

San Diego Unified Port District

**CEQA and COASTAL DETERMINATION
and
NOTICE OF APPROVAL**

Project: Utility Works by San Diego Gas & Electric on G Street Mole
Location(s): G Street Mole, San Diego, CA 92132
Parcel No.(s): 018-039
Project No.: 2018-040
Applicant: Joanne Sahagun, San Diego Gas & Electric, 6875 Consolidated Way, San Diego, CA 92121
Date Approved: March 27, 2018

Project Description

The proposed project involves construction, maintenance, minor alteration, repair, reconstruction, removal, and replacement of existing and proposed utilities in the city of San Diego, California.

All proposed work would be conducted within an existing and current SDG&E Utility Easement as depicted on San Diego Unified Port District Document No. 60282 that was recorded on June 6, 2013. The easement grants the Applicant approximately 7,743 square feet of tideland area located on the G Street Mole. The Applicant and its authorized agent(s) and contractor(s) are permitted to enter upon the easement property located on the G Street Mole to excavate, lay, erect, construct, build, install, modify, improve, rebuild, reconstruct, relocate, reconfigure, repair, replace, substitute, change the size of, upgrade, maintain, patrol, inspect, test, operate, use and remove facilities consisting of underground facilities for the transmission and distribution of electricity and related public utility purposes, together with all fixtures, equipment and appurtenances necessary or convenient of the maintenance, operation and use thereof. The proposed improvements are consistent with this description; therefore, the Applicant and its authorized agent(s) and contractor(s) are permitted to enter upon the easement property located on the G Street Mole in the City of San Diego, California.

The proposed work is anticipated to occur throughout the duration of the easement, which commenced on May 9, 2013 and will terminate on May 8, 2079 for a total duration of sixty-six (66) years. Due to its limited scope, construction of the proposed project would generate a minor amount of vehicle trips and would therefore not result in any significant impacts including, but not limited to, air quality, greenhouse gas emissions, noise, or transportation and traffic. Furthermore, the project applicant would be responsible for complying with all applicable federal, state, and local laws regulating stormwater, and construction demolition debris recycling. Upon completion of work, the Applicant will repair the site location and return it to the existing condition.

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.

CEQA DETERMINATION

Based upon the above description, the project is determined to be Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301 (Existing Facilities), 15302 (Replacement or Reconstruction), 15303 (New Construction or Conversion of Small Structures) and/or 15304 (Minor Alterations to Land) and Sections 3.a (7), 3.b., 3.c (3), and/or 3.d. (7) of the *District's Guidelines for Compliance with CEQA* because the project involves construction, maintenance, minor alteration, repair, reconstruction, removal, and replacement of existing and proposed utilities Sections 3.a (7), 3.b., 3.c (3), and 3.d. (7) of the District's CEQA Guidelines are as follows:

- 3.a. Existing Facilities (SG 15301) (Class 1): Includes operation, repair, maintenance, or minor alteration of existing public and 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.b. Replacement or Reconstruction (SG § 15302) (Class 2): 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.

AND/OR

- 3.c. New Construction or Conversion of Small Structures (SG 15303) (Class 3): 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 structure. Examples of this exemption include:

- (3) Water, sewer, electrical, gas, telephone, and other utility structures or facilities.

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:

- (7) Minor trenching and backfilling where the surface is restored.

The Categorical Exemptions listed above are appropriate for the proposed project because it involves construction, maintenance, minor alteration, repair, reconstruction, removal, and replacement of existing and proposed utilities that would involve negligible expansion of use beyond that previously existing, would have substantially the same purpose as the facilities being replaced or reconstructed, and would not involve the removal of mature, scenic trees. 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.

The proposed project complies with Section 87 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 Section 87. 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.

CALIFORNIA COASTAL ACT

PORT MASTER PLAN

The project is located in Planning District 3, Centre City Embarcadero, which is delineated on Precise Plan Map Figure 11 of the certified Port Master Plan. The Port Master Plan land use designations within the limits of the proposed project are Commercial Fishing, Commercial Recreation, Park/Plaza, and Street. The project conforms to the certified Port Master Plan because the project involves construction, maintenance, minor alteration, repair, reconstruction, removal, and replacement of existing and proposed utilities that would be consistent with the existing land use designations. The project would not change the use of the site and would not expand the existing use of the site.

CATEGORICAL DETERMINATION

The above project proposes construction, maintenance, minor alteration, repair, reconstruction, removal, and replacement of existing and proposed utilities that would involve negligible expansion of use beyond that previously existing, would have substantially the same purpose and capacity as the structure replaced, would involve no change of the existing use of the property, and would not involve the removal of mature, scenic trees. The project is consistent with the existing certified land use designations and is Categorically Excluded under Section 8.a.(2), 8.b. (2), 8.c. (2), 8.d. (6), and 8.f. of the Districts *Coastal Development Permit Regulations*:

- 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.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, including but not limited to:
 - (2) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity;

AND/OR

- 8.c. New Construction or Conversion of Small Structures: Construction and location of limited number 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:
 - (2) Water main, sewer, electrical, gas, or other utility extensions of reasonable length to serve such construction.

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:
 - (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.

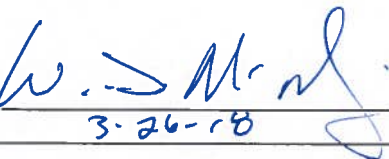
Pursuant to California Coastal Act Section 30717, there is a 10-working-day period to appeal this "Coastal Act Categorical Determination of Exclusion" to the California Coastal Commission.

RANDA J. CONIGLIO
President/CEO

Determination by:
Cameron McLeod
Assistant Planner
Development Services

Signature: 
Date: 3/27/2018

Deputy General Counsel

Signature: 
Date: 3-26-18