

JUN 25 2019

BY: S. TERAV
DEPUTY

2019070467

Notice of Exemption

CEQA Guidelines Appendix E

To: ■ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

■ San Diego County Recorder/County Clerk
1600 Pacific Highway, Suite 260
San Diego, CA 92101-2480

From: (Public Agency)
San Diego Unified Port District
Development Services Department
3165 Pacific Highway
San Diego, CA 92101

Project Title: *Right of Entry License Agreement to Stay Open, Inc. for Site Inspections and Assessments*
Project Location – Specific: *3165 Pacific Highway, San Diego, CA 92109*
Project location – City: *San Diego*
Project Location – County: *San Diego*

Description of Nature, Purpose, and Beneficiaries of Project: *The proposed project is a Right of Entry License Agreement (ROELA) to STAY OPEN, Inc., a Delaware Corporation (Licensee), its authorized agent(s), and contractor(s) to enter upon that certain property located at 3165 Pacific Highway, San Diego, California. The area proposed for use under this ROELA would be used by the Licensee, its authorized agent(s), and contractor(s) for the purpose of conducting due diligence for a proposed development, including conducting site inspections and assessments (Work). In addition, the ROELA would provide ingress and egress of the Licensee.*

Work to complete the project would include:

- *Site walks for general building condition assessment;*
- *Soil testing, consisting of no more than 10 borings and core penetration test soundings;*
- *Preliminary seismic evaluation and study;*
- *Material testing for existing concrete and rebar strength; and*
- *Additional inspections and assessments as needed.*

The ROELA is anticipated to commence in June 2019 for a total duration of ninety (90) days, or upon completion of the Work, whichever occurs earlier. Due to its nature and limited scope, construction of the proposed project would generate a minor amount of vehicle and truck trips and would require limited use of construction equipment. Vehicle and truck trips would be associated with transport of inspectors and equipment. Therefore, no impacts would occur. Any disturbed surfaces would be restored to pre-project conditions. Furthermore, the Licensee would be responsible for abiding by and conforming to all laws and regulations associated with the activities on or in connection with the above-described premises, including hazards and hazardous materials and stormwater.

Name of Public Agency Approving Project: *San Diego Unified Port District (SDUPD)*

Name of Person or Agency Carrying Out Project: *Devon Beach, Engineering and Construction, San Diego Unified Port District, 3165 Pacific Highway, San Diego, California 92101; (619) 686-6482*

- Exempt Status:** (Check one):
- Ministerial (Sec. 21080(b)(1); 15268);
 - Declared Emergency (Sec. 21080(b)(3); 15269(a));
 - Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
 - Categorical Exemption: Existing Facilities (SG § 15301) (Class 1), Minor Alterations to Land (SG § 15304) (Class 4), and Information Collection (SG § 15306) (Class 6)**
 - Statutory Exemption. State code number:

Reason Why Project is Exempt: *The proposed project is determined to be Categorical Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301 (Existing Facilities), 15304 (Minor Alterations to Land), and 15306 (Information Collection) and Sections 3.a. and 3.f. of the District's Guidelines for Compliance with CEQA because the project proposes conducting site inspections and assessments, including soil borings that would that would involve no expansion of use and does not result in a serious or major disturbance to an environmental resource. Sections 3.a., 3.d., and 3.f. of the District's CEQA Guidelines is as follows:*

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:*

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.*

AND/OR

3.f. *Information Collection (SG § 15306) (Class 6): Includes basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be for information gathering purposes, or as part of a study leading to an action which has not yet been approved, adopted or funded.*

The proposed project is determined to be Categorical Exempt pursuant to the CEQA Guidelines and the Section of the District's Guidelines for Compliance with CEQA as identified above. This is appropriate for the proposed project because it involves conducting site inspections and assessments, including soil borings, at an existing facility that involves no expansion of use and does not result in a serious or major disturbance to an environmental resource. 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).

Lead Agency Contact Person and Telephone Number: *Juliette Orozco, (619) 686 - 6237*

Signature: *Juliette Orozco* **Date:** *6/24/19* **Title:** *Associate Planner*

- Signed by Lead Agency
- Signed by Applicant

Date received for filing at OPR/Clerk:

Governor's Office of Planning & Research

JUN 25 2019

STATE CLEARINGHOUSE

FILED IN THE OFFICE OF THE COUNTY CLERK

San Diego County on JUN 25 2019

Posted JUN 25 2019 Removed _____

Returned to agency on _____

Deputy *C. TERAN*

C. TERAN



San Diego County



Transaction #: 3844729
Receipt #: 2019279424

Ernest J. Dronenburg, Jr.
Assessor/Recorder/County Clerk
1600 Pacific Highway Suite 260
P. O. Box 121750, San Diego, CA 92112-1750
Tel. (619) 237-0502 Fax (619) 557-4155
www.sdarcc.com

Cashier Date: 06/25/2019
Cashier Location: SD

Print Date: 06/25/2019 8:32 am

Payment Summary

Total Fees	\$50.00
Total Payments	\$50.00
Balance:	\$0.00

Payment	
CHECK PAYMENT	\$50.00
Total Payments	\$50.00
Miscellaneous Item	
FISH & WILDLIFE FEES	
Fees: Fish & Wildlife County Administrative Fee	\$50.00
Total Fees Due:	\$50.00
Grand Total - All Documents:	\$50.00

Governor's Office of Planning & Research

JUN 25 2019

STATE CLEARINGHOUSE



State of California - Department of Fish and Wildlife
2019 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (Rev. 2/7/19) Previously DFG 753.5a

RECEIPT NUMBER: 37-2019- 0467
STATE CLEARINGHOUSE NUMBER (If applicable) ---

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY SAN DIEGO UNIFIED PORT DISTRICT	LEAD AGENCY EMAIL ---	DATE 06/25/2019
COUNTY/STATE AGENCY OF FILING San Diego County		DOCUMENT NUMBER 2019 - 0467

PROJECT TITLE RIGHT OF ENTRY LICENSE AGREEMENT TO STAY OPEN, INC. FOR SITE INSPECTIONS AND ASSESSMENTS			
PROJECT APPLICANT NAME DEVON BEACH/ SAN DIEGO UNIFIED PORT DISTRICT	PROJECT APPLICANT EMAIL ---	PHONE NUMBER 619-686-6482	
PROJECT APPLICANT ADDRESS 3165 PACIFIC HWY	CITY SAN DIEGO	STATE CA	ZIP CODE 92101

PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$3,271.00 \$ _____
- Mitigated/Negative Declaration (MND)(ND) \$2,354.75 \$ _____
- Certified Regulatory Program document (CRP) \$1,112.00 \$ _____

- Exempt from fee
 - Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

- Water Right Application or Petition Fee (State Water Resources Control Board only) \$850.00 \$ _____
- County documentary handling fee \$ _____ \$50.00
- Other \$ _____

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other 1022
 TOTAL RECEIVED \$ _____ \$50.00

SIGNATURE x	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County C.TERAN , Deputy
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Governor's Office of Planning & Research

JUN 25 2019

STATE CLEARINGHOUSE

