



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

37-10/11/2023-0729

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

10/11/2023

COUNTY/STATE AGENCY OF FILING

SAN DIEGO

DOCUMENT NUMBER

37-2023-0729

PROJECT TITLE

LEASE AGREEMENT RENEWAL FOR DUNES PARK WITH THE CITY OF IMPERIAL BEACH

PROJECT APPLICANT NAME

ERIKA N. CORTEZ-MARTINEZ, CITY OF IMPERIAL BEACH

PROJECT APPLICANT EMAIL

PHONE NUMBER

619-423-8617

PROJECT APPLICANT ADDRESS

825 IMPERIAL BEACH BOULEVARD

CITY

IMPERIAL BEACH

STATE

CA

ZIP CODE

91932

PROJECT APPLICANT (Check appropriate box)

☒ Local Public Agency

☐ School District

☐ Other Special District

☐ State Agency

☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)

\$3,839 25 \$ 0 00

☐ Mitigated/Negative Declaration (MND)/(ND)

\$2,764 00 \$ 0 00

☐ 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)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)

\$850 00 \$ 0 00

☒ County documentary handling fee

\$ 50 00

☐ 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, ANDREA C. TORRES, Deputy

Payment Reference #: vc #097344



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

FILED
Oct 11, 2023 02:16 PM
JORDAN Z. MARKS
SAN DIEGO COUNTY CLERK
File # 2023-000804
State Receipt # 37101120230729

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

**LEASE AGREEMENT RENEWAL FOR DUNES PARK WITH THE CITY OF
IMPERIAL BEACH**

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** October 11, 2023
Posted October 11, 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*

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 Lease Agreement Renewal for Dunes Park with the City of Imperial Beach

Project Location – Specific 790 Seacoast Drive, Imperial Beach, CA 91932

Project location – City Imperial Beach

Project Location – County San Diego

Description of Nature, Purpose, and Beneficiaries of Project The proposed project is a Lease Renewal to the District (Lessee) for the continued use of Dunes Park located in the city of Imperial Beach, California. The City of Imperial Beach owns Dunes Park, and the District entered into a Lease Agreement in March of 1933 for a fifteen-year term. Aside from the term expiring, the proposed renewal would not result in any changes to the existing use and conditions of the Lease Agreement. The areas proposed for use under this Lease Renewal are currently and are proposed to be used only and exclusively for the purpose of operating and maintaining a public park and for no other purpose whatsoever without the prior written consent of the Executive Director of District in each instance. Pursuant to the Lease, the District may develop and construct improvements to constitute a park, including but not limited to, grass, walkways, park furniture, lighting, or a seawall for the protection of the park. Any development plans would be subject to review and approval by the City of Imperial Beach. The District 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 Lease Renewal.

It is anticipated that the Lease would have a total term of approximately five (5) years, with the option to extend following expiration of the initial term by giving written notice of exercise of the option to the City at least ninety (90) days' notice before expiration of the term. The Lease may be terminated by the District or the City of Imperial Beach 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 Erika N. Cortez-Martinez, Chief Administrative Officer, City of Imperial Beach, 825 Imperial Beach Boulevard, Imperial Beach, CA 91932, (619) 423-8617

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 lease agreement renewal between the District and the City of Imperial Beach for the continued operation and maintenance of Dunes Park which 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 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 J. Mattes **Date** 10/11/2023 **Title** Assistant Planner

- ☒ Signed by Lead Agency
☐ Signed by Applicant

Date received for filing at OPR/Clerk

2023-149