



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: 37-02/15/2023-0078
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 37-2023-0078	

PROJECT TITLE  
 TIDELANDS USE AND OCCUPANCY PERMIT (TUOP) TO MICHELS CONSTRUCTION INC. FOR PROJECT STAGING IN TENTH AVENUE MARINE TERMINAL

PROJECT APPLICANT NAME BRANDON YOUNG, MICHELS CONSTRUCTION	PROJECT APPLICANT EMAIL	PHONE NUMBER 515-229-4254
PROJECT APPLICANT ADDRESS 316 N. MILWAUKEE STR SUITE 400	CITY MILWAUKEE	STATE WI
		ZIP CODE 53207

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 #: CHECK#211184



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

**FILED**  
Feb 15, 2023 08:55 AM  
JORDAN Z. MARKS  
SAN DIEGO COUNTY CLERK  
File # 2023-000093  
State Receipt # 37021520230078

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 (TUOP) TO MICHELS CONSTRUCTION,  
INC. FOR PROJECT STAGING IN TENTH AVENUE MARINE TERMINAL

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**

<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 (TUOP) to Michels Construction, Inc. for Project Staging in Tenth Avenue Marine Terminal*

**Project Location – Specific:** *Switzer Street west of Harbor Drive, 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 Michels Construction, Inc. (Tenant) for their use of approximately 22,540 square feet (sq ft) of land area located at Tenth Avenue Marine Terminal in the city of San Diego, California. The area proposed for use under this TUOP is currently and is proposed to continue to be used exclusively for the purpose of storage of pipe and construction-related equipment, installation of perimeter fencing, and vehicle parking in support of work associated with the City of San Diego Harbor Drive Trunk Sewer Replacement Project (Project No. 2020-075, Coastal Act Categorical Determination of Exclusion issued August 31, 2020) and for no other purpose whatsoever without the prior written consent of the Executive Director of District in each instance. The proposed project would allow Michels Construction, Inc. (Tenant), as contracted by the City of San Diego, to use the area under this TUOP for staging to complete and support a previously approved project. 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 one (1) year and six (6) months. The TUOP may be terminated by the District or Tenant as a matter of right and without cause at any time upon providing ten (10) 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:** *Brandon Young, Senior Project Manager, Michels Construction, Inc., West Beaver St, Suite 800, Milwaukee, WI 53207; (515) 229-4254*

*316 N. Milwaukee St Suite 400*

- 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: Existing Facilities (SG § 15301) (Class 1)**
  - 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 Section 15301 (Existing Facilities) and Section 3.a. (4) of the District's Guidelines for Compliance with CEQA because it would consist of a TUOP for temporary project staging that would involve no expansion of use beyond that previously. 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.

(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:** 02/15/2023 **Title:** Assistant Planner

- Signed by Lead Agency
- Signed by Applicant

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