



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

Project: Removal of Underground Storage Tanks at So Cal Truckstop in National City  
Location: 2250 Tidelands Avenue, National City, CA 91950  
Parcel No.: 026-011  
Project No.: 2025-002  
Applicant: John Culver, Jauregui & Culver, Inc., 959 West Mission Avenue, Escondido, CA 92025; (760) 644-6379  
Date Approved: 2/10/2025

**PROJECT DESCRIPTION**

The proposed project would involve the removal of two (2) existing single-wall fiberglass (SWFG) 6,000-gallon underground storage tanks (USTs) located at the So Cal Truckstop in the city of National City, California. Work would be performed by Jauregui & Culver, Inc. on behalf of So Cal Truckstop (Applicant), and the project site is located on the Pepper Oil Company (Tenant) leasehold within the National City Marine Terminal.

As a result of Senate Bill (SB) 445, the State Water Resources Control Board is mandating that all single-walled USTs must be permanently closed by an owner and/or operator before December 31, 2025, if it was designed and constructed before January 1, 1984 and does not meet the requirements of the Health and Safety Code (H&SC), section 25291(a)(1)-(6) or if it was designed and constructed before January 1, 1997 in accordance with H&SC, section 25291(a)(7). The two (2) existing SWFG USTs at the So Cal Truck Stop meet the requirements for removal pursuant to SB 445 and the H&SC.

Work to specifically complete the proposed project would involve de-energizing all existing power wiring which connects to the fuel equipment, using proper procedures. Once power wiring is de-energized, wiring would be removed and disposed of appropriately. Check valves or drop tubes would be removed using inert nitrogen gas, as needed. Any remnants of diesel fuel would be drained from the existing piping into the USTs. The USTs would then be washed pursuant to the San Diego County Site Assessment and Mitigation (SAM) Manual recommended procedures. All residual contents and wash streams would be manifested and lawfully disposed. Manifests, which are legal documents required by the United States Environmental Protection Agency (EPA) to track hazardous waste from generation to its final disposal, would be provided to the Applicant and the County of San Diego, Department of Environmental Health and Quality (DEHQ), Certified Unified Program Agency (CUPA).

In preparation for UST removal, excavation would commence to expose the USTs and connect below ground product piping, with all excavation material to be stockpiled on-site for reuse as backfill material. Excavation material would be secured and covered with 6 MIL visqueen, and the nearest stormwater inlets would be properly protected during excavation and removal activities. The DEHQ CUPA and National City fire authorities shall be notified a minimum of 48 hours prior to commencement of UST removal activities to schedule an inspection appointment. The USTs would remain in place until approval by the inspecting agencies is provided. The DEHQ CUPA Inspector and National City fire authorities would have the authority to determine that an unauthorized release has not occurred or instruct that additional sampling take place. Should the inspecting agencies approve removal of the USTs, dry ice will be dropped into the USTs to inert the tanks with carbon dioxide and ensure the concentration of flammable vapors within the USTs are under the DEHQ CUPA threshold before removal. Then, removal of the USTs would occur using equipment sufficient to safely lift and load the USTs from the excavated project site to the trucks. The Applicant is responsible for providing a certificate of disposal from an approved disposal facility to the DEHQ CUPA.

Following removal of the USTs, the DEHQ CUPA Inspector would perform a fiberglass patch at the shared sump where the piping ends and conduct hydrostatic secondary containment testing. Sampling parameters and locations would be directed by the DEHQ CUPA Inspector who will be on-site during removal activities. At a minimum, two (2) soil samples shall be taken per removed UST, and the analysis from a certified laboratory shall be provided to the Applicant and the DEHQ CUPA.

Once sampling of the material is completed and it is determined that there is no contamination, the excavated area and piping trenches are to be backfilled and compacted using the stockpiled excavated material with additional clean material equivalent to the volume of the removed USTs. The area would then be resurfaced with concrete and/or asphalt as needed. All temporary fencing would be removed, and the site would be cleaned and restored to match its surroundings.

Removal of the USTs and associated work needed to restore the project site are anticipated to occur in approximately Spring 2025 and would take approximately one (1) week to complete, with ongoing maintenance, inspections, and sampling as needed.

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. More specifically, the proposed project would bring the So Cal Truck Stop into compliance with the H&SC section 25298, and the California Code of Regulations, title 23, chapter 16 (UST Regulations), section 2672.

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. Any further remediation action to occur after the completion of the project as a result of direction from the inspecting agencies would be subject to additional review and approval from the District.

