



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

Project: Installation of Water Quality Monitoring Equipment on the Imperial Beach Pier by San Diego State University
Location: Imperial Beach Pier, Imperial Beach, CA 91932
Parcel No.: 061-022
Project No.: 2023-112
Applicant: Eric Elson, Director of Facilities, San Diego State University Research Foundation, 5250 Campanile Drive, San Diego, CA 92182; (619) 594-5761
Date Approved: 09/12/2023

PROJECT DESCRIPTION

The proposed project would involve the installation of water quality monitoring equipment by San Diego State University (Applicant) in the city of Imperial Beach, California. The purpose of the equipment is to understand water quality in and around the Imperial Beach Pier. The sensor would be used to calibrate multispectral and hyperspectral satellite imagery. In conjunction with other measurements, including a “copycat” instrument already installed and operational in the Tijuana River Estuary, the Applicant would use the information gathered to eventually build a model to map and monitor levels of fecal bacteria and other important pollutants. This supports work funded by NASA through their Remote Sensing of Water Quality Program. The instrument is composed mainly of three modules: sky camera, water camera and computer box. The equipment would be located on both the roof of the Imperial Beach Pier public restrooms and in its maintenance room. No lights are proposed/required. The proposed cameras are specialized sensors that measure the intensity of light at different wavelengths in the visible spectrum.

Work to specifically complete the proposed project would involve the following:

- Install the cameras on a pole (~2 feet) secured to roof, a wall, or existing rods that are currently used to hold up a net to keep birds off the bathroom roof. The camera’s sensors will be located on the north-center side of the bathroom roof, so they have a clear view of the water and sky.
- Place the computer box in the restroom’s maintenance room on the north wall and connect the box to an existing power outlet.
- Route two (2) ten foot (10’) long cables between the cameras and the computer box through an existing hole/aperture in the roof.

Construction of the proposed project is anticipated to occur in approximately Fall 2023 and would take approximately one (1) day to complete, with ongoing maintenance and repair as needed. The lifetime of the sensor equipment is approximately six (6) to eleven (11) months.

The proposed project requires a Tidelands Use and Occupancy Permit (TUOP) to San Diego State University (Tenant) for a term of approximately four (4) years. The area proposed for use under this TUOP is currently and is proposed to be used only and exclusively for the purpose of scientific research and instrumentation deployment, including installation, operation, maintenance, and removal of the scientific equipment, and all related wires, cables and apparatuses, and for no other purpose whatsoever without the prior written consent of the Executive Director of District in each instance.

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: CEQA Guidelines Section 15303 (Class 3)/District Guidelines for Compliance with the CEQA Section 3.c: New Construction or Conversion of Small Structures; CEQA Guidelines Section 15306 (Class 6)/District Guidelines for Compliance with the CEQA Section 3.f: Information Collection; and, CEQA Guidelines Section 15311 (Class 11)/District Guidelines for Compliance with the CEQA Section 3.i: Accessory Structures

3.c. New Construction or Conversion of Small Structures: 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:

- (7) Accessory (appurtenant) structures and mechanical equipment including, but not limited to, garages, sheds, railway spur tracks, pilings, temporary trailers, industrial equipment enclosures, fences, parking, on-site roadways, walkways and health and safety devices.

AND/OR

3.f. Information Collection (SG § 15306) (Class 6): Includes basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be for information gathering purposes, or as part of a study leading to an action which has not yet been approved, adopted or funded.

AND/OR

3.i. Accessory Structures: Includes construction, or placement of minor structures accessory to (appurtenant to) existing facilities.

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 the CEQA* as identified above. These are appropriate for the proposed project because it would consist of the installation of accessory scientific equipment on an existing structure for the purpose of research that would involve no change to the use of the existing structure. 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: Imperial Beach Oceanfront (Precise Plan Figure 25)

Land Use Designation: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it would involve the installation of scientific equipment on Imperial Beach Pier 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.c: New Construction or Conversion of Small Structures and Section 8.e: Information Collection

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:

- (3) Accessory structures, including, but not limited to, on-premise signs, small parking lots, fences, walkways, swimming pools, miscellaneous work buildings, temporary trailers, small accessory piers, minor mooring facilities, buoys, floats, pilings, or similar structures; and seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms, or similar structures;

AND/OR

- 8.e. Information Collection: Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major significant disturbance to an environmental resource.

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 consist of the installation of accessory scientific equipment on an existing structure for the purpose of research that would involve no change to existing use of the structure.

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)(5) of the Port Act, which allows for the construction, reconstruction, repair, maintenance, and operation of public buildings, public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and fishing piers, public recreation facilities, including, but not limited to, public golf courses, and for all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses. 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:
Lillian Mattes
Assistant Planner
Development Services

Signature: Lillian Mattes
Date: 09/12/2023

Deputy//Assistant General Counsel

Signature: Rebecca S. Harrington
Date: 09/12/2023