



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

Office of the District Clerk

Project: Informational Soil Borings by the Jankovich Company, LLC at 10th Avenue Marine Terminal
Location: 961 East Harbor Drive, San Diego, CA 92101
Parcel No.: 020-012
Project No.: 2021-155
Applicant: Bill Pratley, Vice President, the Jankovich Company, LLC, 307 East 22nd St., San Pedro, CA 90731
Date Approved: Mar 11, 2022

PROJECT DESCRIPTION

The proposed project located in the city of San Diego, California would allow the Jankovich Company, LLC (Applicant) to install approximately seven (7) soil borings onsite for basic data collection and research.

The first component of this project would involve the installation of two (2) soil borings to obtain soil samples via 8-inch diameter bore holes using a truck mounted drilling rig. Additionally, four (4) Cone Penetration Tests (CPTs) would be conducted feet using Box-Truck equipment. The purpose of the six (6) soil borings is for evaluating the geotechnical engineering properties and suitability of soils on the project site. Once soil samples are obtained, the contractor would cap the bore holes to match existing conditions and backfill the borings using a mixture of cement and bentonite. Spoils from the soil and geotechnical samples would be collected in 55-gallon drums onsite and would be tested for environmental analyses prior to their removal and disposal. Once test results are determined, the Applicant would file and schedule the pickup and disposal of the waste in accordance with the requirements set out by their EPA Hazardous Waste license. The Company Waste Management Procedure described would be overseen by the Applicant's Pipeline Operator. Construction for the first portion of the proposed project is anticipated to occur in Spring of 2022, and would take approximately three (3) days to complete, with ongoing maintenance and removal as needed.

The second component of the proposed project consists of installing one (1) soil boring to address a preliminary PFAS investigation required by the San Diego Regional Water Quality Control Board pursuant to Order No. WQ 2021-006-DWQ. The groundwater sample would be obtained using a direct push drilling method. Once the groundwater sample is collected, the contractor would cap the bore hole to match existing conditions and backfill the boring using bentonite. No soil samples would be collected from this boring, and no solid waste is expected to be generated from this drilling method. A 55-gallon drum would be located onsite as a precaution to store any potential soil cuttings. Decontamination and purge water would be contained in a separate 55-gallon drum. Samples from both drums would be collected for waste profiling and transported once the waste is tested and determined to be nonhazardous. Once test results are determined, the drums would be transported to permitted disposal facilities by the applicant's licensed subcontractor. This process is consistent with the County of San Diego Department of Environmental Health Site Assessment and Mitigation Manual for waste management and disposal and follows Title 27 of the California Code of Regulations. Construction for the second portion of the proposed project is anticipated to occur in Spring of 2022, and would take approximately one (1) day to complete, with ongoing maintenance and removal as needed.

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, 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 Exemption: SG §15306, Class 6/Section 3.f: Information Collection

- 3.f. Information Collection (SG § 15306) (Class 6): Includes basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be for information gathering purposes, or as part of a study leading to an action which has not yet been approved, adopted or funded.

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 proposes soil borings for the purpose of basic data collection and research which would not result in a serious or major disturbance to an environmental resource. 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: 4 - Tenth Avenue Marine Terminal (Precise Plan Figure 13)

Land Use Designation: Marine Related Industrial

The proposed project conforms to the certified Port Master Plan because it would involve soil borings for the purpose of basic data collection and research 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.e: Information Collection

- 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 Section of the District's *Coastal Development Permit Regulations* as identified above. This is appropriate for the proposed project because it 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)(2) of the Port Act, which allows for all 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:
Lillian Mattes
Assistant Planner
Development Services

Signature: Lillian Mattes
Date: Mar 11, 2022

Deputy General Counsel

Signature: Chris Burt
Date: Mar 11, 2022