



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

**Project:** Removal of Existing Mobile Trailers, Shade Structure, and Decking at Tenth Avenue Marine Terminal by San Diego Unified Port District  
**Location:** 1800 Crosby Road, San Diego, CA 92101  
**Parcel No.:** 020-019 and 020-025  
**Project No.:** 2023-032  
**Applicant:** Daniel Valentine, Manager, Maritime Operations, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101  
**Date Approved:** Mar 28, 2023

**PROJECT DESCRIPTION**

The proposed project would involve the removal of existing small structures at Tenth Avenue Marine Terminal by the San Diego Unified Port District (District) in the city of San Diego, California. Work to specifically complete the proposed project would involve the removal of two (2) existing mobile trailers, a shade structure, and wooden decking located near the entrance of the Tenth Avenue Marine Terminal. The mobile trailers would be sectioned and removed within the existing footprint beginning with the roof, then removal of the walls from top to bottom. A portion of the adjacent shading and decking material would also be removed, as needed, during the removal of the mobile trailers. All other shading and decking would remain in place until the mobile trailers are completely removed. Once the remaining shading and decking is completely removed, the General Services Department would cap the existing water and sewer lines. Project phasing would ensure that all demolished material would be recycled or dumped appropriately, and it would allow for flexibility in regard to terminal safety and operational needs. Equipment and tools required to complete the proposed project would involve the use of two (2) 40-yard containers to collect and haul the removed debris material to the appropriate dump site or recycling facility, an excavator, general hand and power tools, crew trucks, and additional roll-off dumpsters, as needed.

Following completion of the proposed project, the vacant gravel lot is anticipated to be repurposed for marine terminal storage and overflow parking. The additional marine terminal space would be used for Maritime storage for items such as yo-docks, k-rails, delineators, e-signs, and other Maritime equipment. This storage space would not increase the capacity of the marine terminal since it would be providing space for items which are previously existing and/or routinely delivered to the terminal. There are no proposed plans to redevelop the project site.

Construction of the proposed project is anticipated to occur in approximately late Spring of 2023 and would take approximately 1-2 days to complete.

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 District 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 Exemption: SG §15301, Class 1/Section 3.a: Existing Facilities

- 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:

- (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.
- (7) Existing facilities used to provide electric power, natural gas, sewerage, or other public utility service.

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 the removal of existing facilities that would involve no expansion of use beyond that previously existing. 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 involve the removal of existing mobile trailers, shade structure, and decking 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:
  - (2) Public and private utilities used to provide electric power, natural gas, sewer, or other utility services
  - (9) Demolition and removal of individual small structures, except where structures are of historical, archaeological, or architectural significance

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 the removal of existing facilities that would involve a negligible 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)(2) of the Port Act, which allows for all visitor-serving commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities. 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: Mar 28, 2023

Deputy/Assistant General Counsel

Signature: Rebecca Harrington  
Date: Mar 28, 2023