



State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (Rev. 01/01/23) Previously DFG 753.5a

RECEIPT NUMBER: 37-02/15/2023-0080
STATE CLEARING HOUSE 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 02/15/2023
COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 37-2023-0080	

PROJECT TITLE
 AMENDMENT OF SAN DIEGO UNIFIED PORT DISTRICT CODE ARTICLE 8 SECTION 8.05-VENDING AND PERFORMING

PROJECT APPLICANT NAME DEPARTMENT OF PARKS AND RECREATION, SAN DIEGO UNIFIED PORT DISTRICT	PROJECT APPLICANT EMAIL	PHONE NUMBER 619-725-6001
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)	\$3,839.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)/(ND)	\$2,764.00	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,305.25	\$	0.00

Exempt from fee

Notice of Exemption (attach)

CDFW No Effect Determination (attach)

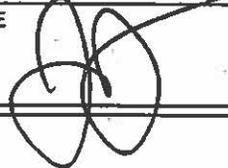
Fee previously paid (attach previously issued cash receipt copy)

<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, JULIE ANN SAN JUAN, Deputy
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Payment Reference #: ORDER#157245403 AUTH#021616



SAN DIEGO COUNTY CLERK
CEQA FILING COVER SHEET

FILED
Feb 15, 2023 09:37 AM
JORDAN Z. MARKS
SAN DIEGO COUNTY CLERK
File # 2023-000095
State Receipt # 37021520230080

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

AMENDMENT OF SAN DIEGO UNIFIED PORT DISTRICT CODE ARTICLE 8,
SECTION 8.05 - VENDING AND PERFORMING

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** February 15, 2023
Posted February 15, 2023 **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 ■ <i>San Diego County Recorder/County Clerk</i> 1600 Pacific Highway, Suite 260 San Diego, CA 92101-2480 	From:	<i>San Diego Unified Port District Development Services Department 3165 Pacific Highway San Diego, CA 92101</i>
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Project Title: Amendment of San Diego Unified Port District Code Article 8, Section 8.05 – Vending and Performing

Project Location – Specific: Centre City Embarcadero District, San Diego, California

Project location – City: *San Diego*

Project Location – County: *San Diego*

Description of Nature, Purpose, and Beneficiaries of Project: The proposed project would involve amending the San Diego Unified Port District Code Article 8, Section 8.05 – Vending and Performing Regulated- to amend existing and institute new time, place, and manner restrictions on all vending and expressive activity, by the San Diego Unified Port District (Applicant) in the city of San Diego, California. The objectives of the proposed amendment are to provide increased economic opportunity, activate the District's waterfront, ensure health and safety standards are maintained, and reduce negative, adverse, secondary impacts associated with unregulated commercial vending and expressive activity. Work to specifically complete the proposed project would involve:

- Institution of a permitting system for vendors engaged in the sale of food and commercial merchandise at specific public locations
- Establishment of outdoor noise limitations for all vending and performing activity
- Increasing the total number of designated areas and allotted spaces for expressive activity and authorized vending
- Clarification of the District's penalties and enforcement procedures

The total number of designated spaces for either vending or expressive activity is currently 76 spaces and will increase up to 110 spaces. An "opportunity drawing" system will be used to assign eligible commercial vending applicants to a designated space.

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

Name of Person or Agency Carrying Out Project: Department of Parks and Recreation, San Diego Unified Port District, 3165 Pacific Hwy, San Diego, CA 92101; (619) 725-8001

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), Minor Alterations to Land (SG § 15304) (Class 4), and Minor Alterations in Land Use Limitations (SG § 15305) (Class 5)**
- Statutory Exemption. State code number:

Reason Why Project is Exempt: The proposed project is determined to be Categorically Exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15301 (Existing Facilities), 15304 (Minor Alterations to Land), and 15305 (Minor Alterations to Land Use Limitations) and Sections 3.a., 3.d., and 3.e. of the District's Guidelines for Compliance with CEQA. These are appropriate for the proposed project because it would involve negligible expansion of use beyond that previously existing, would result in no permanent effects on the environment, and would not involve the removal of mature, scenic trees. Sections 3.a., 3.d., and 3.e. are 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.
- 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:
(6) Minor temporary use of land having negligible or no permanent effects on the environment.
- 3.e. Minor Alterations Land Use Limitations (SG § 15305) (Class 5): Includes minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to, minor lot line adjustments, side yard and set back variances, issuance of minor encroachment permits, or reversion to acreage in accordance with the Subdivision Map Act.

Lead Agency Contact Person and Telephone Number: Abigail Haynam, (619) 686-6381

Signature:  **Date:** 02/15/2023 **Title:** Assistant Planner

- Signed by Lead Agency
- Signed by Applicant

Date received for filing at OPR/Clerk: