



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

Project: Installation of Sensors to Detect Odor-Causing Pollutants at Imperial Beach
Location: 10 Evergreen Avenue, Imperial Beach, CA, 91932
Parcel No.: 061-006
Project No.: 2024-042
Applicant: Kevin Bradley, Senior Chemist, San Diego Air Pollution Control District, 10124 Old Grove Rd, San Diego, CA 92131 (858) 586-2618
Date Approved: 06/20/2024

PROJECT DESCRIPTION

The proposed project would involve the installation of sensors to detect odor-causing air pollutants coming from the Tijuana River and Tijuana River Valley by the San Diego County Air Pollution Control District (SDAPCD) (Applicant) on top of the restroom building adjacent to the Imperial Beach Pier. One (1) solar panel would be installed adjacent to the sensors to power them, and data from the sensors would be transmitted through a cellular network. These sensors measure levels of hydrogen sulfide, sulfur dioxide, carbon monoxide, nitrogen dioxide, and total volatile organic compounds, as well as several meteorological parameters including wind speed, wind direction, and ambient temperature. No lights are proposed as part of the installation.

The sensors and solar panel would be placed on the support beams of the restroom building adjacent to the pier (10 Evergreen Avenue, Imperial Beach). One (1) sensor would be placed at the site continuously while one (1) other sensor would be placed here periodically for one-month spans for quality control. The sensor equipment specifications are as follows:

- AQMesh Sensor housing (16.9 inches tall x 8.7 inches wide)
- Wind Sensor (6.5 inches tall x 5.7 inches wide)
- Solar Panel (18.9 inches tall x 13.8 inches wide on an 11 inch tall base)

Work to install the sensors and solar panel would take approximately one day of work and is anticipated to occur in Summer of 2024. The sensors and solar panel would be attached to brackets, and hose clamps would be used to wrap through the brackets and around the support beams to hold the equipment in place.

SDAPCD personnel would use a ladder or man lift to access the installation location and install the mounting kit with hand power tools. Maintenance would be limited to monthly cleaning of the equipment to remove debris and dust which would involve one SDAPCD staff member visiting the location, utilizing a ladder or man lift, and cleaning surfaces with hand cleaning tools. The proposed project requires a Tidelands Use and Occupancy Permit (TUOP) to SDAPCD for a term of approximately four (4) years. The area proposed for use under this TUOP 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, SDAPCD 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 15303 (Class 3)/District Guidelines for Compliance with CEQA Section 3.c: New Construction or Conversion of Small Structures; and CEQA Guidelines Section 15306 (Class 6)/District Guidelines for Compliance with CEQA Section 3.f: Information Collection

3.a. Existing Facilities (SG 9 15301) (Class 1): 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.

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.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 Sections of the District's *Guidelines for Compliance with CEQA* as identified above because it would involve the installation and associated maintenance of sensors for collecting air pollution and meteorological data activities which would involve a negligible 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 consist of construction and location of new, small facilities/structures, 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: 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 and associated maintenance of sensors for collecting air pollution and meteorological data 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.c: New Construction or Conversion of Small Structures; 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.

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 structure.

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 Categorically Excluded pursuant to the Sections of the District’s *Coastal Development Permit Regulations* as identified above because it would involve the installation and associated maintenance of sensors for collecting air pollution and meteorological data which would involve a negligible expansion of use beyond that previously existing, a negligible change of existing use of the property, 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.

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:
Justin Huitema
Assistant Planner
Development Services

Signature: Justin Huitema
Date: 06/20/2024

Assistant/Deputy General Counsel

Signature: Shiraz D. Tangri
Date: 06/20/2024