



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

**Project:** Repair to an Aviation Fuel Pipeline by Pond on behalf of the U.S. Naval Facilities Engineering Command at Shelter Island

**Location:** At the intersection between Scott Street and Garrison Street

**Parcel No.:** 003-055

**Project No.:** 2023-024

**Applicant:** Todd Harris, Civil, Mechanical Engineer, Pond, 3665 Ruffin Road, Suite 206, San Diego, CA 92123

**Date Approved:** Feb 27, 2023

**PROJECT DESCRIPTION**

The proposed project would involve repair of an existing aviation fuel pipeline by Pond, on behalf of the U.S. Naval Facilities Engineering Command, in the City of San Diego, California. Corrosion has caused damage to a segment of the existing Miramar pipeline located at the intersection between Scott Street and Garrison Street. Work to specifically complete the proposed project would consist of the replacement of approximately three (3) feet of pipe that is damaged. A trench will be excavated within the street to access the pipeline which is subsurface. The trench will be approximately 6 feet (width) by 10 feet (length) and will have an approximate depth of 5 feet. The pavement will be restored upon completion of the pipe replacement.

A partial road closure on Scott Street may be necessary in order to complete this work. Work will be completed between 7:00 am and 7:00 pm in compliance with the City of San Diego allowable work hours. One lane will remain open during work hours, and all lanes will be open outside of work hours.

Construction of the proposed project is anticipated to begin in approximately late March 2023 and last approximately one (1) month. 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.

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**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

***CATEGORICAL DETERMINATION***

Categorical Exemptions: SG §15301, Class 1/Section 3.a: Existing Facilities 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.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. It also 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: 1 - Shelter Island/La Playa (Precise Plan Figure 4)

Land Use Designation: Streets

The proposed project conforms to the certified Port Master Plan because it would involve repair of an existing subsurface aviation fuel pipeline 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 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.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 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 negligible or no expansion of use beyond that previously existing and would not involve the removal or 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:  
Abigail Haynam  
Assistant Planner  
Development Services

Assistant/Deputy General Counsel

Signature: Abigail Haynam  
Date: Feb 27, 2023

Signature: Rebecca Harrington  
Date: Feb 27, 2023