



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

Project: FY 2024 Port Security Grant Program  
Location: 2210 Shelter Island Drive, San Diego, CA 92106  
3165 Pacific Highway, San Diego, CA, 92101  
1790 Water Street, San Diego, CA, 92101  
1401 Shelter Island Drive, San Diego, CA, 92106  
997 G Street, Chula Vista, CA, 91910  
Parcel No.: Various  
Project No.: 2024-111  
Applicant: Aimee Heim, Program Director, Government and Civic Relations, San Diego Unified  
Port District, 3165 Pacific Highway, San Diego, CA 92101; 619-686-6390  
Date Approved: November 13, 2024

**PROJECT DESCRIPTION**

The proposed project involves the San Diego Unified Port District (District) accepting funds for five (5) security-related project components for the Fiscal Year 2024 (FY 24) Port Security Grant Program. In September 2024, the Department of Homeland Security and Federal Emergency Management Agency (FEMA) awarded the District \$637,500 and Harbor Police Department (HPD) \$1,950,000, for a total of \$2,637,000 in funding for various District and HPD project components through the 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 design and/or implementation of the proposed project components. All Port Security Grant Program project components for FY 24, listed and described below, were selected to focus on increased port-wide risk management, enhanced domain awareness, facilitated training, expanded recovery and resilience capabilities, and increased preparedness and recovery from non-conventional weapons attacks. The proposed project would authorize the design and implementation of the following project components:

1. San Diego Bay Radar Coverage: Procurement and installation of approximately one (1) sensor to be mounted on an existing pole adjacent to the Shelter Island Boat Ramp to extend radar coverage inside San Diego Bay.
2. Cybersecurity Maturity Model Certification: Procurement of consulting services and software.
3. Fireboat Replacement: Replacement of one (1) patrol fireboat.
4. Vessel Maintenance: Procurement of parts/supplies for maintenance of eight (8) HPD patrol/firefighting vessels.

There would be no trenching or ground disturbance required for any of the four (4) project components described above. Construction of the four (4) project components is anticipated to occur in approximately late 2024 and must be completed no later than August 31, 2027. Each project component has a three-year performance period. Due to their nature and limited scope, construction and operation of the proposed project components 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 proposed project would strictly authorize design for the Marine Firefighting Training Barge project component, described below. Therefore, it would be subject to future environmental review prior to project component implementation. Information available at the date of this determination is as follows:

5. Marine Firefighting Training Barge: At the High Speed Ferry Dock within Tenth Avenue Marine Terminal (TAMT), there is an existing Maritime Fire Trainer facility which is located on top of a floating barge. The facility is made of large storage containers and various equipment to simulate maritime fires for HPD training purposes. While the barge remains in working order, the facility on

top has been deemed unsafe for use and is in need of replacement. Work is anticipated to include replacing the Maritime Fire Trainer facility on top of the existing barge in TAMT by towing the barge to a commercial shipyard or fabrication facility to be put in a dry dock. Once in the dry dock, the facility on top of the barge would be removed and replaced using welding, torching and steel fabrication, electrical work, propane burner installation, plumbing, paint, and other miscellaneous fabrications. Once fabrication is complete, the barge would be towed back to TAMT.

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.

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 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, including project components 1-4, is determined to be Categorical 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 project components on Tidelands that would involve negligible expansion of use beyond that previously existing, would consist of the installation of new accessory equipment on existing facilities, and would involve the replacement and maintenance of existing equipment and facilities which would not result in a significant cumulative impact due to the existing use.

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).

## **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); 7 - Chula Vista Bayfront (Precise Plan Figure 19); 4 - Tenth Avenue Marine Terminal (Precise Plan Figure 13)

Land Use Designations: Harbor Services; Commercial Recreation; Marine Terminal; Open Bay; Park; and Terminal Berthing

The proposed project, including project components 1-4, conforms to the certified Port Master Plan because it would involve security-related project components consistent with the existing certified Land and Water use designations. The proposed project would not change the use of the sites nor would it interrupt or expand the existing conforming uses of the sites.

### ***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, including project components 1-4, is determined to be Categorical 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 project components on Tidelands that would involve negligible expansion of use beyond that previously existing, would consist of the installation of new accessory equipment on existing facilities, and would involve the replacement and maintenance of existing equipment and facilities.

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)(1) of the Port Act, which allows for the establishment, improvement, and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient, for the promotion and accommodation of commerce and navigation. 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: 11/14/2024

Assistant/Deputy General Counsel

Signature: Shiraz D. Tangri  
Date: 11/14/2024