



State of California - Department of Fish and Wildlife
2022 ENVIRONMENTAL FILING FEE CASH RECEIPT
DFW 753.5a (Rev. 01/01/22) Previously DFG 753.5a

RECEIPT NUMBER:

37-07/25/2022-0499

STATE CLEARING HOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

SAN DIEGO UNIFIED PORT DISTRICT

LEAD AGENCY EMAIL

DATE

07/25/2022

COUNTY/STATE AGENCY OF FILING

SAN DIEGO

DOCUMENT NUMBER

37-2022-0499

PROJECT TITLE

RIGHT OF ENTRY LICENSE AGREEMENT FOR SAN DIEGO BAY NONNATIVE SEA LAVENDER MAPPING AND CONTROL

PROJECT APPLICANT NAME

EILEEN MAHER, DIRECTOR, ENVIRONMENTAL
CONSERVATION, PORT OF SAN DIEGO

PROJECT APPLICANT EMAIL

PHONE NUMBER

619-686-6254

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:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,539.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)/(ND)	\$2,548.00	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,203.25	\$	0.00

☒ 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	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	0.00

PAYMENT METHOD

☐ Cash ☒ Credit ☐ Check ☐ Other

TOTAL RECEIVED \$ 50.00

SIGNATURE

X

AGENCY OF FILING PRINTED NAME AND TITLE

San Diego County Clerk, JESSADITH EDORA, Deputy

Payment Reference #: AUTH #:072814 ORDER #:147248642



**SAN DIEGO COUNTY CLERK
CEQA FILING COVER SHEET**

FILED

Jul 25, 2022 02:45 PM
Ernest J. Dronenburg, Jr.
SAN DIEGO COUNTY CLERK
File # 2022-000568
State Receipt # 37072520220499

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

**RIGHT OF ENTRY LICENSE AGREEMENT FOR SAN DIEGO BAY NONNATIVE
SEA LAVENDER MAPPING AND CONTROL**

Check Document being Filed:

- ☐ Environmental Impact Report (EIR)
- ☐ Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- ☒ Notice of Exemption (NOE)
- ☐ Other (Please fill in type):

**FILED IN THE OFFICE OF THE SAN DIEGO
COUNTY CLERK ON** July 25, 2022
Posted July 25, 2022 **Removed** _____
Returned to agency on _____
DEPUTY _____

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

Notice of Exemption**CEQA Guidelines Appendix E**

To: <ul style="list-style-type: none"> ■ 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 Planning & Environment 3165 Pacific Highway San Diego, CA 92101
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Project Title: Right of Entry License Agreement for San Diego Bay Nonnative Sea Lavender Mapping and Control

Project Location – Specific: Wetlands areas throughout District Tidelands

Project location – City: Chula Vista, Coronado, Imperial Beach, National City, San Diego

Project Location – County: San Diego County

Description of Nature, Purpose, and Beneficiaries of Project: *The proposed project is a Right of Entry License Agreement (ROELA)/ Right of Entry (ROE) to Conservation Biology Institute (Licensee/Grantee) to enter certain properties located in wetlands areas throughout District Tidelands. The area proposed for use under this ROELA/ROE would be used by the Licensee/Grantee and their authorized agent(s) and contractors(s) for the purpose of mapping and removing two species of invasive, non-native sea lavender: Limonium ramosissimum (Algerian sea lavender) and Limonium durisculum (European sea lavender). Ingress and egress would also be included in the ROELA/ROE in support of those activities.*

The proposed project is part of a joint effort between the U.S. Fish and Wildlife Service, San Diego Bay National Wildlife Refuge (NWR), Tijuana Slough NWR, U.S. Department of the Navy, California Department of Parks and Recreation, and the District (collectively referred to as the Partners) to map the extent of these sea lavenders throughout San Diego Bay and conduct control efforts for removal. This joint effort currently has funding for one year and is expected to begin in Summer 2022, and if the Partners can secure funding, anticipate an additional four years to continue to map and remove these invasive, non-native sea lavenders. To remove sea lavenders, the Licensee/Grantee would use solarization or tarping, which involves covering the sea lavenders with thick, black landscape plastic for a duration of time (estimated to be approximately 2-5 months, depending on the density of the sea lavender in the area). Tarping or solarization can result in nearly 100% mortality and elimination of the sea lavender plants and their seed banks, and native species recruitment or recovery has shown positive results after tarping, with some results increasing native plant cover after the solarization or tarping treatment. Sea lavenders are currently known to occur at the D Street Fill (Chula Vista), former power plant site (Chula Vista), J Street marsh (Chula Vista), Chula Vista Wildlife Reserve (Chula Vista), and Emory Cove (Coronado), and sea lavender removal treatments would begin at these locations. As the mapping effort continues, if additional sea lavender is identified throughout San Diego Bay, removal would occur in those areas as well. The mapping of the sea lavenders is anticipated to be conducted through Geographic Information Systems technology, however the Partners may conduct field surveys on their respectively managed lands (i.e., District staff would conduct surveys on District Tidelands) to contribute data to the mapping effort.

It is anticipated that the ROELA/ROE would have a total term of approximately five (5) years, or upon completion of the work, whichever occurs earlier. The ROELA/ROE may be terminated by the District as a matter of right and without cause at any time upon providing twenty-four (24) hours' notice in writing to the Licensee/Grantee of such termination.

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 Grantee/Licensee would be responsible for complying with all applicable federal, state, and local laws regarding construction demolition debris, hazards and hazardous materials, and stormwater.

Name of Public Agency Approving Project: San Diego Unified Port District

Name of Person or Agency Carrying Out Project: Eileen Maher, Director, Environmental Conservation, Port of San Diego, 3165 Pacific Hwy, 92101, (619) 686-6254

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: *Minor Alterations to Land (SG § 15304) (Class 4), Information Collection (SG § 15306) (Class 6), Actions by Regulatory Agencies for Protection of Natural Resources (SG § 15307) (Class 7)*
☐ Statutory Exemption. State code number:

Reason why project is exempt: *The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Sections of the District's Guidelines for Compliance with CEQA as identified below. These are appropriate for the proposed project because: the project involves minor alterations in the condition of land, water, and/or vegetation that would not involve the removal of mature, scenic trees; involves basic data collection, research, experimental management, and/or resource evaluation activities which would not result in a serious or major disturbance to an environmental resource, and it involves actions taken by regulatory agencies to assure the maintenance, restoration or enhancement of a natural resource where the regulatory process involves procedures for the protection of the environment. 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). Section 3.b (2) of the District's CEQA Guidelines is as follows:*

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.

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.

AND/OR

3.g. Actions by Regulatory Agencies for Protection of Natural Resources (SG § 15307) (Class 7): Includes actions taken by regulatory agencies to assure the maintenance, restoration or enhancement of a natural resource where the regulatory process involves procedures for the protection of the environment. Construction activities are not included in this exemption.

Lead Agency Contact Person and telephone number: Lily Tsukayama, (619) 686-8199

Signature:  **Date:** 7/25/2022 **Title:** Senior Planner

- ☒ Signed by Lead Agency
☐ Signed by Applicant

Date received for filing at OPR/Clerk: