

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

Project: FY 2023 Port Security Grant Program  
Location: 1401 Shelter Island Drive, San Diego, CA 92106  
3380 North Harbor Drive, San Diego, CA 92101  
1000 North Harbor Drive, San Diego, CA 92101  
1800 Crosby Road, San Diego, CA 92101  
1309 Bay Marina Drive, National City, CA 91950  
Parcel No.: Various  
Project No.: 2023-137  
Applicant: Aimee Heim, Program Director, Government and Civic Relations, San Diego Unified  
Port District, 3165 Pacific Highway, San Diego, CA 92101  
Date Approved: October 10, 2023

**PROJECT DESCRIPTION**

The proposed project involves funding for five (5) security-related projects for the Fiscal Year 2023 (FY 23) Port Security Grant Program. In August 2023, the Department of Homeland Security and Federal Emergency Management Agency (FEMA) awarded the San Diego Unified Port District (District) \$537,000 and Harbor Police Department (HPD) \$1,440,000, for a total of \$1,977,000 in funding for various District and HPD projects through its Port Security Grant Program. As part of these actions, the District would enter into an agreement with the Department of Homeland Security and FEMA to authorize implementation of the proposed projects. All Port Security Grant Program projects for FY 23, listed and described below, were selected to focus on enhancing cybersecurity and the protection of soft targets and crowded places.

- Critical Infrastructure Situational Awareness Enhancements: Install monitoring stations at Tenth Avenue Marine Terminal, Broadway Pier, HPD Headquarters, and HPD Shelter Island Substation. There would be no trenching or ground disturbance required for the proposed project, and all displays would be mounted to interior walls.
- Public Open Spaces Threat Detection and Monitoring: Replace three (3) cameras on existing mobile trailers.
- Fireboat Replacement: Replace one (1) patrol fireboat.
- Vessel Maintenance: Procurement of parts/supplies for maintenance of five (5) HPD patrol/firefighting vessels.
- Threat Detection Enhancements: Replace 28 existing cameras at HPD Headquarters and HPD Shelter Island Substation. Purchase and install 26 new surveillance cameras at HPD Headquarters and HPD Shelter Island Substation. There would be no trenching or ground disturbance required for the proposed project.

Construction of the security-related projects is anticipated to occur in approximately Fall 2023 and must be completed no later than August 31, 2026. Each project has a three-year performance period. Due to its nature and limited scope, construction and operation 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 Exemptions: CEQA Guidelines Section 15301 (Class 1)/District Guidelines for

Compliance with the CEQA Section 3.a: Existing Facilities; CEQA Guidelines Section 15302 (Class 2)/District Guidelines for Compliance with the CEQA Section 3.b: Replacement or Reconstruction; CEQA Guidelines Section 15303 (Class 3)/District Guidelines for Compliance with the CEQA Section 3.c: New Construction or Conversion of Small Structures; and CEQA Guidelines Section 15311 (Class 11)/District Guidelines for Compliance with the CEQA Section 3.i: Accessory Structures

- 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.

AND/OR

- 3.b. Replacement or Reconstruction: 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. This exemption includes, but is not limited to:

- (2) Replacement or reconstruction of marine terminal facilities, and marine-oriented commercial, industrial, and public and commercial recreational facilities, including buildings, piers, piles, wharves, marine ways; railroads; airport facilities, runways, taxiways, aprons, and ancillary structures to those facilities; electrical and mechanical systems and equipment; where the new structure will be on essentially the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

AND/OR

- 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:

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

- (2) Construction or placement of minor structures or equipment accessory to (appurtenant to) existing airport or marine terminal 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 CEQA* as identified above. These are appropriate for the proposed project because it would consist of security-related projects on Tidelands that would involve no expansion of use beyond that previously existing, would consist of the installation of new accessory equipment on existing HPD and marine terminal facilities, and would involve the replacement and maintenance of existing equipment.

The Threat Detection Enhancements Project includes the replacement and/or installation of external and internal cameras, including at HPD Headquarters. The HPD Headquarters building appears eligible for listing in the National Register of Historic Places (NRHP) as an individual property through survey evaluation. However, the property's historical resource status under CEQA remains undetermined as there has been no State Historic Preservation Officer (SHPO) concurrence. The District has determined that there would not be a substantial adverse change to any potentially historic resource because the Project will merely involve replacement of existing internal and external cameras. These small cameras are not permanent fixtures and can be removed; further, the external cameras are a similar color to the exterior of the building. Therefore, the Project would not materially impair the architectural integrity nor

the historical significance of this potentially historic resource.

In addition, the five (5) project sites included in the proposed project are not located in environmentally sensitive areas, along designated state scenic highways, and/or in designated hazardous waste sites pursuant to Government Code Section 65962.5. The proposed project would not result in a significant impact to an environmental resource due to unusual circumstances and would not result in a cumulative impact due to the continuation of the existing use.

Therefore, 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 Districts: 1 - Shelter Island/La Playa (Precise Plan Figure 4); 2 - Harbor Island/Lindbergh Field (Precise Plan Figure 9); 3 - Centre City Embarcadero (Precise Plan Figure 11); 4 - Tenth Avenue Marine Terminal (Precise Plan Figure 13); and 5 - National City Bayfront (Precise Plan Figure 15)

Land Use Designations: Harbor Services; Marine Related Industrial; and Marine Terminal

The proposed project conforms to the certified Port Master Plan because it would involve the implementation of five (5) security-related projects consistent with the existing certified Land use designations. 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; and Section 8.c: New Construction or Conversion of Small Structures

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.

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:

- (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

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 consist of security-related projects on Tidelands that would involve no expansion of use beyond that previously existing, would consist of the installation of small equipment

on existing HPD and marine terminal facilities, and would involve the replacement and maintenance of existing equipment.

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.

RANDA CONIGLIO  
Acting President/CEO

Determination by:  
Lillian Mattes  
Assistant Planner  
Development Services

Signature: Lillian Mattes  
Date: 10/11/2023

Deputy/Assistant General Counsel

Signature: Shiraz D. Tangri  
Date: 10/11/2023