



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

Project: Installation of Wireless Communication Facility by Crown Castle at N. Harbor Drive
Location: 2831 N. Harbor Drive, San Diego, CA 92101
Parcel No.: 007-031
Project No.: 2021-035
Applicant: Elton Stolze, Crown Castle GT Company LLC, 10301 Meanley Drive, Suite 200, San Diego, CA 92131
Date Approved: May 5, 2021

PROJECT DESCRIPTION

The proposed project would involve installation of a wireless communication facility by Crown Castle (Applicant) in the city of San Diego, California. Work would occur within the public right-of-way median. Work to specifically complete the proposed project would consist of:

- Replacement of an existing streetlight;
- Installation of a wireless communication facility consisting of a 2.9 cubic foot (ft) shroud kit containing antenna and radio units, mounted to the replacement streetlight;
- Installation of a 3-ft-long by 2-ft-wide by 2.6-ft-deep vault, flush with grade;
- Installation of 27-linear-feet of conduit; and
- Approximately 27-linear-feet of trenching and backfilling.

Up to a single lane of traffic would be temporarily closed to accommodate the work, as necessary. The proposed project is anticipated to occur mid-2021 and would take approximately one week to complete, with ongoing maintenance and repair as-needed.

The proposed project would include issuance of a Right of Entry License Agreement (ROELA) to the Applicant to access the project site. The area proposed for use under the ROELA would be used by the Applicant and their authorized agent(s) and contractors(s) to complete the work described above, as well as ingress and egress in support of those activities. It is anticipated that the ROELA would have a total term of approximately six months, or upon completion of the 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.

Due to its nature and limited scope, the proposed project would generate a minor amount of vehicle trips and would require limited use of equipment. 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 is consistent with the intent and standards of Board of Port Commissioners' Policy No. 772, which states, among other things, that all wireless communication facilities shall be located where they are "least visible to the public and where they are least disruptive to the appearance of the primary use on a parcel" and "shall utilize the smallest, least visually intrusive antennae, components, and other necessary equipment so as to minimize the visual impacts.

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; SG §15302, Class 2/Section 3.b: Replacement or Reconstruction; SG §15303, Class 3/Section 3.c: New Construction or Conversion of Small Structures; and/or SG §15304, Class 4/Section 3.d: Minor Alterations to Land

- 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. Examples of this exemption include:

- (3) Water, sewer, electrical, gas, telephone, and other utility structures or facilities.

AND/OR

- 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:

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

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. This is appropriate for the proposed project because it would consist of replacement of an existing streetlight, installation, maintenance, and repair of a wireless communication facility, and issuance of a short term ROELA that would not involve an expansion of use beyond that previously existing or the removal of mature, scenic 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: 2 - Harbor Island/Lindbergh Field (Precise Plan Figure 9)

Land Use Designation: Streets

The proposed project conforms to the certified Port Master Plan because it would consist of replacement of an existing streetlight, installation, maintenance, and repair of a wireless communication facility, and issuance of a short term ROELA 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 uses of the site.

CATEGORICAL DETERMINATION

Categorical Exclusions: Section 8.a: Existing Facilities; Section 8.b: Replacement or Reconstruction; Section 8.c: New Construction or Conversion of Small Structures; and/or Section 8.d: Minor Alterations to Land

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, 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.

AND/OR

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:

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

The proposed project is determined to be Categorical Excluded pursuant to the Sections of the District's *Coastal Development Permit Regulations* as identified above. This is appropriate for the proposed project because it would consist of replacement of an existing streetlight, installation, maintenance, and repair of a wireless communication facility, and issuance of a short term ROELA that would not involve an expansion of use beyond that previously existing or the removal of mature, scenic trees.

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 Section 87. 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.

J. STUYVESANT
President/CEO

Determination by:
Cameron McLeod
Associate Planner
Development Services

Signature: Cameron McLeod
Date: May 5, 2021

Deputy General Counsel

Signature: Chris Burt
Date: May 5, 2021