



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

Project: Installation of a New Twin Circuit Feed by BAE Systems at Tenth Avenue Marine Terminal
Location: 2145 East Belt Street, San Diego, CA 92113
Parcel No.: 021-015
Project No.: 2023-015
Applicant: Shaun Halvax, Acting Environmental Manager, BAE Systems San Diego Ship Repair, Inc., 2205 E Belt Street, San Diego, CA 92113
Date Approved: August 13, 2024

PROJECT DESCRIPTION

The proposed project would involve the installation of a capacitor bank by BAE Systems (Applicant) in the city of San Diego, California. BAE has increased their energy load which resulted in overloading the circuit 369 by nine (9) percent. To improve the power factor and reduce circuit overload, BAE has asked SDG&E to install two (2) capacitor banks that would need to be installed as a temporary solution until the circuit can be fully upgraded.

The proposed project would install two (2) capacitor banks in the streets just outside the Tenant's leasehold. Installation of the capacitors would be facilitated with the construction of two (2) trenches that are approximately 18" wide by 48" deep. Following completion of the proposed installation, all disturbed areas would be restored to their original condition. The first capacitor bank has already been installed at Sampson Street outside the Port's jurisdiction on SDG&E property. A permit was obtained from the City of San Diego to allow for that installation and trenching in the City's right-of-way. The second capacitor bank would be installed in the right of way on E. Belt Street, adjacent to BAE's existing leasehold.

Work to specifically complete the proposed project would involve:

- Installation of a capacitor pad
- Trenching from the existing handhole H129200 to the new capacitor pad and between the capacitor pad and the existing switch
 - Additional trenching may occur from the existing stubs right behind the sidewalk near P1926172542, to the same handhole
- Installation of one (1) new SCADA 1200KVAR Capacitor bank
- Restoration of all ground surfaces, sidewalks, curbs, and gutters disturbed during construction
- Replacement of any irrigation if needed

The proposed project would involve an Easement Agreement (Agreement) to San Diego Gas & Electric on behalf of BAE Systems for their use of approximately 1,102 square feet (sq ft) of tideland area to access the Belt Street portion of this project in order to trench and install equipment as needed in the city of San Diego, California. The area proposed for use under this Agreement would be used only and exclusively to excavate for, lay, erect, construct, build, install, modify, improve, rebuild, reconstruct, relocate, reconfigure, repair, replace, substitute, change the size of, upgrade, maintain, patrol, inspect, test, operate, use and remove facilities consisting only of underground electrical facilities together with above ground structures consisting of pad-mounted electrical equipment and appurtenances, for the transmission and distribution of electricity and related public utility purposes (collectively, "Facilities"). The Agreement further grants the Applicant and its authorized agent(s) and contractor(s) the right to ingress and egress to, from, and along said easement area via practical routes across the adjacent District lands. It is anticipated that the Agreement would have a total term of approximately ten (10) years.

Construction of the proposed project is anticipated to occur in winter of 2024 and would take approximately three (3) months to complete. Staging during the proposed project would not block more

than half of the road at a time, and the Applicant would maintain one open lane of traffic flow in each direction. The proposed project would not result in road closures on E. Belt Street. 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 Exemptions: SG §15301, Class 1/Section 3.a: Existing Facilities; SG §15302, Class 2/Section 3.b: Replacement or Reconstruction; 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.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

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.

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 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, would consist of the 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, and would consist of installation of small new equipment and facilities in small structures, and would result in no permanent effects on the environment or 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 portion of the proposed project located within the Coastal Development Permit (CDP) jurisdiction of the District conforms to the certified Port Master Plan because it would involve the installation of a capacitor bank and an easement 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.b: Replacement or Reconstruction; 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.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

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 portion of the proposed project located within the Coastal Development Permit (CDP) jurisdiction of the District is determined to be Categorically 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 the modification of existing electrical facilities and installation of small new electrical structures that would involve negligible expansion of use beyond that previously existing, 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, would involve a negligible change of existing use of the property, 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.

For the portion of the proposed project located outside of the District's CDP jurisdiction, additional approvals may be required from other agencies.

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.

RANDA CONIGLIO
President/CEO

Determination by:
Betsy Viramontes
Assistant Planner
Development Services

Signature: Betsy Viramontes
Date: 08/14/2024

Deputy/Assistant General Counsel

Signature: Shiraz D. Tangri
Date: 08/14/2024