



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

Project: Installation of New Fiber Optic Infrastructure at the San Diego Convention Center  
Location: 111 West Harbor Drive, San Diego, CA 92101  
Parcel No.: 019-020  
Project No.: 2022-005  
Applicant: Donald Bottger, Director of Facilities, San Diego Convention Center Corporation, 111 West Harbor Drive, San Diego, CA 92101  
Date Approved: Feb 14, 2022

**PROJECT DESCRIPTION**

The proposed project would involve the installation of a new lumen across Harbor Drive to deliver fiber optic service to the San Diego Convention Center's Optical Fiber Communication (OFC) Conference by the San Diego Convention Center Corporation (Applicant). Work to specifically complete the proposed project would involve the following:

- Pothole to identify all utilities prior to starting trench work
- Trench approximately 127 feet across Harbor Drive from the existing Level 3 manhole on Harbor Drive at the intersection of Exposition Way and East Harbor Drive to the existing AT&T manhole located in the parkway on Exposition Way using a rocksaw
- Tunnel under the existing curb and gutter along Harbor Drive
- Hand dig in the landscaped planter area to connect to the AT&T manhole 5572 while avoiding the concrete driveway
- Place 1-4-inch Sch 40 conduit in Harbor Drive trench and intercept with AT&T manhole
- Utilize the existing AT&T conduit beyond the AT&T Manhole 5572 that feeds into the San Diego Convention Center
- Restore the trenched asphalt areas to the City of San Diego Standard SDG-117 and restore all disturbed landscaped areas to the existing condition

Construction of the proposed project is anticipated to occur in approximately Winter of 2022, and would take approximately 3-4 days to complete, with ongoing maintenance and repairs as needed. The Applicant would obtain a Right of Way (ROW) Permit by the City of San Diego prior to the start of construction. As a part of the ROW Permit approval, a Traffic Control Permit would be required to maintain a single lane open in each direction during working hours at minimum and specify dates and hours for when the work is allowed. During non-working hours, the trench route would be plated, and the roadway would be restored to full width. Construction work is anticipated to occur during the night to mitigate the impacts to pedestrian and vehicular traffic on Harbor Drive. It is important to note that at no point would the project result in full road closure.

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.

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**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

***CATEGORICAL DETERMINATION***

Categorical Exemptions: SG §15301, Class 1/Section 3.a: Existing Facilities; SG §15303, Class 3/Section 3.c: New Construction or Conversion of Small Structures; and 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, including but not limited to:

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

AND/OR

3.c. New Construction of 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 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 would consist of the installation of small new equipment and facilities in small structures, and it would result in no permanent effects on the environment. 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 Designations: Streets and Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it would involve the installation of a new lumen to deliver fiber optic service to the San Diego Convention Center 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 uses of the site.

*CATEGORICAL DETERMINATION*

Categorical Exclusions: Section 8.a: Existing Facilities; Section 8.c: New Construction or Conversion of Small Structures; and 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, including but not limited to:

- (2) Public and private utilities used to provide electric power, natural gas, sewer, or other utility services;

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, including but not limited to:

- (2) Water main, sewer, electrical, gas, or other utility extensions of reasonable length to serve such construction;

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. These are appropriate for the proposed project because it would involve negligible or 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.

JOSEPH STUYVESANT  
President/CEO

Determination by:  
Lillian Mattes  
Assistant Planner  
Development Services

Signature: Lillian Mattes  
Date: Feb 14, 2022

Deputy General Counsel

Signature: Chris Burt  
Date: Feb 14, 2022