



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

**Project:** Installation of New Fiber Backbone Cable on Harbor Island Drive and Pacific Highway by AT&T California  
**Location:** Multiple Points along Harbor Island Drive, San Diego, CA 92101 and Pacific Highway, San Diego, CA 92101  
**Parcel No.:** Various  
**Project No.:** 2023-059  
**Applicant:** Cynthia Hernandez, OSP Design Engineer, AT&T California, 5855 Copley Dr, San Diego, CA 92111; (559) 972-7459  
**Date Approved:** 06/12/2023

**PROJECT DESCRIPTION**

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.

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 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 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. 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 Districts: 2 - Harbor Island/Lindbergh Field (Precise Plan Figure 9) and 3 - Centre City Embarcadero (Precise Plan Figure 11)

Land Use Designations: Commercial Recreation and Streets

The proposed project conforms to the certified Port Master Plan because it would involve the installation of new fiber service and repairs to existing facilities 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 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 consist of the installation of new fiber service and repairs to existing facilities that would involve a negligible expansion of use beyond that previously existing, would involve no change of existing use of the property, 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: 06/12/2023

Deputy/Assistant General Counsel

Signature: [Signature]  
Date: 06/12/2023