



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

Project: Cox Cable Installation at 1220 Pacific Highway
Location: 1220 Pacific Highway, San Diego, CA 92101
Parcel No.: 017-011
Project No.: 2021-070
Applicant: Tamara Fisher, Vice President, Right Way Permit Services, Inc. 530 Alpine Trail Road, Alpine, CA 91901
Date Approved: Aug 9, 2021

PROJECT DESCRIPTION

The proposed project would involve the installation of Cox conduit and cable for internet service to the United States Navy (USN) building located at 1220 Pacific Highway. The USN service connection will be activated at the right-of-way (ROW) where a separate project for permit is in process by the authorized applicant for installation of a new Cox utility service in the City of San Diego. The ROW work is new vault and conduit/cable running along the edge of the sidewalk to a ROW bore pit which will meet the USN conduit/cable at the leasehold property line. Work specifically to complete the project would include:

- Minor Trench: a 93-ft asphalt trench dimensioned 6-inches wide x 24-inches deep for installation of conduit will begin at the USN building to the property line. The direction of the excavation is approximately 33-ft south turning eastward 60-ft. See Site Plan Exhibit.
- Bore Pit: this 3-ft x 5-ft construction access hole is typically 24-inches deep allowing Cox to make the 90-degree turn from the leasehold into the ROW for the utility connection.
- Construction Staging: all equipment and material at the USN worksite will be stored on the contractor's work vehicle parked on the USN leasehold.

The project is anticipated to begin in August 2021 and would take approximately 1 week to complete. 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, 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

- 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 Sections of the District's Guidelines for Compliance with CEQA as identified above. These are appropriate for the proposed project because it involves installation of conduit and cable for internet service at an existing facility that would result in no expansion of use beyond that previously existing or 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: 3 - Centre City Embarcadero (Precise Plan Figure 11)

Land Use Designation: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it involves installation of conduit and cable for internet service at an existing facility, 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

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 Sections of the District's Coastal Development Permit Regulations as identified above. These are appropriate for the proposed project because it involves installation of conduit and cable for internet service at an existing facility that would result in 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.

For any portions of the proposed project located outside of the District's CDP jurisdiction, additional approvals may be required from other agencies.

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.

J. STUYVESANT
President/CEO

Determination by:
Juliette Orozco
Associate Planner, Development Services

Signature: Juliette Orozco
Date: Aug 9, 2021

Deputy General Counsel

Signature: Christopher Burt
Date: Aug 9, 2021