CEQA and COASTAL DETERMINATIONS
and
NOTICE OF APPROVAL

Project: Conduit Installation by AT&T at National City Bayfront
Location: 2740 Tidelands Avenue, National City, CA 91950
Parcel No.: 027-013
Project No.: 2019-206
Applicant: Keith Denhart, OSP Engineer, AT&T, 3750 Home Avenue, San Diego, CA 92105
Date Approved: February 5, 2020

PROJECT DESCRIPTION

The proposed project would involve excavation of a trench to install fiber facilities by AT&T (Applicant) in the City of San Diego, California. Work to specifically complete the proposed project would involve excavation of one (1) eighty-nine (89) foot (ft) long by two (2) ft-wide by one ft-deep trench, placement of up to four (4) inch diameter conduit, installation of a two ft by three (3) ft-wide by three ft-deep access handhole, and restoration of excavated surfaces within the right-of-way on Tidelands Avenue. Excavation of the trench and handhole would require removal of approximately seven (7) and one cubic yard of soil, respectively.

Construction of the proposed project would occur in the Winter 2020 and would be completed in approximately three months. During construction, traffic would be redirected in accordance with an approved traffic control plan. 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 issuance of a Right of Entry License Agreement (ROELA). The areas proposed for use under this ROELA would be used by the Applicant and their authorized agent(s) and contractor(s) for the purpose of installing and repairing fiber facilities, as well as ingress and egress in support of those activities. It is anticipated that the ROELA would have a total term of approximately five (5) years or upon completion of work. 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 written notice to 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 §15304, Class 4/Section 3.d: Minor Alternations to Land

3.d. Minor Alterations to Land (SG § 15304) (Class 4): Includes minor alterations in the condition of land, water and/or vegetation not involving removal of mature, scenic trees, including, but not limited to:

(1) Filling of earth on previously disturbed land with material compatible with the natural features of the site.

(6) Minor temporary use of land having negligible or no permanent effects on the environment.

(7) Minor trenching and backfilling where the surface is restored.

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 consists of trenching and installation of conduit, would
trees. 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: 5 - National City Bayfront (Precise Plan Figure 15)
Land Use Designation: Streets

The portion of the proposed project located within the Coastal Development Permit (CDP) jurisdiction of the District conforms to the certified Port Master Plan because it would involve trenching and installation of conduit, 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 Exclusion: Section 8.d: Minor Alternations to Land

8.d. Minor Alterations to Land: Minor public or private alterations in the condition of land, water, and/or vegetation which do not involve the removal of mature, scenic trees, including but not limited to:

(3) Filling of earth into previously excavated land with material compatible with the natural features of the site;

(6) Minor trenching or backfilling where the surface is restored.

The proposed project is determined to be Categorically Excluded pursuant to the Section of the District’s Coastal Development Permit Regulations as identified above. This is appropriate for the proposed project because it consists of trenching and installation of conduit and a handhole, and would not involve the removal of mature, scenic trees.

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: [Signature]
Date: [Date]

[Signature]
Date: [Date]