



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

Project: Storm Drain Infrastructure Retrofits at Various Locations within District Tidelands
Location: Shelter Island, Tenth Avenue Marine Terminal, and National City Bayfront
Parcel No.: Various
Project No.: 2025-005
Applicant: Hector Arias, Assistant Engineer, Engineering-Construction, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101; (619) 643-1445
Date Approved: 2/7/2025

PROJECT DESCRIPTION

The proposed project would involve the installation of approximately 10 trash capture devices within existing storm drain systems by the San Diego Unified Port District (District) in the cities of San Diego and National City, California. The proposed project would include three (3) locations: Shelter Island (Location 1) within the main parking lot between Shelter Island Drive and Anchorage Lane; Tenth Avenue Marine Terminal (Location 2) from Pier 15B to Crosby Road; and National City Bayfront (Location 3) on Tidelands Avenue between W 28th Street and Bay Marina Drive. Work to specifically complete the proposed project would include the following:

Location 1:

- Clear debris from and protect existing storm drains in place.
- Modify existing catch basins with grate inlet filters at Inlets #1146, #1147, #1148, and #1150.

Location 2:

- Clear debris from and protect existing storm drains in place.
- Modify existing catch basin with grate inlet filter at Inlets #TAMT104 and #TAMT105.
- Modify existing catch basin with connector pipe screen at Inlet ENTER_1063.

Location 3:

- Clear debris from and protect existing storm drains in place.
- Modify existing catch basin with double grate inlet filter at Inlet #NC2-1.
- Modify existing catch basin with connector pipe screen at Inlet #2560.
- Modify existing catch basin with curb inlet filter at Inlet #2561.

Construction of the proposed project would occur in Spring of 2025 and would take approximately two (2) days to complete, with ongoing installations, modifications, and maintenance as needed. Installation of each trash capture device would require a crew of approximately three (3) personnel. Location 1 would involve the temporary closure of approximately three (3) parking spaces for each of the four (4) devices to be installed. These spaces would only be closed for approximately two (2) hours at a time, and would reopen once each device has been installed. 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 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 be a part of the District's implementation of the San Diego Bay Water Quality Improvement Plan, a requirement of updated stormwater regulations adopted by the Regional Water Quality Control Board to protect, preserve, enhance, and restore water quality of receiving water bodies. Installation of the proposed devices would prevent the discharge of trash through the District's storm drain system and help achieve District compliance with the California State Water Resources Control Board's (State Water Board) Trash Amendments. Any trash capture devices proposed will need to have certification from the State Water Board as a Full Capture System Device prior to installation.

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 15308 (Class 8)/District Guidelines for Compliance with CEQA Section 3.h: Actions by Regulatory Agency for Protection of the Environment

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.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 site to another with minor modifications to the exterior of the structure, including but not limited to:

(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.h. Actions by Regulatory Agency for Protection of the Environment: Includes actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption.

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 consist of the installation of trash capture devices in existing storm drain infrastructure that would involve negligible expansion of use beyond that previously existing, would consist of the installation of small new equipment and facilities in small structures, and is an action taken by a regulatory agency to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of natural resources and the environment. 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 Districts: 1 - Shelter Island/La Playa (Precise Plan Figure 4), 4 - Tenth Avenue Marine Terminal (Precise Plan Figure 13), and 5 - National City Bayfront (Precise Plan Figure 15)

Land Use Designations: Commercial Recreation; Marine Related Industrial; and Streets

The proposed project conforms to the certified Port Master Plan because it would involve the installation of trash capture devices in existing storm drain infrastructure consistent with the existing certified Land Use designations. 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 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.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, or temporary use items such as lifeguard towers, mobile food units, portable restrooms, or similar structures.

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 consist of the installation of trash capture devices in existing storm drain infrastructure that would involve negligible expansion of use beyond that previously existing and would involve no change of existing use of the property.

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.

SCOTT CHADWICK
Acting President/CEO

Determination by:
Davin Cox
Assistant Planner
Development Services

Signature: _____
Date: 2/7/2025

Assistant/Deputy General Counsel

Signature: Shiraz Tangri
Date: 2/7/2025