

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

Project: Modification of an Existing Wireless Facility by Crown Castle Fiber, LLC along N. Harbor Drive across from B Street Pier
Location: 1140 N. Harbor Drive, San Diego, CA 92101
Parcel No.: 018-009
Project No.: 2023-073
Applicant: Josie Parr, Permit Specialist, Crown Castle Fiber, LLC, 10301 Meanley Drive, STE 200, San Diego, CA 92131
Date Approved: 12/12/2023

PROJECT DESCRIPTION

The proposed project would involve updating equipment at an existing cell site by Crown Castle Fiber, LLC (Applicant) in the city of San Diego, California. Work to specifically complete the proposed project would involve the removal of existing remote radio units (RRUs) and replacement with two (2) modern RRUs on an existing light pole. The existing shroud and antennae would remain in place. The proposed project includes a series of sidewalk/street trenches to install three (3) new vaults to supply power and run fiber from an existing San Diego Gas & Electric (SDG&E) transformer to the light pole. Specifically, the following trenches and vaults are proposed:

- Construction of a 5-foot-long trench (in sidewalk) from an existing SDG&E transformer to a new 2-foot by 3-foot polymer concrete Wireless Technology Rate (WTR) vault. The new WTR vault would supply power from the existing SDG&E transformer to the new Node Site.
- Construction of a 2-foot-long trench from the new WTR vault to a new 30-inch by 40-inch vault/polymer concrete box. Power conduit would be placed in the trench between the new WTR vault and vault/polymer concrete box.
- Construction of two (2) trenches from the new 30-inch by 40-inch vault/polymer concrete box:
 - (1) a 9-foot-long trench to connect to an existing manhole and (2) a 170-foot-long trench in Harbor Drive to install new fiber cable.
 - To accommodate the manhole-related trenching, seven (7) existing 5-foot by 5-foot sidewalk panels would be removed and replaced in-kind.
 - The 170-foot-long trench would extend south along Harbor Drive and terminate at a new 30-inch by 48-inch vault placed in the adjacent sidewalk.

Installation of this equipment would be facilitated with the use of a bucket truck to lift staff to the site, radio wires would be disconnected, and the bands holding the radio shroud would be released. Testing would occur after installation and may require fiber splicing and troubleshooting. The work would require 3-4 people to complete installation and testing.

The proposed project requires issuance of an Amendment to an existing Tidelands Use and Occupancy Permit (TUOP) to Crown Castle Fiber, LLC (Tenant/Applicant). The original TUOP was executed on February 1, 2022 and has a total term of approximately five (5) years (Clerk Document No. 73519). The Tenant would be responsible for compliance with all laws and regulations associated with the activities on or in connection with the above-described premises, and in all uses thereof, including those regulating stormwater and hazardous materials.

Construction of the proposed project is anticipated to occur in approximately February 2024 and would take approximately three (3) days to complete, with ongoing maintenance and repairs as needed. All work would occur during the day on weekdays, and no weekend work is anticipated. The Applicant would be responsible for implementing a Traffic Control Plan and coordinating with other contractors, as needed. During construction of the proposed project, the Applicant will ensure driveway access is not blocked, and one lane would remain open in each direction at all times. Project staging is proposed to occur in the furthest right lane going northbound on North Harbor Drive. 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. Additionally, per the submitted Traffic Control Plan, flaggers are to be present on-site during each phase of construction to assist with rerouting of pedestrians or bikers.

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: CEQA Guidelines Section 15301 (Class 1)/District Guidelines for Compliance with the CEQA Section 3.a: Existing Facilities and CEQA Guidelines Section 15303 (Class 3)/District Guidelines for Compliance with the CEQA Section 3.c: New Construction or Conversion of Small Structures

- 3.a. Existing Facilities: 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: 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.

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 involve no expansion of use beyond that previously existing and would consist of construction of new, small facilities. 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: Streets

The proposed project conforms to the certified Port Master Plan because it would involve modification of an existing wireless 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 uses of the site.

CATEGORICAL DETERMINATION

Categorical Exclusions: Section 8.a: Existing Facilities and Section 8.c: New Construction or

Conversion of Small Structures

- 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

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 involve negligible or no expansion of use beyond that previously existing and would involve the installation of small new structures.

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.

RANDA CONIGLIO
Acting President/CEO

Determination by:
Lillian Mattes
Assistant Planner
Development Services

Signature: Lillian Mattes
Date: 12/12/2023

Assistant/Deputy General Counsel

Signature: 
Date: 12/11/2023