



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

Project: Concrete Resurfacing by Pasha at the National City Marine Terminal
Location: National City Marine Terminal, South 32nd Street, Sweetwater Lot, National City, CA 92113
Parcel No.: 027-003
Project No.: 2021-059
Applicant: Pablo Vega, Senior Facilities Manager, Pasha Automotive Services; 1309 Bay Marina Drive, National City, CA 91950
Date Approved: Jul 15, 2021

PROJECT DESCRIPTION

The project would involve resurfacing the Sweetwater Lot drive aisle from asphalt to concrete.

The specific work for the proposed project would include the following:

- Remove existing asphalt paving in the 40-foot by 100-foot (4,000 square foot) Sweetwater Lot
- Haul and dispose of all asphalt paving off site
- Excavate 40-foot by 100-foot site to allow for installation of proposed concrete lot that would be 40-foot-wide, 100-foot-long and 12-inches deep
- Install required reinforcing bars
- Install dowels into existing, adjacent concrete
- Remove existing light standard #7
- Provide and install new 5,000 psi concrete flush to all adjacent surfaces
- Provide heavy broom finish to match existing, adjacent concrete slab

The project would require work crews, excavation equipment, haul trucks and a concrete truck. Work would commence in summer 2021 and would take approximately two weeks to complete. 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, impacts related to air quality, greenhouse gas emissions, and transportation and traffic are not anticipated to occur. Furthermore, Pasha Automotive Services would be responsible for complying with all applicable federal, state, and local laws regarding construction demolition debris, hazards and hazardous materials, and stormwater.

The proposed project would include issuance of a Right of Entry License Agreement (ROELA) to the Applicant to access the project site. The area proposed for use under the ROELA would be used by the Applicant and their authorized agent(s) and contractors(s) to complete the work described above, as well as ingress and egress in support of those activities. It is anticipated that the ROELA would have a total term of approximately six 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 twenty-four (24) hours' notice in writing to the Applicant 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 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:

3. Interior and exterior remodeling or alterations, involving negligible or no expansion of use beyond that previously existing, including, but not limited to, marine terminal facilities, and marine-oriented commercial, industrial, and public and commercial recreational facilities, including buildings, piers, wharves, marine ways; railroads; airport facilities, runways, taxiways, aprons, and ancillary structures to those facilities; or mechanical systems and equipment); AND/OR

3.d Minor Alterations to Land (SG § 15304) (Class 4): Consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include, but are not limited to:

7. Minor trenching and backfilling where the surface is restored.

The proposed project is determined to be Categorical 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 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 proposed project 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: 5 - National City Bayfront (Precise Plan Figure 15)

Land Use Designation: Marine Terminal and Marine Related Industrial

The proposed project conforms to the certified Port Master Plan because it would involve the removal and replacement of 4,000 square feet of asphalt with 5,000 psi concrete thereby resurfacing the drive aisle facility, 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 uses of the site.

CATEGORICAL DETERMINATION

Categorical Exclusion: Section 8.a: Existing Facilities; Section 8.b: Replacement or Reconstruction;

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:

(3) Streets, sidewalks, gutters, bicycle and pedestrian paths, and similar facilities

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.

The proposed project is determined to be Categorical 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 negligible or no expansion of use beyond that previously existing, and would be located essentially on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

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)(2) of the Port Act, which allows For all visitor-serving commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities. 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:
Peter Eichar
Senior Planner
Development Services

Deputy General Counsel

Signature: Peter Eichar
Date: Jul 15, 2021

Signature: Christopher Burt
Date: Jul 15, 2021