



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: 37-01/12/2023-0015
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 01/12/2023
COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 37-2023-0015	

PROJECT TITLE  
 TIDELANDS USE AND OCCUPANCY PERMIT TO C&W DIVING SERVICES INC FOR MOORING AND OPERATIONS AT CROSBY STREET PIER AND TUNA HARBOR

PROJECT APPLICANT NAME ELLIOT WEST, PRESIDENT, C&W DIVING SERVICES INC	PROJECT APPLICANT EMAIL	PHONE NUMBER 619-474-2700
PROJECT APPLICANT ADDRESS 3561 DALBERGIA STREET	CITY SAN DIEGO	STATE CA
		ZIP CODE 92113

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, CARLOS TERAN, Deputy
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Payment Reference #: CHECK # 19661



SAN DIEGO COUNTY CLERK  
CEQA FILING COVER SHEET

**FILED**  
Jan 12, 2023 09:32 AM  
JORDAN Z. MARKS  
SAN DIEGO COUNTY CLERK  
File # 2023-000019  
State Receipt # 37011220230015

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

TIDELANDS USE AND OCCUPANCY PERMIT TO C&W DIVING SERVICES, INC FOR  
MOORING AND OPERATIONS AT CROSBY STREET PIER AND TUNA HARBOR

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 12, 2023  
**Posted** January 12, 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**

<p><b>To:</b></p> <ul style="list-style-type: none"> <li>■ Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, CA 95814</li>   <li>■ San Diego County Recorder/County Clerk 1600 Pacific Highway, Suite 260 San Diego, CA 92101-2480</li> </ul>	<p><b>From:</b> San Diego Unified Port District Development Services Department 3165 Pacific Highway San Diego, CA 92101</p>
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**Project Title:** *Tidelands Use and Occupancy Permit to C&W Diving Services, Inc. for Mooring and Operations at Crosby Street Pier and Tuna Harbor*

**Project Location – Specific:** *1449 Cesar E. Chavez Parkway, San Diego, CA 92101; 1325 Pacific Highway, 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 is a Tidelands Use and Occupancy Permit (TUOP) to C&W Diving Services, Inc. (Tenant) for their use of approximately 1,500 square feet (sq ft) of water area/berth space and one (1) parking space located at the Tuna Harbor Basin located in the city of San Diego, California. The TUOP would also include approximately 3,800 square feet of water area at the Crosby Street Pier and one (1) parking space located at the Tenth Avenue Marine Terminal. The areas proposed for use under this TUOP are currently and are proposed to be used only and exclusively for the purpose of mooring; crewing; provisioning; the minor maintenance of vessels that does not result in the release of substance to air, water, or soil in accordance with all applicable laws and regulations; and parking and for no other purpose whatsoever without the prior written consent of the Executive Director of District in each instance. The Tenant would be responsible for compliance with all laws and regulations associated with the activities on or in connection with the above-described premises, and in all uses thereof, including those regulating stormwater and hazardous materials. No new development, construction, or increase in the size of the property is proposed or authorized as part of the TUOP.*

*It is anticipated that the TUOP would have a total term of approximately four (4) years. The TUOP may be terminated by the District or Tenant as a matter of right and without cause at any time upon providing thirty (30) days' notice in writing 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:** *Elliott West, President, C&W Diving Services, Inc., 3561 Dalbergia Street, San Diego, CA 92113 (619) 474-2700*

**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)**
- Statutory Exemption. State code number:

**Reason Why Project is Exempt:** *The proposed project is determined to be Categorical Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities) and Section 3.a.(4) of the District's Guidelines for Compliance with CEQA because it is a TUOP that would not result in a significant cumulative impact due to the continuation of the existing use. Section 3.a.(4) of the District's CEQA Guidelines is 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:

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

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

Signature:  Date: 01/12/2023 Title: Assistant Planner

- Signed by Lead Agency
- Signed by Applicant

Date received for filing at OPR/Clerk: