



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

Project: AT&T Fiber Splicing Project at Harbor Island
Location: 2150 Harbor Island Drive, San Diego, CA 92101; and
 880 Harbor Island Drive, San Diego, CA 92101
Parcel No.: Various
Project No.: 2021-040
Applicant: Keith Denhart, AT&T Design Engineer, 7337 Trade Street, Room 5686, San Diego,
 CA 92121-2423
Date Approved: Jul 30, 2021

PROJECT DESCRIPTION

The proposed project is fiber splicing by AT&T (Applicant) in the City of San Diego, California. Work to specifically complete the proposed project would consist of accessing five (5) manholes to splice fiber cable at the sidewalk along Harbor Island Drive, replace the existing fiber cable with Charles Multi-Purpose Housing (CMPH), and replacing the manholes. No trenching would be required. Construction of the proposed project is anticipated to occur during the Summer of 2021. Additionally, the proposed improvements would be conducted in accordance with the project-specific Traffic Control Plan.

The proposed project would include issuance of a Right of Entry (ROE) permit to the Applicant to access the project site. The area proposed for use under the ROE would be used by the Applicant and their authorized agent(s) and contractor(s) to complete the work described above, as well as ingress and egress in support of those activities. It is anticipated that the ROE would have a total term of approximately six (6) months or upon completion of the work, whichever occurs earlier. The ROE 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 Permittee of such termination.

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

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, including but not limited to:

- (7) Existing facilities used to provide electric power, natural gas, sewerage, or other public utility service.

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 splicing existing fiber cables, that would involve no expansion of use beyond that previously existing, and would not result in a significant cumulative impact due to the continuation of the existing use. 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 Designations: Commercial Recreation; Open Space; Industrial Business Park; and Streets

The proposed project conforms to the certified Port Master Plan because it consists of a splicing existing fiber cables, 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 Exclusion: Section 8.a: Existing Facilities

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

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 splicing existing fiber cables and would involve no expansion of use beyond that previously existing.

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.

J. STUYVESANT
President/CEO

Determination by:
Michelle Chan
Senior Planner
Development Services

Signature: Michelle Chan
Date: Jul 30, 2021

Deputy General Counsel

Signature: Rebecca Harrington
Date: Jul 30, 2021