

JUN 20 2019

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BY C. TERVIN
DEPUTY

Notice of Exemption

CEQA Guidelines Appendix E

To: ■ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

■ San Diego County Recorder/County Clerk
1600 Pacific Highway, Suite 260
San Diego, CA 92101-2480

From: (Public Agency)
San Diego Unified Port District
Planning & Green Port
3165 Pacific Highway
San Diego, CA 92101

Project Title: ecoSPEARS Pilot Project

Project Location – Specific: Convair Lagoon, San Diego, CA 92101

Project location – City: San Diego, CA

Project Location – County: San Diego County

Description of Nature, Purpose, and Beneficiaries of Project: *The proposed project is a pilot demonstration of a polychlorinated biphenyls (PCB) remediation technology at Convair Lagoon in the City of San Diego. The project would require a Right of Entry License Agreement (ROELA) to ecoSPEARS, and a Tidelands Use and Occupancy Permit (TOUP) to ecoSPEARS for their use of approximately 150 square feet of submerged area in the Convair Lagoon. The purpose of the project is to demonstrate the effectiveness of the Sorbent Polymer Extraction and Remediation System (SPEARS) to extract PCBs from contaminated sediment through installation of the SPEARS device. Monthly sampling would occur and all laboratory testing and analysis would occur offsite. A "Blue Economy Agreement" by and between the District and ecoSPEARS is also proposed, and other similar agreements may also be required.*

It is anticipated that the ROELA and TUOP would have a total term of two (2) years, commencing in summer 2019. The TUOP may be terminated by the Executive Director of the Port District or their duly authorized representative, or Tenant as a matter of right and without cause at any time upon the giving of thirty days' notice in writing to other party of such termination.

The proposed project would require the placement of the SPEARS, which comprises nine (9) total rectangular mats, which are made out of a conventional geosynthetic membrane. Each mat is one square-meter in area and incorporates round cutouts near the center for sampling and a combination of five 12-inch or 18-inch long SPEARS spikes placed at each corner and in the center of the mats. The SPEARS spikes are plastic and filled with gravel and an ethanol-based solvent, which attracts and absorbs PCBs. Each mat would be driven into the sediment at a shallow water depth no more than five (5) feet. Monthly sediment samples would be collected by manually pushing a core tube through the open spaces in the SPEARS mats. A pole-mounted underwater video system could also be used to guide the core tubes through the spaces in the SPEARS mats. Samples would be collected by small vessel or kayak.

The nine (9) SPEARS mats would be installed using a small, vessel-mounted crane and manually pushed into the sediment. Vibracoring would be used only if needed. Installation would be monitored with an underwater video system and each SPEARS mat would be identified by a floating marker and each location recorded using a GPS device. Removal of the SPEARS mats would also use a small, vessel-mounted crane. After removal, the SPEARS spikes would be processed at an offsite laboratory facility. It would take approximately six (6) days to install and remove the SPEARS and up to four (4) people onsite for the installation and removal.

The proposed project would require preliminary screening to identify three (3) locations within Convair Lagoon to deploy the SPEARS including: a third-party pre-construction eelgrass survey to establish an



State of California - Department of Fish and Wildlife
2019 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (Rev. 2/7/19) Previously DFG 753.5a

RECEIPT NUMBER: 37-2019- 0459
STATE CLEARINGHOUSE NUMBER (if applicable) ---

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY SAN DIEGO UNIFIED PORT DISTRICT PLANING AND GREEN PORT	LEAD AGENCY EMAIL ---	DATE 06/20/2019
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COUNTY/STATE AGENCY OF FILING San Diego County	DOCUMENT NUMBER 2019 - 0459
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PROJECT TITLE
ECOSPEARS PILOT PROJECT

PROJECT APPLICANT NAME ECOSPEARS, INC	PROJECT APPLICANT EMAIL ---	PHONE NUMBER 407-234-3969
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PROJECT APPLICANT ADDRESS 309 CRANES ROOST BLVD, STE 2000	CITY ALTAMONTE SPRINGS	STATE FL	ZIP CODE 32701
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PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$3,271.00 \$ _____
- Mitigated/Negative Declaration (MND)(ND) \$2,354.75 \$ _____
- Certified Regulatory Program document (CRP) \$1,112.00 \$ _____

- Exempt from fee
 - Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

- Water Right Application or Petition Fee (State Water Resources Control Board only) \$850.00 \$ _____
- County Documentary Handling fee \$ _____ \$50.00
- Other \$ _____

PAYMENT METHOD

Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ _____ \$50.00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County C. TERAN , Deputy
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STATE CLEARINGHOUSE
 JUNE 20 2019
 Secretary's Office of Planning & Research



existing baseline for site selection and to ensure that the SPEARS would not be placed on eelgrass. Each location would have three (3) mats (nine mats in total) and the three (3) sites would be selected so that one site would have a low concentration of PCB, one would have a medium concentration of PCB, and one would have a high concentration of PCB.

Prior to installation and after removal of the SPEARS mats, baseline and post-treatment sediment sampling would be conducted to establish baseline conditions within the three (3) locations and assess the technology's effectiveness post-treatment. The baseline and post-treatment sampling would involve collecting core samples through manual push coring two to three feet deep on a triangular grid at each of the locations where the SPEARS would be deployed.

The pilot project requires a U.S. Army Corps of Engineers pre-certified Nationwide Permit #5 Scientific Measurement Devices, and a Regional Water Quality Control Board nationwide pre-certified permit notification #5 Notice of Intent as part of the entitlement process, which would be obtained prior to the proposed project start date. Furthermore, the applicant would be responsible for complying with all applicable federal, state, and local laws regulating construction demolition debris, noise, and stormwater.

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.

Name of Public Agency Approving Project: San Diego Unified Port District

Name of Person or Agency Carrying Out Project: ecoSPEARS, Inc. 309 Cranes Roost Blvd, Suite 2000, Altamonte Springs, FL 32701; (407) 234-3969

Exempt Status: (Check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption: *Minor Alterations to Land (SG § 15304) (Class 4), Information Collection (SG § 15306) (Class 6)*
- Statutory Exemption. State code number:

Reason why project is exempt: *The proposed project is determined to be Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15304 (Minor Alterations to Land), and/or 15306 (Information Collection) and Sections 3.d(6), and/or 3.f of the District's Guidelines for Compliance with CEQA because the proposed project involves installation SPEARS mats for the remediation of PCBs and sediment sampling, that would have negligible or no permanent effects on the environment at Convair Lagoon and would not result in a serious or major disturbance to environmental resources. Sections 3.d(6), and 3.f of the District's CEQA Guidelines are as follows:*

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:*

(6) *Minor temporary use of land having negligible or no permanent effects on the environment.*

AND/OR


3.f. Information Collection (SG § 15306) (Class 6): *Includes basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to environmental resources. These may be for information gathering purposes, or as part of a study leading to an action which has not yet been approved, adopted or funded.*

Lead Agency Contact Person and telephone number: Lily Tsukayama, 619-686-8199

Signature:  Date: 6/20/19 Title: Assistant Planner

- Signed by Lead Agency
- Signed by Applicant

Date received for filing at OPR/Clerk:

FILED IN THE OFFICE OF THE COUNTY CLERK
San Diego County on JUN 20 2019
Posted JUN 20 2019 Removed _____
Returned to agency on _____
Deputy 
C. TERAN

STATE CLEARINGHOUSE

Governor's Office of Planning & Research
JUNE 20 2019