



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: 37-05/10/2023-0322
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 05/10/2023
COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 37-2023-0322	

PROJECT TITLE  
 INSTALLATION OF ORDERING KIOSKS BY GRAIN & GRIT COLLECTIVE DBA CARNITAS SNACK SHACK III LLC

PROJECT APPLICANT NAME JON GORDON, CDO CARNITAS SNACK SHACK III LLC	PROJECT APPLICANT EMAIL	PHONE NUMBER 916-220-3272
PROJECT APPLICANT ADDRESS 445 MARINE VIEW AVE STE. 300	CITY DEL MAR	STATE CA
		ZIP CODE 92014

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
<input checked="" type="checkbox"/> Exempt from fee			
<input checked="" type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<hr/>			
<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, TIFFANI HOOD, Deputy
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Payment Reference #: CHECK # 14803

2022-080



SAN DIEGO COUNTY CLERK  
CEQA FILING COVER SHEET

**FILED**  
May 10, 2023 10:14 AM  
JORDAN Z. MARKS  
SAN DIEGO COUNTY CLERK  
File # 2023-000359  
State Receipt # 37051020230322

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

INSTALLATION OF ORDERING KIOSKS BY GRAIN & GRIT COLLECTIVE DBA  
CARNITAS SNACK SHACK III, LLC

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 May 10, 2023  
Posted May 10, 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:** ■ Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

■ 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:** Installation of Ordering Kiosks by Grain & Grit Collective dba Carnitas Snack Shack III, LLC  
**Project Location – Specific:** 1004 North 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 involve installation of two (2) self-ordering digital kiosk stations outside of an existing restaurant by Carnitas Snack Shack III, LLC (Applicant) in the city of San Diego, California. Work to specifically complete the proposed project would involve routing kiosk cabling from the restaurant building to the kiosk stations underground. The cabling would be routed from the northern edge of the existing outdoor bar and seating area, through the landscaped area, to the water quality band and under the wood deck boards where the cabling would connect to the ordering kiosks.

The specific scope of work would be as follows:

**Excavation and Grading:**

- Trenching as required from the northeast corner of the bar area to the water quality band
- All soils to remain on site and reused for backfill and compaction
- Decomposed granite would be separated from native soil
- Core drill into water quality band for two (2) three-quarter inch PVC conduits
- Dry pack and patch as needed
- Match any waterproofing if applicable

**Electrical:**

- Run approximately fifty (50) feet of conduit and wire along the trenched path
- Core drill through one-foot thick concrete wall approximately fifteen (15) inches below grade
- Continue running the conduit and wire below the existing north kiosk
- Terminate conduit into a weather tight flush mounted floor box
- Flush box would be cut into the existing wood decking

**Audio Visual:**

- Pull point of scale cabling to new kiosks
- Install ordering kiosks

Construction of the proposed project is anticipated to occur in approximately May 2023 and would take approximately two (2) days to complete. In order to separate the area needed for trenching, temporary caution tape and cones would be placed to mark the trenching area. Spoils would be stored alongside of the trench to be repurposed as backfill after the necessary equipment is installed. Deck boards would be removed and replaced as needed to complete this project. Access to the embarcadero promenade would remain open throughout the duration of this project.

The proposed project requires a Right of Entry License Agreement (ROELA) to Carnitas Snack Shack III, LLC (Licensee) to enter certain property located in the city of San Diego, California. The area proposed for use under

this ROELA is proposed to be used only and exclusively for the purpose of trenching to run data and power for ordering kiosks and the ingress and egress of that activity.

The proposed project also requires a Tidelands Use and Occupancy Permit (TUOP) to Carnitas Snack Shack III, LLC (Licensee) for the purpose of the placement of two food ordering kiosks and for no other purpose whatsoever.

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, and transportation and traffic are not anticipated to occur. 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)

**Name of Person or Agency Carrying Out Project:** Jon Gordon, CDO, Carnitas Snack Shack III LLC, 445 Marine View Ave, Ste. 300 Del Mar, CA, 92014 (916) 220-3272

- 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 New Construction or Conversion of Small Structures (SG § 15303) (Class 3)**
  - 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 15303 (New Construction or Conversion of Small Structures) and Section 3.a. and 3.c. of the District's Guidelines for Compliance with CEQA because it would not result in a significant cumulative impact due to the continuation of use of an existing electrical source and would consist of construction of small new structures. Section 3.a. and Section 3.c. of the District's CEQA Guidelines are 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:
- (1) Repair, maintenance or minor alteration of existing mooring facilities, floats, piers, piles, wharves, bulkhead, revetment, buoys, or similar structures; marine terminal facilities; airport facilities; and commercial industrial, or recreational facilities.

AND/OR

- 3.c. New Construction or Conversion of Small Structures (SG § 15303) (Class 3): Includes construction of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and conversion of existing small structures from one use to another with minor modifications to the exterior of the structure. Examples of this exemption include:
- (2) Accessory (appurtenant) structures and mechanical equipment including, but not limited to, garages, sheds, railway spur tracks, pilings, temporary trailers, industrial equipment enclosures, fences, parking, on-site roadways, walkways and health and safety devices.

**Lead Agency Contact Person and Telephone Number:** Abigail Haynam, (619) 686-6381

**Signature:** *Abigail Haynam* **Date:** 5/10/2023 **Title:** Assistant Planner

- Signed by Lead Agency
- Signed by Applicant

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