



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

Project: Fiber Installation on West Harbor Drive by Verizon Wireless  
Location: West Harbor Drive, San Diego, CA 92101  
Parcel No.: 019-030  
Project No.: 2023-159  
Applicant: Muykey “MK” Chong-Tan, Project Manager, HP Communications, Inc., 9988 Hibert Street, Suite 212, San Diego, CA 92131; (951) 561-8159  
Date Approved: 11/21/2023

**PROJECT DESCRIPTION**

The proposed project would involve installing new fiber service by Verizon Wireless, LLC (Applicant) in the city of San Diego, California. Work to specifically complete the proposed project would involve the installation of two (2) MCI Metro 2’ x 3’ vaults along West Harbor Drive between Pacific Highway and West Market Street to deliver fiber optic cable to the IQHQ-RaDD facility. The new vaults would be placed behind the curb and in the raised landscaped median. The proposed project requires approximately 1,582 linear feet of asphalt trenching to install two (2) 2” conduits for fiber optic cable. The excavated street area shall be restored per the City of San Diego’s SDG-117B standard, and all disturbed landscaped areas and sidewalk panels would be restored to its original condition following completion of work. All work would be located with existing City of San Diego rights-of-way (ROWs).

Construction of the proposed project is anticipated to occur in approximately late 2023 and would take approximately six (6) months to complete, with ongoing maintenance as needed. Equipment required to complete the proposed project would consist of a rock saw trencher, a bore machine, shovels/peaks, jack hammers, pneumatic hammer drills, a backfill and compactor, and hand tools. All work is anticipated to occur at night to minimize disturbance to nearby Tenants and pedestrian/vehicular traffic. 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. 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, flaggers are to be present on-site during each phase of construction to assist with rerouting of pedestrians or bikers, as needed.

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: CEQA Guidelines Section 15303 (Class 3)/District Guidelines for Compliance with the CEQA Section 3.c: New Construction or Conversion of Small Structures and CEQA Guidelines Section 15304 (Class 4)/District Guidelines for Compliance with the CEQA Section 3.d: Minor Alterations to Land

- 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.

AND/OR

3.d. Minor Alterations to Land: 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 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 consist of the installation and construction of small new fiber facilities 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 District: 3 - Centre City Embarcadero (Precise Plan Figure 11)

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 the installation of new 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.c: New Construction or Conversion of Small Structures and Section 8.d: Minor Alterations to Land

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 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 consist of the installation of new fiber facilities that 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.

For the portion of the proposed project located outside of the District's CDP jurisdiction, additional approvals may be required from other agencies.

**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: 11/21/2023

Deputy/Assistant General Counsel

Signature: Shiraz D. Tangri  
Date: 11/21/2023