



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

Project: AT&T Fiber Backbone Project
Location: Multiple Points Along Shelter Island Drive, San Diego, CA 92106
Parcel No.: Various
Project No.: 2022-121
Applicant: Matthew Corbett, Manager OSP Design Engineering, AT&T California, 3073 Adams St, Riverside, CA 92504
Date Approved: Feb 16, 2023

PROJECT DESCRIPTION

The proposed project would involve repairs to existing fiber facilities by Pacific Bell Telephone Company dba AT&T California (Applicant) in the city of San Diego, California. Work to specifically complete the proposed project would involve accessing and repairing existing fiber conduit ducts located in fifteen (15) manholes along Shelter Island Drive. The proposed project requires the construction of 4'x4'x4' access pits at each of the manhole locations which involves the removal and restoration of existing asphalt or decorative brick located at the ground surface. The proposed project involves a total of 240 cubic feet of asphalt surface disturbance and 36 cubic feet of decorative brick surface disturbance. Following completion of work, the Applicant is responsible for restoring the asphalt and decorative brick areas to its original condition.

Construction of the proposed project is anticipated to occur in approximately Spring of 2023, and would take approximately 8-10 days to complete, with ongoing maintenance as needed. When possible, excavation activities would be limited to weekdays, and construction is anticipated to occur during early daylight hours or at night, as approximately two (2) access pits would be excavated per night once construction activities commence. There would be no less than four (4) AT&T construction personnel required per dig location in order to ensure the implementation of the Traffic Control Plan (TCP). Throughout the entirety of construction, a minimum of one lane would remain open to allow for continued traffic circulation on Shelter Island Drive. For any driveway access or business operations that could be impacted by the proposed project, the Applicant is responsible for notifying neighboring Tenants at a minimum of 72 hours in advance and posting appropriate signage indicating any temporary closures to roads or driveways. The proposed project would be completed with the use of trucks, a jackhammer, an air compressor, and a mini excavator.

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; 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 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 portion of the proposed project within the District's jurisdiction 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. These are appropriate for the proposed project because it would involve repairs to existing fiber facilities that would involve no expansion of use beyond that previously existing, would consist of installation of small new equipment and facilities in small structures, and would not involve 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: 1 - Shelter Island/La Playa (Precise Plan Figure 4)

Land Use Designation: Streets

The portion of the proposed project located within the Coastal Development Permit (CDP) and Coastal Act exclusion authority of the District conforms to the certified Port Master Plan because it would involve repairs to existing fiber facilities 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.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 portion of the proposed project located within the CDP and Coastal Act exclusion authority of the District 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 would involve repairs to existing fiber facilities that would involve a negligible expansion of use beyond that previously existing, would involve no change of existing use, and would not involve the removal of mature, scenic trees.

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.

JOE STUYVESANT
President/CEO

Determination by:
Lillian Mattes
Assistant Planner
Development Services

Signature: Lillian Mattes
Date: Feb 16, 2023

Deputy/Assistant General Counsel

Signature: Rebecca Harrington
Date: Feb 16, 2023