



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

Project: Mesh Radio Data Equipment Installation and Operation by Mallory Safety and Supply on District Tidelands

Location: 1401 Shelter Island Drive, San Diego, CA 92106;
2210 Shelter Island Drive, San Diego, CA 92106;
2040 Harbor Island Drive, San Diego, CA 92101;
2710 North Harbor Drive, San Diego, CA 92101;
1140 North Harbor Drive, San Diego, CA 92101;
740 North Harbor Drive, San Diego, CA 92101;
200 Marina Park Way, San Diego, CA 92101;
1 Market Place, San Diego, CA 92101;
1800 Crosby Road, San Diego, CA 92101;
2000 2nd Street, Coronado, CA 92118; and
1400 Tidelands Avenue, National City, CA 91950-4224

Parcel No.: Various

Project No.: 2020-123

Applicant: Tiffany Walker, Public Safety Technology Program Manager, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA 92101

Date Approved: November 12, 2020

PROJECT DESCRIPTION

The proposed project would involve installation of mesh data radio systems on San Diego Unified Port District (District) vehicles and infrastructure by Mallory Safety and Supply (Applicant), in the Cities of San Diego, National City, and Coronado, California. Work to specifically complete the proposed project would involve benchmark testing of radios and network prior to deployment, network design and configuration, vehicle and structural surveys to determine mounting solutions and power availability, hardware removal, and installation of equipment to improve and expand the existing network reliability. Mesh radio units will be mounted to existing tower and pole infrastructure and use power-over-ethernet (POE) and electricity from existing sources. The project would also equip six (6) mobile command vehicles and six mobile video trailers belonging to the Harbor Police and District member city law enforcement agencies with mesh data radio systems allowing the region to benefit from this wireless, shareable, scalable expansion of the mesh data radios through improved transmission of live video, situational awareness solution access, and shared virtual networks and extend wireless access to the public safety fiber network. No new infrastructure installation, trenching, or building modifications are required to complete this project. Installation of the proposed improvements is anticipated to occur in Winter 2020-21 and would take approximately six weeks to complete, with ongoing installation, inspections, maintenance, and removal as needed.

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 Exemptions: SG §15301, Class 1/Section 3.a: Existing Facilities; 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.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 Categorical 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 installation and operation of new mesh data radio systems and associated equipment, would not result in a significant cumulative impact due to the continuation of the existing use, and would consist of installation of small new equipment and 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 Districts: 1 - Shelter Island/La Playa (Precise Plan Figure 4); 2 - Harbor Island/Lindbergh Field (Precise Plan Figure 9); 3 - Centre City Embarcadero (Precise Plan Figure 11); 4 - Tenth Avenue Marine Terminal (Precise Plan Figure 13); 5 - National City Bayfront (Precise Plan Figure 15); and 6 - Coronado Bayfront (Precise Plan Figure 17)

Land Use Designations: Harbor Services; Park/Plaza; Commercial Recreation; Marine Terminal; and Commercial Fishing

The proposed project conforms to the certified Port Master Plan because it would involve installation and operation of new mesh data radio systems and associated equipment, consistent with the existing certified Land use designations. 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.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:

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 Categorical 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 installation and operation of new mesh data radio systems and associated equipment, would involve a negligible expansion of use beyond that previously existing, and would involve no change of existing use of the properties.

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)(6) of the Port Act, which allows for the establishment, improvement, and conduct of small boat harbors, marinas, aquatic playgrounds, and similar recreational facilities, and for the construction, reconstruction, repair, maintenance, and operation of all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses, including, but not limited to, snack bars, cafes, restaurants, motels, launching ramps, and hoists, storage sheds, boat repair facilities with cranes and marine ways, administration buildings, public restrooms, bait and tackle shops, chandleries, boat sales establishments, service stations and fuel docks, yacht club buildings, parking areas, roadways, pedestrian ways, and landscaped areas. 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: Nov 12, 2020

Deputy General Counsel

Signature: Chris Burt
Date: Nov 12, 2020