



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

Project: Modifications to Telecommunications Facilities by AT&T Wireless at Centre City Embarcadero
Location: 1 Park Blvd, San Diego, CA 92101
Parcel No.: 019-050
Project No.: 2019-183
Applicant: Justin Causey, Land Use Planner II, Md7; Agent to AT&T Wireless, 10590 W. Ocean Air Drive Suite 300, San Diego, CA 92130
Date Approved: January 27, 2020

PROJECT DESCRIPTION

The proposed project would involve modifications to existing telecommunications facilities by AT&T Wireless (Applicant) in the City of San Diego, California. Work to specifically complete the proposed project would involve removal and replacement of eighteen (18) remote radio units (RRU) within a fiberglass reinforced plastic (FRP) enclosure, two (2) power plant cabinets, four (4) Purcell cabinets; removal of two Purcell cabinets; and installation of two retrofit kits, one (1) battery cabinet with twenty (20) battery modules, and ten (10) baseband modules within the Purcell cabinets to improve telecommunications service. Construction of the proposed project is anticipated to occur in Spring 2020 and would take approximately two weeks 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 equipment. Therefore, significant impacts related to air quality, greenhouse gas emissions, and transportation and traffic are not anticipated to occur. Furthermore, 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 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; SG §15302, Class 2/Section 3.b: Replacement or Reconstruction, and SG §15303, Class 3/Section 3.c: New Construction or Conversion of Small Structures.

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.

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 of the structure.

The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and

the Sections of the District's *Guidelines for Compliance with CEQA* as identified above. These are appropriate for the proposed project because it consists of modifications to existing facilities and structures and construction of new small telecommunications equipment, would not result in a significant cumulative impact due to the continuation of the existing use, would be located on the same site as the structures replaced, would have substantially the same purpose and capacity, and would consist of construction and location of new, small facilities. 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

PORT MASTER PLAN CONSISTENCY

Planning District: 3 - Centre City Embarcadero (Precise Plan Figure 11)

Land Use Designation: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it consists of modifications to existing facilities and structures and construction of new small telecommunications equipment, consistent with the existing certified Land Use designation. The proposed project would not change the use of the site nor would it interrupt or expand the existing conforming use of the site.

CATEGORICAL DETERMINATION

Categorical Exclusions: Section 8.a: Existing Facilities; Section 8.b: Replacement or Reconstruction; and Section 8.c: New Construction or Conversion of Small Structures

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 numbers 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.

The proposed project is determined to be Categorically Excluded pursuant to the Sections of the District's *Coastal Development Permit Regulations* as identified above. These are appropriate for the proposed project because it consists of modifications to existing facilities and structures and construction of new small telecommunications equipment, and would involve negligible or no expansion of use beyond that previously existing, would be located essentially on the same site as the structure replaced, would have substantially the same purpose and capacity as the structure replaced, and would involve no change of 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.


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:
Michael Paul
Assistant Planner
Development Services

Deputy General Counsel

Signature: 
Date: 1/27/20

Signature: 
Date: 1/26/20