



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

Project: NB3 National City Marine Terminal Shore Power Phase 2 Auxiliary Work Project
Location: 1390 W. 32nd Street, National City, CA 91950
Parcel No.: 028-003
Project No.: 2023-141
Applicant: Jesus Puebla, Port of San Diego, Engineering-Construction Department
Date Approved: November 14, 2023

PROJECT DESCRIPTION

The proposed project is a component of the broader shore power installation at Berth Number 24-10/11 of the National City Marine Terminal (NCMT). The proposed SDG&E easement and associated infrastructure are necessary to implement the approved NCMT Electrification Project (Project No. 2021-077). Categorical exemptions under the California Environmental Quality Act and categorical exclusions under the Coastal Act were previously approved for the NCMT Electrification Project on July 6, 2021. The primary objectives of the current proposal are to establish a new meter service connection from the utility owner, San Diego Gas & Electric (SDG&E), and ensure a safe and reliable power supply for the terminal and charging of roll-on/roll-off ships. The project site for the proposed SDG&E easement and associated meter service connection is located near the intersection of 32nd Street and Quay Avenue at the marine terminal.

The project would consist of the following pre-work by the Port of San Diego: excavating and trenching to create installation pathways of underground duct banks and conduits, installing underground duct banks along with conduits to house electrical wiring and components, extending new conduit from existing infrastructure to connect with the new meter service, removing of a portion of the existing conduit as required to accommodate the new infrastructure, repairing the surface along trenched areas back to existing conditions, and constructing a concrete pad and stub-out to support the metering service. SDGE would then install wiring to establish the power connection, install a pad-mounted switch as part of the electrical distribution system, and connect new electric components to existing infrastructure.

The proposed project requires an Easement Agreement (Agreement) to SDG&E (Grantee) for their use of approximately 2,223 square feet of tideland area. The proposed area under this Agreement would be used only and exclusively for installing, maintaining, and operating underground and above ground electrical infrastructure for the transmission and distribution of electricity and related public utility purposes. The Agreement further grants the Grantee the right of ingress and egress to, from, and along said easement area via practical routes across the adjacent District lands. The Agreement is anticipated to have a total term of 20 years.

The work would occur in the Spring of 2024. The SDG&E work would take approximately 2 months to complete. The work would involve a work crew and work trucks. All construction and staging will take place on the National City Marine Terminal.

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, significant impacts related to air quality, greenhouse gas emissions, and transportation and traffic are not anticipated to occur. Furthermore, the Applicant/Licensee 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 15301 (Class 1)/District Guidelines for Compliance with CEQA Section 3.a: Existing Facilities; and/or CEQA Guidelines Section 15303 (Class 3)/District Guidelines for Compliance with CEQA Section 3.c: New Construction or Conversion of Small Structures; and/or CEQA Guidelines Section 15304 (Class 4)/District Guidelines for Compliance with CEQA Section d: Minor Alterations to Land

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, including but not limited to:

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

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.
- (3) Water, sewer, electrical, gas, telephone, and other utility structures or facilities.

AND/OR

3.d. Minor Alterations to Land: 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 result in the minor alteration of existing public utility service, consist of the installation of small new equipment, and result in minor alterations to land without 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: 5 – National City Bayfront (Precise Plan Figure 15)

Land Use Designations: Marine Related/Marine Terminal

The proposed project conforms to the certified Port Master Plan because it would involve the minor alteration and installation of electrical infrastructure consistent with the industrial nature of 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; and/or Section 8.c: New Construction or Conversion of Small Structures; and/or 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.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 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 a minor alteration of existing public utility service, consist of the installation of small structures and equipment, and result in minor alterations to land without 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.

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
Acting President/CEO

Determination by:

Scott Vurbef
Senior Planner
Development Services

Signature: Scott Vurbef
Date: 11/15/2023

Deputy/Assistant General Counsel

Signature: Shiraz D. Tangri
Date: 11/15/2023