



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

Project: Facilities Maintenance by Searles Valley Minerals at Tenth Avenue Marine Terminal
Location: 1090 Water St. San Diego, CA 92101
Parcel No.: 020-031
Project No.: 2022-088
Applicant: David Goins, Manager, Searles Valley Minerals, 1090 Water St. San Diego, CA 92101
Date Approved: 02/14/2024

PROJECT DESCRIPTION

The proposed project consists of chipping, grinding, welding, prepping, priming, and painting of existing structures by Searles Valley Minerals, Inc (Applicant/Tenant) on Tenth Avenue Marine Terminal in the city of San Diego, California. The existing structures include an elevated conveyor system, storage facilities for dry bulk, supporting accessory structures, and office administrative buildings.

Prior to the commencement of the painting components of this project, welding repairs would be made to the land conveyor to ensure its structural stability. These repairs would involve the removal of rust from the damaged structures. Any lost material would be replaced in kind and secured through welding and grinding the replacement material flush with the existing structure. This process would be repeated throughout the conveyor structure where they are necessary. In addition, the Tenant may determine to demolish certain components of the facilities during the term of the proposed project, specifically the Silo Man Elevator and South Silo Structures. Demolition debris would be hauled away for off-site disposal at approved facilities as determined by the Tenant and appropriate authorities.

To ensure that any non-stormwater discharge to San Diego Bay or the storm drain system is prevented, all work including welding, surface preparation, and the paint applications will be conducted within full containment and regularly vacuumed using a HEPA-vacuum. All work that involves hazardous building materials removal will be conducted in accordance with applicable State regulations. The contractor shall have and comply with a District Approved BMP plan prior to the commencement of any work.

All surfaces to be painted would be cleaned by hand tool, primed, and covered with a topcoat. All painting would be roller/brush applied according to manufacturer's recommendations. All laydown and staging would be within the Tenant's leasehold. Construction of the proposed project is anticipated to commence spring 2024 and would be completed in phases over the course of three (3) years, according to the following schedule:

Year 1:

- Dock Conveyor
- Transfer Building
- Railcar Building
- Maintenance Building

Year 2:

- Office Building
- Silo Man Elevator
- South Silo Structures

Year 3:

- Land Conveyor
- All outstanding paint maintenance

The proposed project would also include a lease renewal to allow for the continued use of approximately 144,927 square feet (sq ft) of land area and 15,282 sq ft of conveyor air space area. The area proposed for use under this Lease is currently and is proposed to be used only and exclusively for the purpose of operating and maintaining bulk handling and storage facilities and appurtenances and for no other purpose whatsoever without the prior written consent of the Executive Director of the District in each instance. The renewed lease would have a total potential term of approximately five (5) years.

Due to its nature and limited scope, 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 Tenant 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: CEQA Guidelines Section 15301 (Class 1)/District Guidelines for Compliance with CEQA Section 3.a: Existing Facilities

- 3.a. Existing Facilities: 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.
 - (6) Demolition and removal of individual structures listed in the subsection except where the structures are of historical, archaeological, or architectural significance. These include, but are not limited to, commercial, industrial, airport, or marine terminal structures or facilities if designed for an occupancy load of 30 persons or less, and not in conjunction with the demolition of improvements on an entire site. Examples are warehouses, sheds, miscellaneous work buildings, piers, floats, piles, marine ways, electrical, mechanical, or utility systems, railroad improvements, dilapidated vessels, navigation aids, or similar related structures.
 - (9) Restoration or rehabilitation of deteriorated or damaged structures, facilities or mechanical equipment to meet current standards of public health and safety or permit requirements, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood.

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 would consist of maintenance and/or demolition of existing structures and buildings that 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 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 Terminal

The proposed project conforms to the certified Port Master Plan because it would consist of maintenance and/or demolition of existing structures and buildings 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

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:

- (4) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health, safety, District policy, or as required by contractual conditions
- (9) Demolition and removal of individual small structures, except where structures are of historical, archaeological, or architectural significance
- (12) Interior and exterior remodeling of airport facilities, marine terminal facilities, existing marine-oriented industrial structures, and commercial or recreational facilities

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 consist of maintenance and/or demolition of existing structures and building that would involve no expansion of use beyond that previously existing.

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.

RANDA CONIGLIO
Acting President/CEO

Determination by:
Kevin Parker, AICP
Senior Planner
Development Services

Signature: _____
Date: 02/14/2024

Deputy/Assistant General Counsel

Signature: _____
Date: 02/14/2024