



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

Project: Installation of Emergency Generator by BAE Systems Inc. at Tenth Avenue Marine Terminal
Location: 2205 East Belt Street, San Diego, CA 92113
Parcel No.: 021-015
Project No.: 2022-081
Applicant: Lydia Pellecer, Environmental Manager, BAE Systems SDSR, 2205 East Belt Street, San Diego, CA 92113
Date Approved: Nov 9, 2022

PROJECT DESCRIPTION

The proposed project would involve the installation of an emergency generator by BAE Systems Inc. (Applicant) in the city of San Diego, California. Work to specifically complete the proposed project would involve the installation of a 250 kW Tier 3 Diesel Generator adjacent to Building 55 to provide emergency back-up electricity during a power outage. The generator would be located on the facility grounds and supply electricity to Building 55, Building 95 MPOE and HVAC, Building 95 Telephone Room and HVAC, and the Outlet to plug Pier 1 Sewer Lift Station.

Additional work required to complete the proposed project would include the installation of one (1) 400A automatic transfer switch to complement the new emergency generator. The new emergency generator includes the installation of a new conduit and feeders which would require an 18" wide x 40" deep x 100-foot-long trench. The existing switchgear would be replaced and connected to the newly installed conduit and feeders. The existing electrical system would be reconfigured to connect the electrical network for Building 55 and Building 95 to the new emergency generator. All trench work would be backfilled, patched, and restored to the existing condition following completion of work.

In addition, the proposed project involves the installation of a 96 square foot (6'W x 16'L x 6"D) concrete structural pad and 7-inch tall chain link fence with vinyl slats to enclose the new generator and switchgear. A catwalk for all future maintenance would be provided on both sides of the fuel tank. All diesel fuel would be provided by the Applicant, and temporary power would be available during the proposed project if needed during transfer of power from the existing system to the new generator. All disturbed soil disturbance from trenching and surface removal of asphalt would be restored to existing conditions following completion of work.

Construction of the proposed project is anticipated to occur in early 2023 and would take approximately two (2) months to complete with ongoing maintenance as needed. All work and necessary staging would occur within the Applicant's leasehold. The Project would implement Best Management Practices (BMPs) such as erosion control, tracking control, non-stormwater discharge controls, and waste management and materials pollution controls, and inspection and maintenance.

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 would be minimal because the emergency generator would only be used during a power outage. 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; SG §15303, Class 3/Section 3.c: New Construction or Conversion of Small Structures; 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:

- (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:

- (2) Accessory (appurtenant) structures and mechanical equipment including, but not limited to, garages, sheds, railway spur tracks, pilings, temporary trailers, industrial equipment enclosures, fences, parking, on-site roadways, walkways and health and safety devices.
- (3) Water, sewer, electrical, gas, telephone, and other utility structures or facilities.

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, including, but not limited to:

- (7) Minor trenching and backfilling where the surface is restored.

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 the installation of an emergency generator that would involve no expansion of use beyond that previously existing, would consist of the installation of small new equipment and facilities in small structures, 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: 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 the installation of an emergency generator 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 Exclusions: Section 8.a: Existing Facilities; Section 8.c: New Construction or Conversion of Small Structures; 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:
 - (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.

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, including but not limited to:
 - (6) Minor trenching or backfilling where the surface is restored.

The proposed project is determined to be Categorical Excluded pursuant to the Sections of the District's *Coastal Development Permit Regulations* as identified above. This is appropriate for the proposed project because it would consist of the installation of an emergency generator that would involve negligible 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)(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:
Lillian Mattes
Assistant Planner
Development Services

Signature: Lillian Mattes
Date: Nov 9, 2022

Deputy/Assistant General Counsel

Signature: Rebecca Harrington
Date: Nov 9, 2022