



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

Project: Well Closures by Driscoll Inc. at Shelter Island
Location: 2510 Shelter Island Drive, San Diego, CA 92106;
 2445 Shelter Island Drive, San Diego, CA 92106;
 Shelter Island Drive ROW, San Diego, CA 92106
Parcel No.: 003-000; 003-029; and 003-005
Project No.: 2021-046
Applicant: Bret Sample, AFS Task Manager 2 / Geologist 2, Arcadis U.S., Inc. 101 Creekside
 Ridge Ct, Suite 200, Roseville, CA 95678
Date Approved: May 26, 2021

PROJECT DESCRIPTION

The proposed project would involve abandoning, destroying, and removing associated components of existing monitoring wells by Arcadis U.S. Inc. (Applicant) on behalf of Driscoll Inc. (Tenant) in the City of San Diego, California. Work to specifically complete the proposed project would involve the following improvements at their respective sites:

Driscoll Boat Works (2510 Shelter Island Drive)

- Destroy 28 existing monitoring wells and borings
- Remove existing waste piles, drums, debris and other investigation or remediation-derived materials

Marlin Club (2445 Shelter Island Drive)

- Destroy two (2) existing monitoring wells

Shelter Island Drive Right of Way (ROW)

- Destroy five (5) monitoring wells near east and west portions of street along the Driscoll Leasehold

Work required for the well closures would require over-drilling wells and borings using the same drill rig to remove casings, filter pack, and annular seal materials; filling the hole with grouting material and pumping sealing material to the surface; and finish grade surfaces at all areas of work to match existing surfaces post-construction. The proposed improvements would complete an existing San Diego Regional Water Quality Board closure order in accordance with the Low-Threat Underground Storage Tank Case Closure Policy. Additionally, monitoring wells and borings would be destroyed in accordance with the County of San Diego Department of Environmental Health – Monitoring Well Program in the Site Assessment and Mitigation Manual, Section 5. Construction of the proposed project is anticipated to occur in Summer 2021 and would take approximately six (6) weeks to complete. Construction equipment will include an air-vacuum truck and hollow stem auger rig, and traffic control for the ROW wells.

Due to its nature and limited scope, construction of the proposed project 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 Applicant 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; 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:

- (6) Demolition and removal of individual structures listed in the subsection except where the structures are of historical, archaeological, or architectural significance. These include, but are not limited to, commercial, industrial, airport, or marine terminal structures or facilities if designed for an occupancy load of 30 persons or less, and not in conjunction with the demolition of improvements on an entire site. Examples are warehouses, sheds, miscellaneous work buildings, piers, floats, piles, marine ways, electrical, mechanical, or utility systems, railroad improvements, dilapidated vessels, navigation aids, or similar related structures.

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.

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 abandoning, destroying, and removing associated components of existing monitoring wells, would involve no expansion of use beyond that previously existing, would result in 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 District: 1 - Shelter Island/La Playa (Precise Plan Figure 4)

Land Use Designations: Marine Sales and Services; Promenade; and Streets

The proposed project conforms to the certified Port Master Plan because it would involve abandoning, destroying, and removing associated components of existing monitoring wells, 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; 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:

- (9) Demolition and removal of individual small structures, except where structures are of historical, archaeological, or architectural significance;

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.

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 consists of abandoning, destroying, and removing associated components of existing monitoring wells, would involve no expansion of use beyond that previously existing, 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)(6) of the Port Act, which allows for the establishment, improvement, and conduct of small boat harbors, marinas, aquatic playgrounds, and similar recreational facilities, and for the construction, reconstruction, repair, maintenance, and operation of all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses, including, but not limited to, snack bars, cafes, restaurants, motels, launching ramps, and hoists, storage sheds, boat repair facilities with cranes and marine ways, administration buildings, public restrooms, bait and tackle shops, chandleries, boat sales establishments, service stations and fuel docks, yacht club buildings, parking areas, roadways, pedestrian ways, and landscaped areas. 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.

J. STUYVESANT
President/CEO

Determination by:
Michael Paul
Assistant Planner
Development Services

Signature: Michael Paul
Date: May 26, 2021

Deputy General Counsel

Signature: Chris Burt
Date: May 26, 2021