



State of California - Department of Fish and Wildlife  
**2024 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (Rev. 01/01/24) Previously DFG 753.5a

RECEIPT NUMBER: 37-01/23/2024-0040
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 01/23/2024
COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 37-2024-0040	

PROJECT TITLE  
REMOVAL OF HARDSCAPE AND REPLACEMENT OF LANDSCAPE FOR SAN ANTONIO VILLA

PROJECT APPLICANT NAME PATRICK MCINERNEY, PRESIDENT, MCINERNEY & ASSOCIATES	PROJECT APPLICANT EMAIL	PHONE NUMBER 619-994-7991
PROJECT APPLICANT ADDRESS 5711 LA JOLLA BOULEVARD	CITY LA JOLLA	STATE CA
		ZIP CODE 92037

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)	\$4,051.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)/(ND)	\$2,916.75	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,377.25	\$	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 	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County Clerk, LIZANA GUZMAN, Deputy
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Payment Reference #: Auth: 057487 // Order:175292624



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

**FILED**  
Jan 23, 2024 10:25 AM  
JORDAN Z. MARKS  
SAN DIEGO COUNTY CLERK  
File # 2024-000042  
State Receipt # 37012320240040

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**

**REMOVAL OF HARDSCAPE AND REPLACEMENT OF LANDSCAPE FOR SAN ANTONIO VILLA**

**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** January 23, 2024

**Posted** January 23, 2024 **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:** ■ San Diego County Recorder/County Clerk  
1600 Pacific Highway, Suite 260  
San Diego, CA 92101-2480

**From:** ■ San Diego Unified Port District  
Development Services Department  
3165 Pacific Highway  
San Diego, CA 92101

**Project Title:** Removal of Hardscape and Replacement of Landscape for San Antonio Villa

**Project Location – Specific:** 821 San Antonio Place, San Diego, CA 92106

**Project location – City:** San Diego

**Project Location – County:** San Diego

**Description of Nature, Purpose, and Beneficiaries of Project:** The proposed project would involve the removal of existing hardscape and replacement of landscape at the San Antonio Villa in the city of San Diego, California. The project site consists of existing encroachments on District property, including an existing low level, brick retaining/site wall; paved steppingstone walkway; and flat paved terrace totaling approximately 80 square feet (sf). Work to specifically complete the proposed project would involve removing the existing hardscape and replacing any existing landscaping removed during the proposed project. All existing landscaping on the property would remain in place, where possible; and all species proposed for replanting shall be native and drought tolerant as to match the existing landscaping palette on the property and along Bessemer Path. No existing irrigation systems are located on District property, and no new irrigation systems are proposed. The intention of the proposed project is to return the designated Open Space area to its natural state for use and enjoyment by the general public, with minimal landscape maintenance required in the long-term.

Construction of the proposed project is anticipated to occur in approximately early 2024 and would take approximately one (1) month to complete. All proposed work shall be completed by hand as to minimize use of large equipment near San Diego Bay and along Bessemer Path, and Bessemer Path will remain open and unobstructed during construction of the proposed project to ensure continued public access. A small work crew and work truck are required to complete the proposed project, and all project staging would take place on the project site.

A Right of Entry (ROE) is required for the proposed project for the Applicant to enter certain District property located in La Playa. The area proposed for use under this ROE would be used by the Applicant and their authorized agent(s) and contractors(s) for the purpose of removing current encroachments and replacing landscaping, as well as ingress and egress in support of those activities. It is anticipated that the ROE would have a total term of approximately three (3) months, or upon completion of the work, whichever occurs earlier. The 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 Applicant of such termination.

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

**Name of Person or Agency Carrying Out Project:** Patrick McInerney, President, McInerney & Associates, 5711 La Jolla Boulevard, La Jolla, CA 92037; (619) 994-7991

**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) and Minor Alterations to Land (SG § 15304) (Class 4)**
- 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 Sections 15301 (Existing Facilities) and 15304 (Minor Alterations to Land) and Sections 3.a.(8) and 3.d.(5) of the District's Guidelines for Compliance with CEQA because it would consist of the removal of existing hardscape and replacement of landscaping with native and drought tolerant species that would involve no 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.(8) and 3.d.(5) of the District's CEQA Guidelines are as follows:

3.a. Existing Facilities: 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:

- (8) Existing highways, streets, sidewalks, bicycle and pedestrian trails, and similar facilities, except where the activity will involve removal of a scenic resource including a stand of trees, a rock outcropping, or an historic building.

AND/OR

3.d. Minor Alterations to Land: Includes minor alterations in the condition of land, water and/or vegetation not involving removal of mature, scenic trees, including, but not limited to:

- (5) New gardening or landscaping.

**Lead Agency Contact Person and Telephone Number:** Lillian Mattes, (619) 686-8200

**Signature:**  **Date:** 1/22/2024 **Title:** Associate Planner

- Signed by Lead Agency
- Signed by Applicant

**Date received for filing at OPR/Clerk:**

San Diego County



Transaction #: 7588864  
Receipt #: 2024026588

JORDAN Z. MARKS  
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.gov](http://www.sdarcc.gov)

Cashier Date: 01/23/2024  
Cashier Location: SD

Print Date: 01/23/2024 10:26 am

Payment Summary

Total Fees	\$100.00
Total Payments	\$100.00
Balance:	\$0.00

Payment

VITALCHEK PAYMENT \$100.00

Total Payments \$100.00

Filings

CEQA - NOE FILE #: 2024-000042 Date: 01/23/2024 10:25AM Pages: 3  
State Receipt # 37-01/23/2024-0040

Fees: Fish & Wildlife County Administrative Fee	\$50.00
Total Fees Due:	\$50.00

CEQA - NOE FILE #: 2024-000043 Date: 01/23/2024 10:25AM Pages: 3  
State Receipt # 37-01/23/2024-0041

Fees: Fish & Wildlife County Administrative Fee	\$50.00
Total Fees Due:	\$50.00

Grand Total - All Documents: \$100.00