



State of California - Department of Fish and Wildlife

2017 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (Rev. 12/15/15) Previously DFG 753.5a

RECEIPT NUMBER: 37-2017- 0676
STATE CLEARINGHOUSE NUMBER (If applicable) --

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY SAN DIEGO UNIFIED PORT DISTRICT (SDUPD)	LEAD AGENCY EMAIL --	DATE 08/09/2017
COUNTY/STATE AGENCY OF FILING San Diego County	DOCUMENT NUMBER *20170676*	
PROJECT TITLE AMENDMENT #1 TO RIGHT OF ENTRY PERMIT FOR MTM BUILDERS FOR CONSTRUCTION STAGING ASSOCIATED WITH INTERIM BAYSHORE BIKEWAY		
PROJECT APPLICANT NAME MARK GUTIERREZ, MTM BUILDERS, INC.	PROJECT APPLICANT EMAIL --	PHONE NUMBER (619)226-6834
PROJECT APPLICANT ADDRESS 1480 FRONTAGE RD	CITY CHULA VISTA	STATE CA
		ZIP CODE 91911

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$3,078.25 \$ _____
- Mitigated/Negative Declaration (MND)(ND) \$2,216.25 \$ _____
- Certified Regulatory Program document (CRP) \$1,046.50 \$ _____

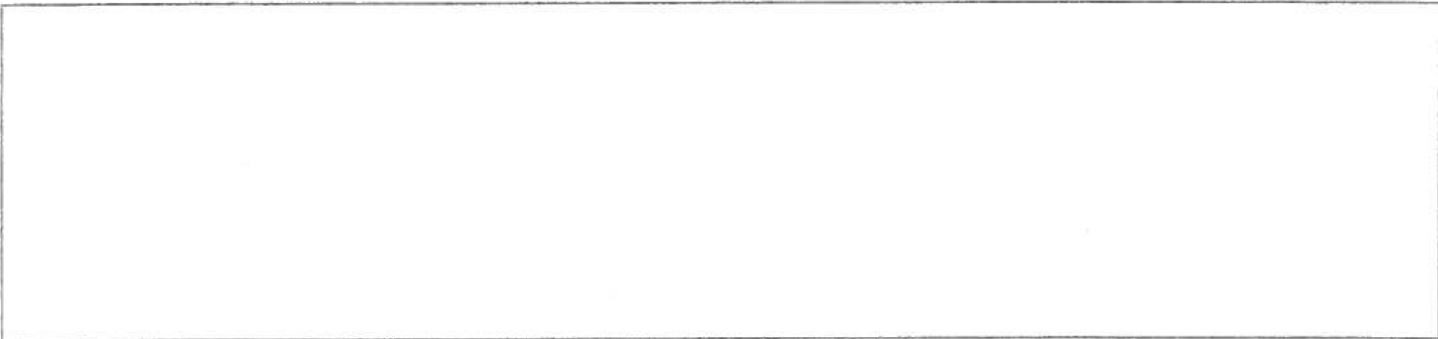
- Exempt from fee
 - Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

- Water Right Application or Petition Fee (State Water Resources Control Board only) \$850.00 \$ _____
- County documentary handling fee \$ _____ \$50.00
- Other \$ _____


PAYMENT METHOD:

- Cash
 Credit
 Check
 Other 70218314
TOTAL RECEIVED \$ _____ \$50.00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County JOBELL L RUSIT , Deputy
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AUG 09 2017

BY  DEPUTY**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 Development Services Department 3165 Pacific Highway San Diego, CA 92101
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Project Title: Amendment #1 to Right of Entry Permit for MTM Builders for Construction Staging associated with Interim Bayshore Bikeway

Project Location – Specific: Western side of Tidelands Avenue between Civic Center Drive to the North and West 32nd Street to the South, National City, CA 91950

Project location – City: National City, California

Project Location – County: San Diego

Description of Nature, Purpose, and Beneficiaries of Project:

The proposed project is the first Amendment to a Right of Entry Permit (ROE Amendment) to MTM Builders, Inc. (Permittee) to enter property located on the Western side of Tidelands Avenue between Civic Center Drive to the North and West 32nd Street to the South in National City. The area proposed for use under this ROE Amendment would be used by the Permittee and the Permittee's authorized agent(s) and contractors(s) for the purpose of construction staging in conjunction with the construction of the Bayshore Bikeway, as well as ingress and egress in support of those activities. This ROE Amendment is associated with an interim portion of the Bayshore Bikeway in National City. The project associated with the ROE Amendment would consist of striping Class II bike lanes along both sides of Tidelands Avenue within the existing developed roadway from the southern terminus of a planned Class I bike path located approximately 900 feet south of Civic Center Drive to the south until West 32nd Street, and a Class III bikeway, consisting of painted "sharrows" (shared lane markings) within the existing roadway on West 32nd Street from Tidelands Avenue to the existing segment of Bayshore Bikeway at National City Marina. The interim bikeway project would benefit people riding bikes in this area by providing an interim bikeway until such time that a permanent bikeway can be designated and constructed, and the ROE Amendment is a necessary component of the project. The interim bikeway was previously analyzed under a CEQA exemption and a Coastal Development Permit. The Permittee would be responsible for compliance with all laws and regulations associated with the activities on or in connection with the above-described premises, including hazards and hazardous materials, stormwater, and water quality.

The ROE Amendment is anticipated to commence July 4, 2017, and terminate June 30, 2018, for a total term of approximately one year. The ROE may be terminated by the District, or by Permittee, as a matter of right or without cause at any time upon providing twenty-four (24) hours' written notice 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: Mark Gutierrez, MTM Builders, Inc., 1480 Frontage Rd., Chula Vista, CA 91911 (619) 226-6834

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: 15301 (Existing Facilities) AND 15304 (Minor Alterations to Land)
- Statutory Exemption. State code number:

Reason Why Project is Exempt: Based upon the above description, the project is determined to be Categorical Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities) and Section 15304 (Minor Alterations to Land) and Sections 3.a (4) and 3.d (6) of the District's Guidelines for Compliance with CEQA because the project is a ROE Amendment for the purpose of construction staging in conjunction with the construction of the Bayshore Bikeway that would involve a negligible expansion of use beyond that previously existing. Sections 3.a (4) and 3.d (6) 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 and private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:

(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 exemption is also inapplicable if the cumulative impact of continuing the existing use or conditions in the same place, over time, is significant.

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:

(6) Minor temporary use of land having negligible or no permanent effects on the environment.

Lead Agency Contact Person and Telephone Number: Juliette Orozco, (619) 686-6237

Signature: Juliette Orozco **Date:** 7/11/17 **Title:** Associate Planner

- Signed by Lead Agency
- Signed by Applicant

Date received for filing at OPR/Clerk:

FILED IN THE OFFICE OF THE COUNTY CLERK

San Diego County on AUG 09 2017

Posted AUG 09 2017 Removed _____

Returned to agency on _____

Deputy [Signature]