

NOTICE OF EXEMPTION

TO: X Recorder County Clerk
P.O. Box 1750, MS-A-33
1600 Pacific Hwy., Room 260
San Diego, CA 92101-2422

FROM: City of San Diego
Planning Department
9485 Aero Drive, M.S. 413
San Diego, CA 92123

_____ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

PROJECT TITLE: Laurel Hawthorn Embayment Investigative Order R9-2019-0040 Bay Sediment Sampling Project

PROJECT LOCATION-SPECIFIC: The proposed sampling locations are in the Port of San Diego's jurisdiction, adjacent to the Downtown Community Planning Area. The proposed sampling locations are in Council District 3. See the attached figure for the approximate sampling locations.

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: In response to Investigative Order R9-2019-0040 (IO) for the 84-inch stormwater conveyance system outfall in Laurel Hawthorn Embayment (LHE), the City of San Diego (City) will be conducting sampling and analyses to address the magnitude and spatial extent of certain contaminants of concern (COCs) identified by the Regional Water Quality Control Board (Regional Board) in the IO. Surficial sediment samples collected at specified locations in the LHE will be used to characterize sediment quality status for benthic community protection. Sampling and analysis of legacy chemicals in fish tissue collected along three trawl transects within the LHE, as well as water column samples, will be used to evaluate the human health protection aspect of the California Sediment Quality Objectives (SQOs). Bay sampling is planned for the summer of 2021 (July-September). This activity has been also reviewed for consistency with the Final Mitigated Negative Declaration (MND) for the New Storm Water Municipal Permit Planning Documents project (Project No. 402137 / SCH No. 2015021066) certified and adopted by San Diego City Council Resolution R-309792 on July 1, 2015. The proposed investigative activities involve sediment and biological sampling, as required by the Regional Board IO R9-2019-0040 and are necessary to ensure the City is upholding its responsibilities under its Municipal Permit.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: City of San Diego Transportation & Stormwater Department, 9370 Chesapeake Drive, MS 1900, San Diego, CA 92123. Contact: Cara Nager, Stormwater Environmental Specialist III, (858) 541-4342, CNager@sandiego.gov.

EXEMPT STATUS:

- MINISTERIAL
- DECLARED EMERGENCY
- EMERGENCY PROJECT
- CATEGORICAL EXEMPTION: CEQA Guidelines Sections 15306 (Information Collection), 15307 (Actions by Regulatory Agencies for Protection of Natural Resources), 15308 (Actions by Regulatory Agencies for Protection of the Environment), and 15309 (Inspections)
- STATUTORY EXEMPTION
- COMMON SENSE EXEMPTION

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment pursuant to CEQA Guidelines Section 15306 (Information Collection) which consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded. The activity is also exempt pursuant to CEQA Guidelines Section 15307 (Actions by Regulatory Agencies for Protection of Natural Resources) which consists of actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resources where the regulatory process involves procedures for protection of the environment; Section 15308 (Actions by Regulatory Agencies for Protection of the Environment) which consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment; and Section 15309 (Inspections) which consist of activities limited entirely to inspections, to check for performance of an operation, or quality, health, or safety of a project, including related activities such as inspection for possible mislabeling, misrepresentation, or adulteration of products. The exceptions listed in CEQA Guidelines Section 15300.2 would not apply in that no cumulative impacts were identified, no significant effects on the environment were identified, the project is not adjacent to a scenic highway, no historical resources would be affected by the action, and the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

CONTACT PERSON: Elena Pascual, Associate Planner **TELEPHONE:** (619) 533-5928
City of San Diego Planning Department
9485 Aero Drive, MS 413, San Diego, CA 92123

IF FILED BY APPLICANT:

1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING
2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?
(X) YES () NO

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA.


Myra Herrmann, Senior Planner, Planning Department 2/22/2021

DATE

CHECK ONE:

- (X) SIGNED BY LEAD AGENCY DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:
() SIGNED BY APPLICANT