



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

Project: Telecommunications Equipment 5G Upgrade by AT&T at Shelter Island
Location: 1407 Shelter Island Drive, San Diego, CA 92106
Parcel No.: 001-016
Project No.: 2019-198a
Applicant: Debra Gardner, President, DePratti Inc., 13948 Calle Bueno Ganar, Jamul, CA 91935
Date Approved: April 7, 2020 Revised: July 14, 2020

PROJECT DESCRIPTION

The proposed project would involve cellular equipment 5G upgrades to an existing monopine and ground equipment by DePratti Inc. on behalf of AT&T (Applicant) in the City of San Diego, California. Work to specifically complete the proposed project would involve modifications to an existing monopine including the following: removal and replacement of three (3) panel antennas and six (6) Remote Radio Units (RRU); monopine foliage removed for construction would be replaced for concealment of telecommunications equipment post-construction. Improvements to the ground equipment would include installation of a baseband unit and mount to the existing telecommunications equipment frame within the equipment room. Construction of the proposed project is anticipated to occur in Winter 2020 and would take approximately six weeks to complete. Construction equipment would be staged at three (3) parking spaces adjacent to the site for the duration of construction.

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 proposed project would also include a Right of Entry (ROE) to the Applicant to enter certain properties located in the City of San Diego, California. The area proposed for use under this ROE would be used by the Applicant and their authorized agent(s) and contractor(s) for the purpose of a laydown area for the use of storing materials, equipment and machinery, as well as ingress and egress in support of those activities.

It is anticipated that the ROELA would have a total term of two (2) months, or upon completion of work, whichever occurs earlier. The ROELA may be terminated by the District as a matter of right and without cause at any time upon providing twenty-four (24) hours' notice in writing to the Applicant 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; and SG §15302, Class 2/Section 3.b: Replacement or Reconstruction.

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.

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 a ROE for staging of equipment and machinery, replacement of existing antennas and RRU's on an existing monopine, minor improvements inside an existing equipment structure, and would involve negligible expansion of use beyond that previously existing, 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, and would have substantially the same purpose and capacity. 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: 1 - Shelter Island/La Playa (Precise Plan Figure 4)

Land Use Designation: Harbor Services

The proposed project conforms to the certified Port Master Plan because it consists of a ROE for staging of equipment and machinery, replacement of existing antennas and RRU's on an existing monopine, and minor improvements inside an existing equipment structure, 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; and Section 8.b: Replacement or Reconstruction

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.

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.

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 a ROE for staging of equipment and machinery, replacement of existing antennas and RRU's on an existing monopine, minor improvements inside an existing equipment structure, and would involve negligible expansion of use beyond that previously existing, would be located within the same footprint of the structures being replaced, and would have substantially the same purpose and capacity.

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)(5) of the Port Act, which allows for the construction, reconstruction, repair, maintenance, and operation of public buildings, public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and fishing piers, public recreation facilities, including, but not limited to, public golf courses, and for all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses. 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

Signature: Michael Paul
Date: Jul 14, 2020

Deputy General Counsel

Signature: Chris Burt
Date: Jul 14, 2020