

**FILED**  
Ernest J. Cronenberg, Jr. Recorder County Clerk

FEB 25 2019

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BY C. Mendoza Dominguez  
DEPUTY

**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:** *Tidelands Use and Occupancy Permit to Intercruises Shoreside and Port Services for Office and Storage at B Street Pier*

**Project Location – Specific:** *B Street Pier, 1140 N. Harbor Drive, San Diego, CA. 92101*

**Project Location – City:** *San Diego*

**Project Location – County:** *San Diego*

**Description of Nature, Purpose, and Beneficiaries of Project:** *The proposed project is a Tidelands Use and Occupancy Permit (TUOP) to Intercruises Shoreside and Port Services (Tenant) for marine-related office (administration) and storage at B Street Pier in the city of San Diego, California. The area proposed for use under this TUOP includes approximately 135 square feet of area in section "B", approximately 242 square feet of storage area in Section "A", and on a nonexclusive, non-preferential basis, portions of the B Street Pier including the Cruise Ship Terminal Building (Joint-Use Areas). The areas proposed for use under this TUOP are currently and proposed to be used only and exclusively for the purpose of marine-related office and storage and for no other purpose whatsoever without the prior written consent or the Executive Director of the District in each instance. 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. No new development, construction, or increase in the size of the property is proposed or authorized as part of the TUOP.*

*It is anticipated that the TUOP would have a total term of approximately five (5) years. The TUOP may be terminated by the Executive Director of the District or their duly authorized representative, or Tenant, as a matter of right and without cause at any time upon the giving of thirty (30) days' notice in writing to the other party of such termination.*

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

**Name of Person or Agency Carrying Out Project:** *Wendy Stone, Operations Manager, Intercruises Shoreside and Port Services, 1041 Market Street, San Diego, CA 92101; (310) 562-2086*

**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 Exemptions: Existing Facilities (SG § 15301) (Class 1)**
- Statutory Exemption. State code number:

**Reason Why Project is Exempt:** *The proposed project is determined to be Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities) and Section 3.a. (4) of the District's Guidelines for Compliance with CEQA because it would consist of renewal of a TUOP for marine-related office and storage that would involve no expansion of use beyond that previously existing. Section 3.a. (4) 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:*

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- (4) *New and renewed short-term tenancy agreements which do not result in change in the existing use. This exemption does not apply to any new development associated with the activities of the tenant. This exception is also Inapplicable if the cumulative impact of continuing the existing use or conditions in the same place, over time, is significant.*

Lead Agency Contact Person and Telephone Number: *Cameron McLeod, (619) 686-6273*

Signature: *Cameron McLeod* Date: *2/13/19* Title: *Assistant Planner*

- Signed by Lead Agency
- Signed by Applicant

Date received for filing at OPR/Clerk:

Governor's Office of Planning & Research

FEB 26 2019

STATE CLEARINGHOUSE

FILED IN THE OFFICE OF THE COUNTY CLERK

San Diego County on FEB 25 2019

Posted FEB 25 2019 Removed \_\_\_\_\_

Returned to agency on \_\_\_\_\_

Deputy C. Mendoza Dominguez