

**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:** Sublease to W&W-AFCO Steel for Construction Staging and Laydown at the Dirt Lot

**Project Location – Specific:** 1380 Harbor Island 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 Sublease to W&W-AFCO Steel (Subleasee) for their use of approximately 13,000 square feet (sq ft) of land area from the Sheraton San Diego Hotel & Marina (Applicant/Tenant) located in the Dirt Lot in the city of San Diego, California. The area proposed for use under this Sublease is currently and is proposed to be used only and exclusively for the purpose of temporary construction staging and equipment laydown area in support of the San Diego County Regional Airport Authority's (SDCRAA) Terminal 1 Improvements Project and for no other purpose whatsoever without the prior written consent of the Executive Director of District in each instance. The Tenant and Subleasee 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. The proposed project would involve the installation of a temporary and portable interlocking fence around the perimeter of the Dirt Lot in order to secure the construction materials and trailers. There would be approximately eight (8) to twelve (12) 48 by 7.5-foot platform trailers stored in the Dirt Lot at a time. Any steel or construction materials stored on-site would be properly tied and secured to the platform trailers. Truck trips are anticipated to occur along Harbor Island Drive, and the Tenant and Subleasee are responsible for coordinating traffic control and notifying the District's Harbor Police Department, as needed. Trucks coming in and out of Harbor Island will follow routes that have been subject to review and approval by the District, and Liberator Way shall not be used for truck staging at any time. There would be approximately 350 truck trips anticipated over the course of eight (8) months, and deliveries and pickups are anticipated to occur between approximately 6:00-9:00 p.m. and/or early in the morning. No increase in the size of the property is proposed or authorized as part of the Sublease.

It is anticipated that the Sublease would have a total term of approximately eight (8) months. The Sublease 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:** David Hipolito, Director of Finance, Sheraton San Diego Hotel & Marina, 1380 Harbor Island Drive, San Diego, CA 92101; (619) 692-2309

**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 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 temporary sublease agreement that would not result in a significant cumulative impact due to the continuation of the existing use. Section 3.a. 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:** 07/31/2023 **Title:** Assistant Planner

- Signed by Lead Agency
- Signed by Applicant

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



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: 37-07/31/2023-0558
STATE CLEARING HOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY SAN DIEGO UNIFIED PORT DISTRICT	LEAD AGENCY EMAIL	DATE 07/31/2023
COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 37-2023-0558	

PROJECT TITLE  
 SUBLEASE TO W&W-AFCO STEEL FOR CONSTRUCTION STAGING AND LAYDOWN AT THE DIRT LOT

PROJECT APPLICANT NAME DAVID HIPOLITO, SHERATON SAN DIEGO HOTEL & MARINA	PROJECT APPLICANT EMAIL	PHONE NUMBER 619-692-2309
PROJECT APPLICANT ADDRESS 1380 HARBOR ISLAND DRIVE	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)	\$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#0021759



SAN DIEGO COUNTY CLERK  
CEQA FILING COVER SHEET

**FILED**  
Jul 31, 2023 09:36 AM  
JORDAN Z. MARKS  
SAN DIEGO COUNTY CLERK  
File # 2023-000615  
State Receipt # 37073120230558

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

SUBLEASE TO W&W-AFCO STEEL FOR CONSTRUCTION STAGING AND  
LAYDOWN AT THE DIRT LOT

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** July 31, 2023  
**Posted** July 31, 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.