



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

Project: Structural Repairs to Berth 24-11 by the Port of San Diego at National City Marine Terminal
Location: Berth 24-11 at the Southern End of National City Marine Terminal Adjacent to Pepper Park.
Parcel No.: 027-047
Project No.: 2022-082
Applicant: Jesus Puebla, Associate Engineer, Department of Engineering Construction at the Unified Port District of San Diego 3165 Pacific Highway San Diego, CA 92101
Date Approved: Sep 26, 2022

PROJECT DESCRIPTION

The proposed project would involve structural repairs to Berth 24-11 by the Port of San Diego in the city of National City, California. Work to specifically complete the proposed project would involve:

- Removal and replacement of a concrete deck with dimensions of approximately 756' x 62' x 16"
- Connection of all existing piles to the new concrete deck
- Removal and replacement of a fender system
- Removal of unsound concrete prior to jacket installation
- Structural reinforcement of piles through the installation of concrete structural or durability jackets
 - Installation of structural jackets on approximately two (2) piles
 - Installation of durability jackets on approximately thirty-five (35) piles
- Installation of a 24" catch basin with a new storm drain outlet
- Installation of storm drain modular bio-filtration systems

Construction of this project will be phased to ensure that the Berth is usable at all times to the greatest extent possible. This project will involve no increase in square footage, replacement or addition of pilings, additional fill, or additional shading.

This project will utilize a laydown area of approximately 100' x 30' which will be located just north of Berth 24-11 for construction staging.

Construction of the proposed project is anticipated to occur in Summer 2023 and would take approximately 12 months to complete. 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 Exemptions: SG §15301, Class 1/Section 3.a: Existing Facilities and SG §15302, Class 2/Section 3.b: Replacement or Reconstruction

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:

- (1) Repair maintenance or minor alteration of existing mooring facilities, floats, piers, piles,

wharves, bulkhead, revetment, buoys, or similar structures; marine terminal facilities; airport facilities; and commercial industrial, or recreational facilities.

AND/OR

- 3.b. Replacement or Reconstruction (SG § 15302) (Class 2): Includes replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structure being replaced.
- (2) Replacement or reconstruction of marine terminal facilities, and marine-oriented commercial, industrial, and public and commercial recreational facilities, including buildings, piers, piles, wharves, marine ways; railroads; airport facilities, runways, taxiways, aprons, and ancillary structures to those facilities; electrical and mechanical systems and equipment; where the new structure will be on essentially 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 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 replacement/reconstruction of an existing structure, would be located on the same site as the structure replaced, and would have substantially the same purpose and capacity. 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 and Water Use Designations: Marine Terminal and Terminal Berthing

The proposed project conforms to the certified Port Master Plan because it would involve structural repairs to Berth 24-11 consistent with the existing certified land and water 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.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:
- (10) Repair, maintenance, or minor alteration of existing mooring facilities, floats, piers, bulkhead, revetment, buoys, or similar structures;
- (12) Interior and exterior remodeling of airport facilities, marine terminal facilities, existing marine-oriented industrial structures, and commercial or recreational 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.

- (3) Replacement, stabilization, or reconstruction of mooring facilities, floats, piers, bulkhead, revetment, shoreline protection, buoys, or similar structures.

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 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)(1) of the Port Act, which allows for the establishment, improvement, and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient, for the promotion and accommodation of commerce and navigation. 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: Sep 26, 2022

Deputy/Assistant General Counsel

Signature: Rebecca Harrington
Date: Sep 26, 2022