities, parades, and running or bicycling events;

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 not involve the removal of mature, scenic trees, 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)(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.

JOE STUYVESANT
President/CEO

Determination by:
Michael Paul
Assistant Planner
Development Services

Signature: Michael Paul
Date: Mar 24, 2021

Deputy General Counsel

Signature: Rebecca Harrington
Date: Mar 24, 2021