



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

Project: Installation of Trash Capture Devices by the Port of San Diego at Various Port Property Locations
Location: Centre City Embarcadero, Tenth Avenue Marine Terminal, and National City Bayfront
Parcel No.: Various
Project No.: 2022-064a
Applicant: Departments of Engineering Construction and Environmental Protection at the Port of San Diego
Date Approved: 05/11/2023

PROJECT DESCRIPTION

The proposed project would involve installation of approximately seven (7) trash capture devices by the Port of San Diego in the cities of San Diego, and National City, California. The project would include three locations: Tuna Harbor within the main parking lot; Tenth Avenue Marine Terminal, north of Santa Fe Freight Yard; and east of the Port of San Diego General Services Building in National City on Tidelands Avenue. Work to specifically complete the proposed project would involve:

Tuna Harbor Location:

- Clear debris at existing curb inlets
- Install three (3) curb inlet trash capture devices within three existing curb inlets #2535, #2492, and #2516
- Remove existing basket prior to trash capture installation

Tenth Avenue Marine Terminal Location:

- Clear debris at existing inlet
- Install one (1) connector pipe screen trash capture device at existing inlet #1191
- Install one catch basin insert and one (1) trash capture device at existing inlet #TAMT001

Port of San Diego General Services Building:

- Clear debris at existing inlets
- Install two (2) connector pipe screen trash capture devices at existing inlets # 2757 and #2751

Construction of the proposed project is anticipated to occur in Summer 2023, and would take approximately two weeks to complete, with ongoing installations, modifications, and maintenance as needed.

A Coastal Act Categorical Determination of Exclusion (Project No. 2022-064) was issued previously for the installation of six (6) trash capture devices in the Fall of 2022. This amendment is to clarify the District would be installing approximately seven (7) trash capture devices and the anticipated construction start is now in Summer 2023.

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 Port of San Diego 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 §15303, Class 3/Section 3.c: New Construction or Conversion of Small Structures

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:

- (3) Water, sewer, electrical, gas, telephone, and other utility structures or facilities

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 consist of construction and location of new, small facilities/structures. 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 Districts: 3 - Centre City Embarcadero (Precise Plan Figure 11); 4 - Tenth Avenue Marine Terminal (Precise Plan Figure 13); and 5 - National City Bayfront (Precise Plan Figure 15)

Land Use Designations: City Centre Embarcadero: Commercial Recreation; Tenth Avenue Marine Terminal: Marine Related; and National City Bayfront: Marine Related

The proposed project conforms to the certified Port Master Plan because it would involve installation of six (6) trash capture devices within existing curb inlets at various locations, which is 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 uses of the site.

CATEGORICAL DETERMINATION

Categorical Exclusions: Section 8.a: Existing Facilities and Section 8.c: New Construction or Conversion of Small Structures

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

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 change of existing use of the property.

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:
Abigail Haynam
Assistant Planner
Development Services

Signature: Abigail Haynam
Date: 05/11/2023

Deputy/Assistant General Counsel

Signature: [Signature]
Date: 05/11/2023