

**San Diego Unified Port District**

**CEQA and COASTAL DETERMINATION  
and  
NOTICE OF APPROVAL**

Project: Utility Works on an Existing Cell Tower by AT&T at Shelter Island  
Location(s): 1407 Shelter Island Drive, San Diego, CA 92106  
Parcel No.(s): 001-016  
Project No.: 2018-042  
Applicant: Debra Gardner, Asset Manager, AT&T Mobility, 13948 Calle Bueno Ganar, Jamul, CA 91935  
Date Approved: April 23, 2018

**Project Description**

The proposed project involves the modification of an existing 50-foot monobroadleaf cell tower located in San Diego, California. The existing cell tower is located in an approximately 10-foot by 20-foot equipment area. The proposed project would involve the addition, relocation, removal, and replacement of telecommunications equipment, with all work occurring within the existing equipment area.

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. Finally, the Licensee 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.

**CEQA DETERMINATION**

Based upon the above description, the proposed project is determined to be Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301 (Existing Facilities), 15302 (Replacement or Reconstruction), 15303 (New Construction or Conversion of Small Structures), and/or 15304 (Minor Alterations to Land) and Sections 3.a (7), 3.b., 3.c (3), and/or 3.d. (7) of the *District's Guidelines for Compliance with CEQA* because the proposed project involves utility works. Sections 3.a (7), 3.b., and 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 and 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 (SG § 15302) (Class 2): 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.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 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 Categorical Exemptions listed above are appropriate for the proposed project because it is utility works that would involve negligible expansion of use beyond that previously existing, would have substantially the same purpose as the facilities being replaced or reconstructed, would not involve the removal of mature, scenic trees, and would not result in a significant cumulative impact due to the continuation of the existing use. 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.

The proposed project complies with Section 87 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 Section 87. 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.

## **CALIFORNIA COASTAL ACT**

### **PORT MASTER PLAN**

The proposed project site is located in Planning District 1, Shelter Island/La Playa, which is delineated on Precise Plan Map Figure 4 of the certified Port Master Plan. The Port Master Plan land use designation within the limits of the proposed project is Park/Plaza. The proposed project conforms to the certified Port Master Plan because the proposed project involves utility works that would be consistent with the existing land use designation. The proposed project would not change the use of the site and would not expand the existing use of the site.

### **CATEGORICAL DETERMINATION**

The above project proposes utility works that would involve negligible expansion of use beyond that previously existing, would have substantially the same purpose and capacity as the structure replaced, would involve no change of the existing use of the property, and would not involve the removal of mature, scenic trees. The proposed project is consistent with the existing certified land use designation and is Categorically Excluded under Section 8.a. (2), 8.b. (2), 8.c. (2), 8.d. (6), and 8.f. of the District's *Coastal Development Permit Regulations*:

- 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.c. New Construction or Conversion of Small Structures: Construction and location of limited number 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;

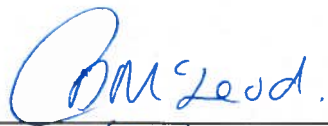
AND/OR

- 8.f. Inspection: Activities limited to inspection, checking or performance or quality of an operation, examining the health and safety of a project, or related activities.

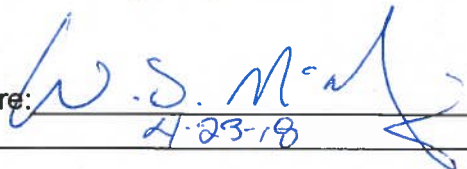
Pursuant to California Coastal Act Section 30717, there is a 10-working-day period to appeal this "Coastal Act Categorical Determination of Exclusion" to the California Coastal Commission.

RANDA J. CONIGLIO  
President/CEO

Determination by:  
Cameron McLeod  
Assistant Planner  
Development Services

Signature:   
Date: 4/23/2018

Deputy General Counsel

Signature:   
Date: 4-23-18