



State of California - Department of Fish and Wildlife
2025 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
DFW 753.5a (Rev. 01/01/25) Previously DFG 753.5a

RECEIPT NUMBER:

37-10/15/2025-0823

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 10/15/2025
COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 37-2025-0823	

PROJECT TITLE
REMODEL FOR THE RUSTIC RESTAURANT ADJACENT TO EMBARCADERO MARINA PARK SOUTH

PROJECT APPLICANT NAME JOSHUA SEPKOWITZ, MANAGER, FR SAN DIEGO, LLC	PROJECT APPLICANT EMAIL	PHONE NUMBER 214-443-1946
PROJECT APPLICANT ADDRESS 2929 CARLISLE STREET, SUITE 200	CITY DALLAS	STATE TX
		ZIP CODE 75204

PROJECT APPLICANT (Check appropriate box)

☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☒ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)	\$4,123.50	\$	0.00
☐ Mitigated/Negative Declaration (MND)/(ND)	\$2,968.75	\$	0.00
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,401.75	\$	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 *Steve Sangthai*

AGENCY OF FILING PRINTED NAME AND TITLE

San Diego County Clerk, STEVE SANGTHAI, Deputy

Payment Reference #: ORDER#/AUTH 210150962/044231



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

FILED
Oct 15, 2025 09:40 AM
JORDAN Z. MARKS
SAN DIEGO COUNTY CLERK
File # 2025-000903
State Receipt # 37101520250823

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

**REMODEL FOR THE RUSTIC RESTAURANT ADJACENT
TO EMBARCADERO MARINA PARK SOUTH**

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 15, 2025
Posted October 15, 2025 **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: Remodel for the Rustic Restaurant adjacent to Embarcadero Marina Park South

Project Applicant: Joshua Sepkowitz, Manager, FR San Diego, LLC, 2929 Carlisle Street, Suite 200, Texas 75204; 214-443-1946

Project Location – Specific: 525 E 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 would be to remodel the former Joe's Crab Shack adjacent to Embarcadero Marina Park South (EMPS) (Site) by FR San Diego, LLC (Applicant) in the city of San Diego, California to allow for the operation and maintenance of a new restaurant named The Rustic. The proposed project would involve an interior remodel of the existing restaurant building and some exterior alterations that would not change the general dimensions and structural framing of the existing building.

The existing building, which was originally the San Diego Rowing Club Boathouse (Boathouse), is a designated historical resource listed on the National Register of Historic Places and California Register of Historical Resources. The Boathouse has been used as a restaurant for approximately 41 years and the proposed project would continue its use as a restaurant and include a small, interior elevated live music platform. The proposed project has been designed to preserve the historical character-defining features (CDF) of the Boathouse.

Work to complete the proposed project would involve the following:

Interior

- Demolition of select non-original internal partition walls, bar, doors, windows, restroom fixtures, kitchen equipment, lighting, and signage
- Installation of new non-structural interior partitions, interior finishes, windows, ceilings, lighting, seating, kitchen equipment, interior elevated live music platform, and associated equipment
- Installation of new mechanical, electrical and plumbing systems

Exterior

- Demolition of exterior illuminated "Joe's Crab Shack" signage atop the building and around the Site
- Paint the exterior of the building a new color
- Replacement of existing roof materials (like-for-like in size and structure), exterior fenestration (in formerly altered areas), and non-historic windows and doors
- Installation of new firepit in outdoor patio
- Installation of new lighting, trellis passageway and illuminated signs
- Two new illuminated "The Rustic" signs (one (1) northwest-facing and one (1) southwest-facing sign)
- All exterior lighting and illuminated signage to be 2700 Kelvin and under
- All exterior lighting to be directed down and/or shielded from shining directly into the bay or sky

The proposed project would utilize the existing stormwater and drainage system at the Site. No structural, parking lot, infrastructure or offsite improvements would be part of the proposed project. There are also no noise impacts associated with operation and construction of the proposed project. Additionally, there would be no changes to the existing seat count and number of parking spaces onsite (approximately 200 seats, approximately 75 bar seats, and approximately 56 parking spaces) and no traffic or parking impacts as a result.

Equipment required for construction would consist of light machinery suitable for remodeling work. Construction of the proposed project is anticipated to commence in late 2026 and take approximately seven (7) months to complete with ongoing maintenance as needed. Construction would occur Monday-Friday in accordance with the City of San Diego's Municipal Code Section 59.5.0404. All construction parking and staging would occur in the existing parking lot on the Site, which would not impact general public parking because the existing lot is exclusively for restaurant use. When necessary for safety reasons, pedestrian access to the promenade on the Site would be temporarily blocked off and rerouted, with signage being posted to safely reroute pedestrians. Once the proposed project is constructed, the existing walkway on the northwest perimeter of the Boathouse shall remain available for general public access during business hours. The Rustic shall not host live music performances during events with paid admission or during private rental events (e.g., private functions) at the Rady Shell and shall not hold ticketed events at the premises on any day when there is a Rady Shell Event. Under no circumstances shall The Rustic hold ticketed events at the premises more than 12 times per calendar year.