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## **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 15330 Minor Actions to Prevent, Minimize, Stabilize, Mitigate, or Eliminate the Release or Threat of Hazardous Waste or Hazardous Substances

3.a. Existing Facilities (SG § 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:

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

AND/OR

3.d. Minor Alterations to Land (SG § 15304) (Class 4): Includes minor alterations in the condition of land, water and/or vegetation not involving removal of mature, scenic trees, including, but not limited to:

- (1) Filling of earth on previously disturbed land with material compatible with the natural features of the site.
- (7) Minor trenching and backfilling where the surface is restored.

AND/OR

Minor Actions to Prevent, Minimize, Stabilize, Mitigate, or Eliminate the Release or Threat of Hazardous Waste or Hazardous Substances (SG § 15330) (Class 30)

Class 30 consists of any minor cleanup actions taken to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a hazardous waste or substance which are small or medium removal actions costing \$1 million or less.

(a) No cleanup action shall be subject to this Class 30 exemption if the action requires the onsite use

of a hazardous waste incinerator or thermal treatment unit or the relocation of residences or businesses, or the action involves the potential release into the air of volatile organic compounds as defined in Health and Safety Code Section 25123.6, except for small scale in situ soil vapor extraction and treatment systems which have been permitted by the local Air Pollution Control District or Air Quality Management District. All actions must be consistent with applicable state and local environmental permitting requirements including, but not limited to, off-site disposal, air quality rules such as those governing volatile organic compounds and water quality standards, and approved by the regulatory body with jurisdiction over the site.

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 consist of the removal of two (2) existing USTs to comply with SB 445 which would involve no expansion of use beyond that previously existing. The proposed project would not result in a significant cumulative impact since the project site would be restored to match its existing surroundings and the So Cal Truck Stop would continue to operate with no change to the existing use. Furthermore, the proposed project consists of minor cleanup actions to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a hazardous waste or substance which are small or medium removal actions costing \$1 million or less, and the proposed project does not involve the activities described in CEQA Guidelines Section 15330(a). Should additional remediation action be required by the DEHQ CUPA and/or National City fire authorities after the completion of the project, additional CEQA review may be required.

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).

15300.2 (a): The location is appropriate for the project. The site is surrounded by a highly industrialized environment and the removal of the USTs would not result in disruptions to business at the So Cal Truck Stop or to surroundings Tenants at the National City Marine Terminal. There are no sensitive environmental resources located on the site and work would be carried out to ensure that Best Management Practices (BMPs) are implemented during UST removal and excavation activities.

15300.2 (b): This project does not present a cumulative impact. Following removal of the two (2) SWFG USTs on-site, the So Cal Truck Stop will continue business as usual with their additional petroleum tanks that will remain in place and do not require removal pursuant to SB 445 and the H&SC. There are no anticipated successive projects of the same type in the same place over time that would result in a cumulative impact.

15300.2 (c): There is also not a reasonable probability that the proposed project would have a significant effect on the environment due to unusual circumstances. The project site is in a highly industrialized area within the National City Marine Terminal, and the proposed project would only be applied to existing USTs on-site that need to be removed pursuant to SB 445 and the H&SC. The Applicant has additional USTs that will remain operational as they do not meet the requirements for removal. Inspecting agencies, such as the DEHQ CUPA and National City fire authorities, will be on-site during removal to ensure unusual circumstances would not occur.

15300.2 (d): No damage to scenic resources would occur. There are no trees, rocks, or outcroppings near the project site. The nearest designated scenic highway is the Coronado bridge, located approximately 3 miles to the north of the project site.

15300.2 (e): The project site is not listed pursuant to Section 65962.5 of the California Government Code.

15300.2 (f): The project would not impact historical resources. The structures are not registered on the California Register of Historical Resources and are less than 50 years old, and therefore not considered potential historical resources subject to CEQA Guidelines Section 15064.5.

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 Designation: Marine Related Industrial

The proposed project conforms to the certified Port Master Plan because it would involve the removal of two (2) existing USTs to comply with SB 445 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.f: Inspections

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, including but not limited to:

- (1) Land grading, except where located in a waterway, wetland, officially designated scenic area, or in officially mapped areas of severe geologic hazard;
- (3) Filling of earth into previously excavated land with material compatible with the natural features of the site;
- (6) Minor trenching or backfilling where the surface is restored;

AND/OR

8.f. Inspection: Activities limited to inspection, checking or performance or quality of an operation, examining the health and safety of a project, or related activities.

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 consist of the removal of two (2) existing USTs to comply with SB 445 which would involve no expansion of use beyond that previously existing; would not involve the removal of mature, scenic trees; and, would include inspection and examining the health and safety of a project and related activities.

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)(2) of the Port Act, which allows for all visitor-serving commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities. 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.

SCOTT CHADWICK  
President/CEO

Determination by:  
Lillian Mattes  
Associate Planner  
Development Services

Deputy/Assistant General Counsel

Signature: Lillian Mattes  
Date: 2/10/2025

Signature: Shiraz Tangri  
Date: 2/10/2025