



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

Project: Fiber Facilities for Initial AT&T Switched Ethernet
Location: Various existing facilities around the Convention Center and Joe's Crab Shack located near 200 Marina Park Way, San Diego CA 92101
Parcel No.: Various
Project No.: 2021-087
Applicant: Keith Denhart, AT&T California, 7337 Trade Street Room 5686, San Diego, CA 92121
Date Approved: Aug 24, 2021

PROJECT DESCRIPTION

The proposed project would involve the installation of conduit and cable for internet service to Joe's Crab Shack building located in San Diego, CA. The project would allow for AT&T to provide fiber facilities to allow for AT&T switched ethernet service (ASE) internet service. Work specifically to complete the project would include:

- Implement an approved Traffic Control Plan
- Access fiber facilities at the following existing facilities located in various locations around the Convention Center/Joe's Crab Shack area:
 - Manhole 7161
 - Manhole 5572
 - Manhole 5640
 - Manhole 5641
 - Pedestal 1
 - Pedestal 2
 - Splice Box
- Splice the existing fiber cable
- Replace the facilities to original state

The project is anticipated to begin in September 2021 and would take approximately 3 months 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 and Streets

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 24, 2021

Deputy General Counsel

Signature: Rebecca Harrington
Date: Aug 24, 2021