

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

Project: City of San Diego Sewer Study on Shelter Island
Location: Eastern Parking Lot on Shelter Island, 2300 Shelter Island Drive, San Diego, CA 92106
Parcel No.: 001-025
Project No.: 2023-162
Applicant: Dirk Smith, Senior Planner, City of San Diego, 9192 Topaz Way, M.S. 901A, San Diego, California 92123; (858) 614-5722
Date Approved: 11/09/2023

PROJECT DESCRIPTION

The proposed project would involve a sewer study on Shelter Island near the Bali Hai Restaurant by the City of San Diego (City). The sewer study is related to the San Diego River Investigative Order from the California State Water Resources Control Board, directing agencies in the San Diego River Watershed to identify and quantify the sources and pathways of human fecal material discharges to the San Diego River and its tributaries. The goal of the sewer study is to empirically measure volume loss through exfiltration from defined sections of sanitary sewer pipe through the exfiltration detection method. The Shelter Island site is ideal in that there are no sewer laterals connecting to the public sewer main within the Bali Hai parking lot. Work to specifically complete the proposed project would involve pumping water at a controlled rate through an isolated, 300- to 400-foot-long section of pipe. The pipe would be temporarily staged in the Bali Hai parking lot, within the existing 25-foot-wide City general utility easement, to allow for access to existing manholes. No trenching, excavation or saw cutting would be required as the temporary pipe would rest on-top of the pavement.

The proposed study is anticipated to occur in November 2023 and would take approximately 22 hours to complete, from approximately 8:00 am to 6:00 am the following day. The proposed work would be limited to weekdays, and no work shall occur on the weekend. The proposed project would require temporary use of approximately 60 public parking spaces in the Bali Hai parking lot on the eastern side of Shelter Island. Signage related to temporary parking closures shall be posted, at a minimum, the evening prior to the commencement of the study. Access to the Bali Hai parking lot shall be maintained throughout the duration of the proposed project, and no project staging shall take place near the traffic circle/entrance to Shelter Island. The surrounding tenants would be notified accordingly of the study, and efforts to minimize disturbance to operations would be coordinated between the City and the District.

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 City 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 Exemption: CEQA Guidelines Section 15306 (Class 6)/District Guidelines for Compliance with the CEQA Section 3.f: Information Collection

- 3.f. Information Collection: 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.

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 a sewer study required to address a state ordered investigation which would not result in a serious or major disturbance to an environmental resource. 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: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it would involve a sewer study in the Bali Hai parking lot on the eastern side of Shelter Island 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.e: Information Collection

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 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 a sewer study required to address a state ordered investigation which is temporary in nature and would not result in a serious or major disturbance to an environmental resource.

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:
Lillian Mattes
Assistant Planner
Development Services

Signature: Lillian Mattes
Date: 11/09/2023

Deputy/Assistant General Counsel

Signature: Shiraz D. Tangri
Date: 11/09/2023