



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

Project: Tidelands Use and Occupancy Permit Amendment No. 2 to Crowley Marine Services, Inc. adjacent to Crosby Street Pier at Tenth Avenue Marine Terminal
Location: Crosby Street Pier at Tenth Avenue Marine Terminal, 1800 Crosby Road, San Diego, CA 92101
Parcel No.: 020-023
Project No.: 2025-023
Applicant: Kelly Webb-Carpenter, Real Estate Manager, Crowley Marine Services, Inc., 1102 SW Massachusetts Street, Seattle, WA 98134-1030; (904) 727-2583
Date Approved: 3/12/2025

PROJECT DESCRIPTION

The proposed project is Amendment No. 2 to an existing Tidelands Use and Occupancy Permit (TUOP) to Crowley Marine Services, Inc. (Applicant) adjacent to Crosby Street Pier at the Tenth Avenue Marine Terminal (TAMT), in the city of San Diego, California. A Coastal Act Categorical Determination of Exclusion (Project No. 2019-132) and TUOP (Clerk Document No. 73129) were issued previously to Crowley Marine Services, Inc. for their use of approximately 10,000 square feet of water area adjacent to the Crosby Street Pier (Parcel No. 1); approximately 2,337 square feet for electrical conduit (Parcel No. 2); approximately 249 square feet of an electrical transformer area (Parcel No. 3) and 8 parking spaces located at TAMT. Subsequently, a Coastal Act Categorical Determination of Exclusion (Project No. 2022-056) and TUOP Amendment No. 1 (Clerk Document No. 74722) were additionally issued for the installation of an electric tugboat charging station, shore power infrastructure, and additional parcels at Crosby Street Pier.

The current project for Amendment No. 2 would modify Parcel No. 1, expanding the existing water area adjacent to Crosby Street Pier from 10,000 square feet to approximately 14,500 square feet. The area would be used for the existing electric tugboat and charging cable, and no new use, development, or construction is proposed or authorized as part of Amendment No. 2; the additional area would continue to be used only and exclusively for the existing purpose of mooring, electrical charging, crewing and provisioning harbor craft; the minor maintenance of harbor craft that does not result in the release of substances to air, water, or soil in and accordance with all applicable laws and regulations; parking associated with Tenant’s use of the Premises for harbor craft operations; and installing, using, maintain and repairing shore-based electrical charging infrastructure with solar panels, security fencing, electrical conduits and all related equipment associated with Tenant’s use of the Premises for harbor craft operations and for no other purpose whatsoever.

The TUOP Amendment No. 2 would not change the term of the existing TUOP, and may be terminated by the District as a matter of right and without cause at any time upon the giving of ninety (90) days’ notice in writing to the other party of such termination.

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 Exemption: CEQA Guidelines Section 15301 (Class 1)/District Guidelines for Compliance with CEQA Section 3.a: Existing Facilities

- 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.

The proposed project is determined to be Categorical Exempt pursuant to the CEQA Guidelines and the Section of the District's *Guidelines for Compliance with CEQA* as identified above because it would involve a TUOP Amendment for additional water area for the continued operation of an electric tugboat and charging cable that would involve 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. 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)

Water Use Designations: Specialized Berthing; and Terminal Berthing

The proposed project conforms to the certified Port Master Plan because it would involve a TUOP Amendment for additional water area for the continued operation of an electric tugboat and charging cable consistent with the existing certified Water 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 Exclusion: Section 8.a: Existing Facilities

- 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.

The proposed project is determined to be Categorical Excluded pursuant to the Section of the District's *Coastal Development Permit Regulations* as identified above because it would involve a TUOP Amendment for additional water area for the continued operation of an electric tugboat and charging cable that would involve negligible expansion of use beyond that previously existing.

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.

SCOTT CHADWICK
President/CEO

Determination by:
Davin Cox
Assistant Planner
Development Services

Signature: _____
Date: 3/12/2025

Assistant/Deputy General Counsel

Signature: Shiraz Tangri
Date: 3/12/2025