



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

Project: Geotechnical and Potholing Work for the City of San Diego Waterline Replacement Project
Location: Various locations near the Tenth Avenue Marine Terminal Area, San Diego, CA 92113
Parcel No.: 020-025, 021-025, 021-022
Project No.: 2024-018
Applicant: Authorized Agent for the City of San Diego: Bardia Hashemi, Project Engineer, Parsons Corporation, 525 B Street, San Diego, CA, 92101, 562-756-0408

Date Approved:

PROJECT DESCRIPTION

The proposed project would involve utility potholing and geotechnical investigation borings in various locations in and around the Tenth Avenue Marine Terminal (TAMT) area in the city of San Diego, California. The purpose of the proposed project would be for the evaluation of existing subsurface conditions and location of existing water main utilities to prepare for future waterline construction, replacement and/or abandonment within several alignments with the City of San Diego Water Groups 525C and 525E. A portion of the proposed project would occur outside of San Diego Unified Port District (District) Tidelands and may be subject to additional approval from other agencies. Work for the proposed project is anticipated to occur in Summer of 2024 and take approximately eight (8) weeks to complete.

Potholing Work

Approximately 44 potholes are proposed to be located on District property. Work to complete the potholing would consist of creating approximately 12 by 12 inch (in) potholes via either air or water (depending on soil conditions), then backfilling the potholes with either Aquaphalt or a hot mixed asphalt patch. Traffic control is not anticipated to be required for the potholing work.

Geotechnical Investigation

Approximately four (4) of the six (6) geotechnical borings would be on District Tidelands. Drilling locations may be relocated slightly as existing railway and underground utilities allow. Traffic control setup would include flaggers, cones, and various traffic control signage surrounding each boring site, with traffic flow to be maintained. Work to complete the geotechnical investigation would consist of drilling 8-in-wide by 20-foot-deep borings with a truck mounted drill rig. Following analysis, the soil cuttings generated from the drilling operations would be disposed of in accordance with State or Federal regulations. The boring holes would be backfilled with temporary patches immediately after drilling and permanently patched in accordance with City of San Diego SDG-123 approximately one to two weeks following the drilling completion.

The proposed project requires a Right of Entry License Agreement (ROELA) to the City of San Diego, its authorized agent(s) and contractor(s) for a term of approximately one (1) year. The area proposed for use under this ROELA is proposed to be used only and exclusively for the inspection, repair and replacement of public water line facilities including, drilling and backfilling of soil borings as part of the geotechnical investigation and locating and backfilling utility potholes as part of the potholing investigation and associated ingress and egress.

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 15301 (Class 1)/District Guidelines for Compliance with CEQA Section 3.a: Existing Facilities; CEQA Guidelines Section 15304 (Class 4)/District Guidelines for Compliance with CEQA Section 3.d: Minor Alterations to Land; and CEQA Guidelines Section 15306 (Class 6)/District Guidelines for Compliance with CEQA Section 3.f: Information Collection

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:

- (4) New and renewed short-term tenancy agreements which do not result in change in the existing use. This exemption does not apply to any new development associated with the activities of the tenant. This exception is also inapplicable if the cumulative impact of continuing the existing use or conditions in the same place, over time, is significant.
- (7) Existing facilities used to provide electric power, natural gas, sewerage, or other public utility service.

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.

AND/OR

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(s) of the District's *Guidelines for Compliance with CEQA* as identified above because it would consist of utility potholing, geotechnical investigation borings and a new short-term tenancy agreement that would involve no expansion of use beyond that previously existing and would not result in a significant cumulative impact due to the continuation of the existing use, would not involve the removal of mature, scenic trees, and 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: 4 - Tenth Avenue Marine Terminal (Precise Plan Figure 13)

Land Use Designation: Marine Terminal and Marine Related Industrial

The portion of the proposed project located within the Coastal Development Permit (CDP) and Coastal Act exclusion authority of the District conforms to the certified Port Master Plan because it would involve utility potholing and geotechnical investigation borings 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.a: Existing Facilities; Section 8.d: Minor Alterations to Land; and Section 8.e: Information Collection

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.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.

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 portion of the proposed project located within the CDP and Coastal Act exclusion authority of the District is determined to be Categorically Excluded pursuant to the Sections of the District's *Coastal Development Permit Regulations* as identified above because it would consist of utility potholing, geotechnical investigation borings and a new short-term tenancy agreement that would involve no expansion of use beyond that previously existing, would not involve the removal of mature, scenic trees, and would not result in a serious or major significant 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.

For the portion of the proposed project located outside of the District's Coastal Act approval authority, additional approvals may be required from other agencies.

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:
Justin Huitema
Assistant Planner
Development Services

Signature: _____
Date: _____

Assistant/Deputy General Counsel

Signature: _____
Date: _____