



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: 37-05/30/2024-0424
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 05/30/2024
COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 37-2024-0424	

PROJECT TITLE  
REPLACEMENT OF NEW ZEALAND CHRISTMAS TREES AT EMBARCADERO MARINA PARK NORTH AND SOUTH

PROJECT APPLICANT NAME KURT BRICKLEY, SAN DIEGO UNIFIED PORT DISTRICT	PROJECT APPLICANT EMAIL	PHONE NUMBER 619-994-2969
PROJECT APPLICANT ADDRESS 3165 PACIFIC HIGHWAY	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)	\$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
<hr/>			
<input checked="" type="checkbox"/> Exempt from fee			
<input checked="" type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<hr/>			
<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, LIZANA GUZMAN, Deputy
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Payment Reference #: ORDER: 182229041/ AUTH: 023976



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

**FILED**  
May 30, 2024 10:38 AM  
JORDAN Z. MARKS  
SAN DIEGO COUNTY CLERK  
File # 2024-000450  
State Receipt # 37053020240424

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

REPLACEMENT OF NEW ZEALAND CHRISTMAS TREES AT EMBARCADERO  
MARINA PARK NORTH AND SOUTH

**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** May 30, 2024  
**Posted** May 30, 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:** Replacement of New Zealand Christmas Trees at Embarcadero Marina Park North and South  
**Project Applicant:** Kurt Brickley, Manager, Operations and Maintenance, Guest Experiences, San Diego Unified Port District, 3165 Pacific Highway, San Diego, CA, 92101, 619-994-2969

**Project Location – Specific:**

Embarcadero Marina Park South (EMPS), within a center divider planter on Marina Park Way, San Diego, CA, 92101

Embarcadero Marina Park North (EMPN), south end of the parking lot, 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 would consist of the removal of three (3) New Zealand Christmas Trees (NZCT) (scientific name *Metrosideros excelsa*), tree replacement plantings and ongoing necessary maintenance by the Applicant, San Diego Unified Port District (District) in the city of San Diego, California. Proposed replacement tree species are subject to change based on nursery availability.

EMPS

One young NZCT died in Embarcadero Marina Park South (EMPS) in a median divider island along Marina Park Way where it failed to establish among other young NZCT of similar size. As a result, the dead tree would be removed and replaced in the same location with another NZCT (15 gallon container size) in approximately Fall of 2024. No stump grinding would be required following this tree's removal due to its small size. The new tree will be watered using existing onsite irrigation.

EMPN

There are two (2) NZCT in Embarcadero Marina Park North (EMPN) in the south end of the parking lot which have multiple large dead limbs which could potentially pose a safety risk. District landscape service providers would remove the two (2) trees in approximately late 2024 using a mini excavator, stump grinder and associated equipment. The tree removal work would take approximately half a day. Approximately three (3) weeks after tree removal, the stumps would be grinded down, which takes approximately half a day of work. If the bird breeding and nesting season cannot be avoided and removal must occur between February 15 and September 1, a breeding and nesting bird survey shall be conducted prior to tree removal activities. If an active nest is located, all work within 500 feet of the nest shall be postponed until such nest is vacated and the juveniles have fledged and when there is no attempt of a second nesting.

Volunteers with the American Thoracic Society would be replanting the EMPN trees with two (2) Tipuana Tipu trees (15 gallon container size) in the Summer of 2024. The new trees would be watered using existing irrigation and temporary water bags. The EMPN trees would be replaced in open spaces within EMPN, so the Summer 2024 planting date is not dependent on the late 2024 removal date.

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

**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.(12) and 3.d.(5) of the District's Guidelines for Compliance with CEQA because it would consist of the removal and replacement of three (3) trees and the associated tree maintenance that would involve no expansion of use beyond that previously existing, would not involve the removal of mature, scenic trees, and would result in no permanent effects on the environment. Sections 3.a.(12) and 3.d.(5) of the District's CEQA Guidelines 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, including but not limited to:

(12) Maintenance of existing landscaping, native growth, and water supply reservoirs.

AND/OR

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:

(5) New gardening or landscaping.

**Lead Agency Contact Person and Telephone Number:** Justin Huitema, (619) 990-5610

**Signature:**  **Date:** 5/30/2024 **Title:** Assistant Planner

- Signed by Lead Agency
- Signed by Applicant

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

San Diego County



Transaction #: 7812564  
Receipt #: 2024189996

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: 05/30/2024  
Cashier Location: SD

Print Date: 05/30/2024 10:39 am

Payment Summary

Total Fees	\$250.00
Total Payments	\$250.00
Balance:	\$0.00

Payment		
VITALCHEK PAYMENT		\$250.00
<b>Total Payments</b>		<b>\$250.00</b>
Filings		
CEQA - NOE	FILE #: 2024-000449 Date: 05/30/2024 10:38AM Pages: 3 State Receipt # 37-05/30/2024-0423	
Fees:	Fish & Wildlife County Administrative Fee	\$50.00
Total Fees Due:		\$50.00
CEQA - NOE	FILE #: 2024-000450 Date: 05/30/2024 10:38AM Pages: 3 State Receipt # 37-05/30/2024-0424	
Fees:	Fish & Wildlife County Administrative Fee	\$50.00
Total Fees Due:		\$50.00
CEQA - NOE	FILE #: 2024-000451 Date: 05/30/2024 10:38AM Pages: 3 State Receipt # 37-05/30/2024-0425	
Fees:	Fish & Wildlife County Administrative Fee	\$50.00
Total Fees Due:		\$50.00
CEQA - NOE	FILE #: 2024-000452 Date: 05/30/2024 10:38AM Pages: 3 State Receipt # 37-05/30/2024-0426	
Fees:	Fish & Wildlife County Administrative Fee	\$50.00
Total Fees Due:		\$50.00

San Diego County

Transaction #: 7812564

Receipt #: 2024189996

CEQA - NOE

FILE #: 2024-000453 Date: 05/30/2024 10:38AM Pages: 3

State Receipt # 37-05/30/2024-0427

Fees: Fish & Wildlife County Administrative Fee \$50.00

Total Fees Due: \$50.00

Grand Total - All Documents: \$250.00