



CEQA and COASTAL DETERMINATIONS
and
NOTICE OF APPROVAL

Project: Right of Entry with Coronado Shores Condominium Association #4 for Works on Telecommunications Equipment at Coronado Bayfront
Location: 1770 Avenida Del Mundo, Coronado, California 92118
Parcel No.: N/A
Project No.: 2019-077
Applicant: Amy Tigri, Asset Manager, Real Estate, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101
Date Approved: May 7, 2019

PROJECT DESCRIPTION

The proposed project is a Right of Entry (ROE) to the San Diego Unified Port District (Permittee) to enter certain property located at 1770 Avenida Del Mundo in the city of Coronado, California. The area proposed for use under this ROE is currently and is proposed to be used by the Permittee and their authorized agent(s) and contractors(s) for the purpose of inspection, maintenance, repair, and removal of point-to-point communications equipment located on the rooftop of the Permit Area, as well as ingress and egress in support of those activities. No new development, construction, or increase in the size of the area is proposed or authorized as part of the ROE.

It is anticipated that the ROE would have a total term of approximately five (5) years, or upon completion of the work, whichever occurs earlier. The ROE may be terminated by the Permitter or Permittee as a matter of right and without cause at any time upon providing one hundred eighty (180) days' notice in writing to the Permitter or 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.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

CATEGORICAL DETERMINATION

Categorical Exemption: SG §15301, Class 1/Section 3.a: Existing Facilities

3.a. Existing Facilities (SG § 15301) (Class 1): 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.
- (7) Existing facilities used to provide electric power, natural gas, sewerage, or other public utility service.

The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Section of the District's *Guidelines for Compliance with CEQA* as identified above. This is appropriate for the proposed project because it is a ROE for inspection, maintenance, repair, and removal of existing communications equipment that would result in no expansion of use beyond that previously existing or 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

The above project proposes a ROE for the inspection, maintenance, repair, and removal of point-to-point communications equipment that would involve no expansion of use beyond that previously existing. The project site is located in an area that has not been incorporated into the Port Master Plan and is therefore not within the District's coastal development permitting jurisdiction. The project site is within the coastal development permitting jurisdiction of the City of Coronado (City). The City must determine whether the proposed project is considered "development" as defined in Section 30106 of the California Coastal Act and whether any approvals from the City may need to be obtained by the District.


CALIFORNIA PUBLIC TRUST DOCTRINE

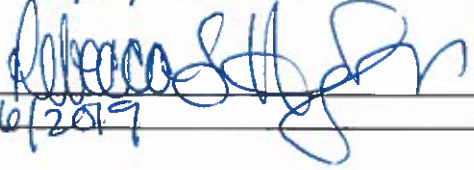
The proposed project complies with Section 87.(a)(4) of the Port Act, which allows for the construction, reconstruction, repair, and maintenance of highways, streets, roadways, bridges, belt line railroads, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, 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 this section. 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.

RANDA CONIGLIO
President/CEO

Determination by:
Cameron McLeod
Assistant Planner
Development Services

Deputy General Counsel

Signature: 
Date: 5/7/19

Signature: 
Date: 5/6/2019