The proposed project would involve a new lease to FR San Diego (Applicant) for a lease term of approximately 15 years with two (2), five-year options to extend for a total potential lease term of up to approximately 25 years.

Due to its nature and limited scope, construction of the proposed project would generate a minor amount of vehicle trips and would require limited use of equipment. Therefore, impacts related to air quality, greenhouse gas emissions, transportation and traffic are not anticipated to occur. In addition, the project would conform with the Secretary of the Interior's Standards for Rehabilitation and would not materially impair existing CDFs of the historic Boathouse. Furthermore, the Applicant would be responsible for complying with all applicable federal, state, and local laws regarding construction demolition debris, hazards and hazardous materials, and stormwater.

Name of Public Agency Approving Project: *San Diego Unified Port District (SDUPD)*

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) and Replacement or Reconstruction (SG § 15302) (Class 2)**
☐ Statutory Exemption. State code number:

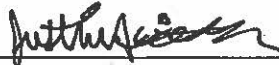
Reason Why Project is Exempt: The proposed project is determined to be Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities) and 15302 (Replacement or Reconstruction) and Sections 3.a.(3) and 3.b. of the District's Guidelines for Compliance with CEQA because it would consist of the remodeling of an existing building for the continued use as a restaurant and would involve negligible expansion of use beyond that previously existing, would not result in a significant cumulative impact due to the continuation of the existing use, would consist of the replacement of existing facilities, would be located on the same site as the structure replaced, and would have substantially the same purpose and capacity.

The Boathouse is a designated historical resource listed on the National Register of Historic Places and California Register of Historical Resources. The proposed project would not result in a substantial material change that would detract from the eligibility of the historical resource. In addition, the identified CDF of the Boathouse would be retained because alterations would occur only in areas that were previously altered, and the new modifications or new construction would be compatible with the historic character of the Boathouse in conformance with the

Secretary of the Interior's (SOI) Standards. The District has determined that there would not be a significant impact to the historic resource because the proposed project would not materially impair existing CDF's, is in compliance with SOI Standards, and would retain the integrity and eligibility of the Boathouse as a historic resource.

In addition, the proposed project is not located in an area where the project may impact an environmental resource of hazardous or critical concern, along designated state scenic highways, and/or in a designated hazardous waste site pursuant to Government Code Section 65962.5. In addition, the proposed project would not result in a significant impact on the environment due to unusual circumstances and would not result in a cumulative impact due to the continuation of the existing use. Therefore, the District has determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

Lead Agency Contact Person and Telephone Number: Justin Huitema, (619) 990-5610

Signature:  **Date:** 10-15-2025 **Title:** Planner I

- ☒ Signed by Lead Agency
- ☐ Signed by Applicant

Date received for filing at OPR/Clerk:



San Diego County



Transaction #: 8632200
Receipt #: 2025398581

JORDAN Z. MARKS

Assessor/Recorder/County Clerk

1600 Pacific Highway Suite 260

P. O. Box 121750, San Diego, CA 92112-1750

Tel. (619) 237-0502 Fax (619) 557-4155

www.sdarcc.gov

Cashier Date: 10/15/2025

Cashier Location: SD

Print Date: 10/15/2025 9:42 am

Payment Summary

Total Fees:	\$150.00
Total Payments	\$150.00
Balance:	\$0.00

Payment

VITALCHEK PAYMENT \$150.00

Total Payments \$150.00

Filings

CEQA - NOE FILE #: 2025-000902 Date: 10/15/2025 9:40AM Pages: 3
State Receipt # 37-10/15/2025-0822
Fees: Fish & Wildlife County Administrative Fee \$50.00
Total Fees Due: \$50.00

CEQA - NOE FILE #: 2025-000903 Date: 10/15/2025 9:40AM Pages: 4
State Receipt # 37-10/15/2025-0823
Fees: Fish & Wildlife County Administrative Fee \$50.00
Total Fees Due: \$50.00

CEQA - NOE FILE #: 2025-000904 Date: 10/15/2025 9:40AM Pages: 3
State Receipt # 37-10/15/2025-0824
Fees: Fish & Wildlife County Administrative Fee \$50.00
Total Fees Due: \$50.00

Grand Total - All Documents: \$150.00