

Notice of Exemption*CEQA Guidelines Appendix E*

To: ■ San Diego County Recorder/County Clerk
1600 Pacific Highway, Suite 260
San Diego, CA 92101-2480

From: ■ San Diego Unified Port District
Development Services Department
3165 Pacific Highway
San Diego, CA 92101

Project Title: Installation of New Fiber Backbone Cable on Harbor Island Drive and Pacific Highway by AT&T California

Project Location – Specific: Multiple Points along Harbor Island Drive, San Diego, CA 92101 and Pacific Highway, San Diego, CA 92101

Project location – City: San Diego

Project Location – County: *San Diego*

Description of Nature, Purpose, and Beneficiaries of Project: The proposed project would involve the installation of new fiber service and repairs to existing facilities by Pacific Bell Telephone Company, a California Corporation dba AT&T California, a California Corporation (Applicant) in the city of San Diego, California. Work to specifically complete the proposed project would involve establishing a new fiber backbone cable through existing AT&T manholes and repairing existing conduit structures along Harbor Island Drive and Pacific Highway. Along Harbor Island Drive, the proposed project would consist of excavating six (6) 4'x4'x4' access pits, accessing approximately six (6) existing manholes, clearing existing blockages, repairing existing conduit structure, installing new splice fiber cables, and restoring all access pits to their original condition once work is complete. Along Pacific Highway, the proposed project would consist of excavating four (4) 4'x4'x4' access pits, clearing existing blockages, repairing existing conduit structure, and restoring all access pits to their original condition once work is complete. In total, there would be approximately ten (10) concrete sidewalk panels and four (4) concrete enhanced pavement panels that would be removed and restored in order to complete the proposed project.

Construction of the proposed project is anticipated to occur in approximately summer 2023 and would take approximately three (3) months to complete, with ongoing maintenance as needed. All work is anticipated to occur Monday through Friday between 8:30 a.m. and 3:30 p.m. The Applicant would be responsible for implementing a Traffic Control Plan and coordinating with other contractors on Harbor Island, as-needed. During construction of the proposed project, the Applicant will ensure driveway access is not blocked, one lane would remain open in each direction at all times, and flaggers are present onsite to assist with rerouting pedestrians and bike traffic. Signage related to temporary lane closures and rerouting of bike/pedestrian traffic shall be posted a minimum of 72 hours in advance of the start of construction. If any bike lanes are temporary closed to allow for construction, proper signage shall be posted, and a flagger shall be present to assist bikers and guide the flow of traffic.

The proposed project requires a Right of Entry License Agreement (ROELA) to AT&T California, a California Corporation (Licensee) to enter certain properties proposed to be used only and exclusively for the purpose of installing new fiber service and repairing existing wireless facilities, provided, however, that no activities or improvements of the Tenant shall interfere with the use and enjoyment of the premises by the general public and for no other purpose whatsoever without the prior written consent of the Executive Director of District in each instance. No increase in the size of the area is proposed or authorized as part of the ROELA.

Name of Public Agency Approving Project: San Diego Unified Port District (SDUPD)

Name of Person or Agency Carrying Out Project: Cynthia Hernandez, OSP Design Engineer, AT&T California, 5855 Copley Dr, San Diego, CA 92111; (559) 972-7459

- Exempt Status:** (Check one):
- Ministerial (Sec. 21080(b)(1); 15268);
 - Declared Emergency (Sec. 21080(b)(3); 15269(a));
 - Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
 - Categorical Exemptions: Existing Facilities (SG § 15301) (Class 1), New Construction or Conversion of Small Structures (SG § 15303) (Class 3), and Minor Alterations to Land (SG § 15304) (Class 4)**
 - Statutory Exemption. State code number:

Reason Why Project is Exempt: The proposed project is determined to be Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), and 15304 (Minor Alterations to Land) and Section 3.a.(7), 3.c.(3), and 3.d.(7) of the District's Guidelines for Compliance with CEQA because it would consist of the installation of a new fiber service and repairs to existing facilities that would involve no expansion of use beyond that previously existing, would consist of the installation of small new equipment in small structures, and would result in no permanent effects on the environment. Section 3.a.(7), 3.c.(3), and 3.d.(7) of the District's CEQA Guidelines are as follows:

- 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.
- (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.

Lead Agency Contact Person and Telephone Number: Lillian Mattes, (619) 686-8200

Signature: *J. Mattes* **Date:** 07/31/2023 **Title:** Assistant Planner

- Signed by Lead Agency
- Signed by Applicant

Date received for filing at OPR/Clerk:



State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753 5a (Rev 01/01/23) Previously DFG 753 5a

RECEIPT NUMBER 37-07/31/2023-0560
STATE CLEARING HOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY SAN DIEGO UNIFIED PORT DISTRICT	LEAD AGENCY EMAIL	DATE 07/31/2023
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COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 37-2023-0560
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PROJECT TITLE
 INSTALLATION OF NEW FIBER BACKBONE CABLE ON HARBOR ISLAND DRIVE AND PACIFIC HIGHWAY BY AT&T CALIFORNIA

PROJECT APPLICANT NAME CYNTHIA HERNANDEZ, AT&T CALIFORNIA	PROJECT APPLICANT EMAIL	PHONE NUMBER 559-972-7459
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PROJECT APPLICANT ADDRESS 5855 COPLEY DR	CITY SAN DIEGO	STATE CA	ZIP CODE 92111
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PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,839 25	\$	0 00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)/(ND)	\$2,764 00	\$	0 00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,305 25	\$	0 00

- Exempt from fee
- Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850 00	\$	0 00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50 00
<input type="checkbox"/> Other		\$	0 00

PAYMENT METHOD

Cash
 Credit
 Check
 Other
 TOTAL RECEIVED
 \$
 50 00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County Clerk, DANIEL BUTLER, Deputy
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Payment Reference #: CHECK# 2240



SAN DIEGO COUNTY CLERK
CEQA FILING COVER SHEET

FILED
Jul 31, 2023 09:47 AM
JORDAN Z. MARKS
SAN DIEGO COUNTY CLERK
File # 2023-000617
State Receipt # 37073120230560

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

INSTALLATION OF NEW FIBER BACKBONE CABLE ON HARBOR ISLAND DRIVE
AND PACIFIC HIGHWAY BY AT&T CALIFORNIA

Check Document being Filed:

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type)

**FILED IN THE OFFICE OF THE SAN DIEGO
COUNTY CLERK ON** July 31, 2023
Posted July 31, 2023 **Removed** _____
Returned to agency on _____
DEPUTY _____

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.