

JAN 13 2020

2020010168

BY **K. BAKER**
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 Sound of Beach for a Retail Store at Imperial Beach Oceanfront*

Project Location – Specific: *10 Evergreen Avenue, Imperial Beach, CA 91932*

Project Location – City: *Imperial Beach*

Project Location – County: *San Diego*

Description of Nature, Purpose, and Beneficiaries of Project: *The proposed project is a renewal of a Tidelands Use and Occupancy Permit (TUOP) to Sound of Beach (Tenant) for their use of approximately 371 square feet of land area in the City of Imperial Beach, California. The area proposed for use under this TUOP is currently and is proposed to be used only and exclusively for the purpose of a beach-oriented retail store including the sale and rental of beach-oriented equipment; the sale of soft drinks and coffee; the sale of hot food such as hamburgers, hot dogs, tacos, chili, and soup; the sale of prepackaged food and sandwiches, candy and cookies; and the sale of sundries such as novelties, souvenirs, clothing, and beach-oriented incidentals, and for no other purpose whatsoever without the prior written consent of 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 up to approximately five (5) years. The TUOP may be terminated by the District or Tenant as a matter of right and without cause at any time upon providing 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: *Angie MiJin, Manager, 1919 Harrils Mill Avenue, Chula Vista, CA 91913; (858) 900-8763*

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. of the District's Guidelines for Compliance with CEQA because it is the renewal of an existing real estate agreement through the issuance of a TUOP that would involve no expansion of use beyond that previously existing and would not have any permanent effects on the environment. Section 3.a. 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.*
- (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: Michael Paul, (619) 686-8112

Signature:  **Date:** 1-9-20 **Title:** Assistant Planner

- ☒ Signed by Lead Agency
☐ Signed by Applicant

Governor's Office of Planning & Research

Date received for filing at OPR/Clerk: **JAN 13 2020**

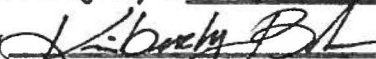
STATE CLEARINGHOUSE

FILED IN THE OFFICE OF THE COUNTY CLERK

San Diego County on JAN 13 2020

Posted JAN 13 2020 Removed

Returned to agency on

Deputy 

K. BAKER



San Diego County



Transaction #: 4402232
Receipt #: 2020017800

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: 01/13/2020
Cashier Location: SD

Print Date: 01/13/2020 8:43 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

**2020 ENVIRONMENTAL FILING FEE CASH RECEIPT**

DFW 753.5a (Rev. 12/10/19) Previously DFG 753.5a

RECEIPT

37-2020- 0023

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

SAN DIEGO UNIFIED PORT DISTRICT DEVELOPMENT SERVICES DEPARTMENT

LEAD AGENCY EMAIL

DATE

01/13/2020

COUNTY/STATE AGENCY OF FILING

San Diego County

DOCUMENT NUMBER

2020-0023

PROJECT TITLE TIDELANDS USE AND OCCUPANCY PERMIT TO SOUND OF BEACH FOR A RETAIL STORE AT IMPERIAL BEACH

PROJECT APPLICANT NAME

ANGIE MIJIN

PROJECT APPLICANT EMAIL

PHONE NUMBER

(858) 900-8763

PROJECT APPLICANT ADDRESS

1919 HARRIS MILL AVENUE

CITY

CHULA VISTA

STATE

CA

ZIP CODE

91913

PROJECT APPLICANT (Check appropriate box)

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

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,343.25	\$	
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,406.75	\$	
<input type="checkbox"/> Certified Regulatory Program document (CRP)	\$1,136.50	\$	

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

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	
<input checked="" type="checkbox"/> County documentary handling fee		\$	\$50.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

☐ Cash ☐ Credit ☒ Check ☐ Other 1009

TOTAL RECEIVED \$ \$50.00

SIGNATURE

x

AGENCY OF FILING PRINTED NAME AND TITLE

San Diego County

KIMBERLY BAKER

, Deputy