



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

Project: Upgrade to Existing Vault by Cox Communications on Shelter Island Drive
Location: 2636 Shelter Island Drive, San Diego, CA 92106
Parcel No.: 003-000
Project No.: 2026-030
Applicant: Tamara Fisher, Vice President, Right Way Permit Services, Inc., 2065 Arnold Way, Suite 101, Alpine, CA 91901
Date Approved: 4/2/2026

PROJECT DESCRIPTION

The proposed project would involve upgrading an existing vault by Cox Communications (Applicant) near the driveway of 2709 Shelter Island Drive in the city of San Diego, California. All proposed work would occur within a Cox Communications easement located within Port jurisdiction. Work to complete the proposed project would involve the upgrade of an existing 17"x30" vault with a 2'x3' vault within an existing 64 square foot dirt parcel of the sidewalk adjacent to the curb. There would be minimal to no sidewalk disturbance. There would be no increase in impervious area as part of the proposed project and the contractor shall restore the project site back to its original condition following completion of work.

Construction of the proposed project is anticipated to occur in approximately Spring 2026 and would take approximately two (2) days to complete, with ongoing modification and maintenance as needed. The Applicant would be responsible for implementing a traffic control plan to maintain driveway access to tenant leaseholds and nearby driveway access would be maintained at all times during construction. Any location that would be closed off for public parking would require notice posted by the Contractor no less than seventy-two (72) hours prior to work commencement. The proposed project would not result in road closures on Shelter Island Drive.

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 CEQA Section 3.a: Existing Facilities, CEQA Guidelines Section 15302 (Class 2)/District Guidelines for Compliance with CEQA Section 3.b: Replacement or Reconstruction and CEQA Guidelines Section 15304 (Class 4)/District Guidelines for Compliance with CEQA Section 3.d: Minor Alterations to Land

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.b. Replacement or Reconstruction: Includes replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and will have substantially

the same purpose and capacity as the structure being replaced.

AND/OR

3.d. **Minor Alterations to Land:** Includes replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structure being replaced.

(6) Minor temporary use of land having negligible or no permanent effects on the environment.

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 because it is the replacement of existing telecommunications facilities that would involve no expansion of use beyond that previously existing and would not result in a significant cumulative impact due to the continuation of the existing use; would consist of the replacement of an existing facility, would be located on the same site as the structure replaced and would have substantially the same purpose and capacity; and would result in no permanent effects on the environment, 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: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it would involve the replacement of existing telecommunications 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.b: Replacement or Reconstruction; 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.b. Replacement or Reconstruction: Replacement or reconstruction of existing structures and facilities where the new structure will be located essentially on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

(2) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity

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 Categorical Excluded pursuant to the Section(s) of the District's *Coastal Development Permit Regulations* as identified above because it is for the replacement of existing telecommunication services that would involve negligible or no expansion of use beyond that previously existing; would be located essentially on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced; 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.

SCOTT CHADWICK
President/CEO

Determination by:
Betsy Viramontes
Planner I
Development Services

Signature: Betsy Viramontes
Date: 4/2/2026

Assistant/Deputy General Counsel

Signature: Shiraz Tangri
Date: 4/2/2026