

**San Diego Unified Port District**

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

Project: Installation of Fiber Optic Cable for Extension of Fiber Telecommunication Services to the Harbor Police Office  
Location(s): 3380 N. Harbor Drive, San Diego, CA 92101  
Parcel No.(s): 007-028 and 007-031  
Project No.: 2017-203  
Applicant: Tom Hallauer, Right of Way Manager, AT&T, 7337 Trade Street Room 5685, San Diego, CA 92121  
Date Approved: December 20, 2017

Project Description

The proposed project involves the installation of fiber optic cable for extension of fiber telecommunications services to an existing building located at 3380 N. Harbor Drive in San Diego, California. The proposed project would involve installing cable in existing underground conduit. Specific work to complete the proposed project includes the following:

- Locate and intercept existing conduit via existing manholes; and
- Splice existing underground fiber cable; and
- Install new underground fiber cable.

It is anticipated that construction would commence in January, 2018 and take approximately two days to complete. 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 construction equipment. Finally, the Applicant 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 require a Right of Entry Permit (ROE) to AT&T to enter upon certain property located on N. Harbor Drive in the City of San Diego, California. The land proposed for use under this ROE would be used by AT&T, its authorized agent(s), and contractor(s) for the purpose of installation of fiber optic cable, as well as ingress and egress in support of those activities.

The ROE is anticipated to commence on January 15, 2018 and terminate on February 28, 2018 or upon completion of the work, whichever occurs earlier. The ROE may be terminated by the District as a matter of right or without cause at any time upon providing twenty-four (24) hours' written notice to the permittee 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.

**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) and/or 15304 (Minor Alterations to Land) and Sections 3.a. (7) and/or 3.c. (3) of the District's *Guidelines for Compliance with CEQA* because the project involves the installation of fiber optic cable in existing conduit and issuance of an ROE that would involve no expansion of use beyond that previously existing. Sections 3.a (7) and 3.c (3) 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.c. New Construction or Conversion of Small Structures (SG S 15303) (Class 3): Includes construction of a limited number 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 of the structure. Examples of this exemption include:

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

The Categorical Exemptions listed above are appropriate for the proposed project because the project involves the installation of fiber optic cable in existing conduit and issuance of an ROE that would involve a no expansion of use beyond that previously existing. 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 2, Harbor Island/Lindbergh Field, which is delineated on Precise Plan Map Figure 9 of the certified Port Master Plan. The Port Master Plan land use designations within the limits of the proposed project are Industrial Business Park and Street. The project conforms to the certified Port Master Plan because it involves the installation of fiber optic cable in existing conduit and issuance of an ROE. Utilities are an allowable use in the above land use designations. The project would not change the use of the site nor would it interrupt or significantly expand the existing conforming use of the site.

#### ***CATEGORICAL DETERMINATION***

The above project involves the installation of fiber optic cable in existing conduit and issuance of an ROE, which would involve no expansion of use beyond that previously existing and no change of the existing use of the property. This project is consistent with existing certified land use designations and is Categorically Excluded under Sections 8.a (2) and/or 8.c. of the District's *Coastal Development Permit Regulations*, as follows:

- 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.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 the existing use of the property.

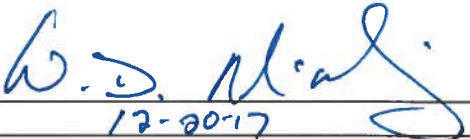
Pursuant to California Coastal Act Section 30717, there is a 10-working-day period to appeal this "Coastal Act Categorical Determination of Exclusion" to the California Coastal Commission.

RANDA CONIGLIO  
President/CEO

Determination by:  
Cameron McLeod  
Assistant Planner  
Development Services

Signature:   
Date: 12/20/2017.

Deputy General Counsel

Signature:   
Date: 12-20-17