



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: 37-05/12/2025-0340
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 05/12/2025
COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 37-2025-0340	

PROJECT TITLE
TIDELANDS USE AND OCCUPANCY PERMIT FOR MARINELABS DATA SYSTEMS PILOT PROJECT

PROJECT APPLICANT NAME MARINELABS DATA SYSTEMS INC, SCOTT BEATY	PROJECT APPLICANT EMAIL	PHONE NUMBER 778-817-1198
PROJECT APPLICANT ADDRESS 801 TRAVIS STREET	CITY HOUSTON	STATE TX
		ZIP CODE 77002

PROJECT APPLICANT (Check appropriate box)

<input type="checkbox"/> Local Public Agency	<input type="checkbox"/> School District	<input checked="" type="checkbox"/> Other Special District	<input type="checkbox"/> State Agency	<input type="checkbox"/> Private Entity
----------------------------------------------	------------------------------------------	------------------------------------------------------------	---------------------------------------	-----------------------------------------

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$4,123.50	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)/(ND)	\$2,968.75	\$	0.00
<input type="checkbox"/> 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)

<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 	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County Clerk, SILVIA LUNA, Deputy
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Payment Reference #: AUTH 025519/ ORDER #201766831



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

FILED
May 12, 2025 10:16 AM
JORDAN Z. MARKS
SAN DIEGO COUNTY CLERK
File # 2025-000380
State Receipt # 37051220250340

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 FOR MARINELABS DATA
SYSTEMS PILOT PROJECT**

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 <u>May 12, 2025</u> Posted <u>May 12, 2025</u> 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: Tidelands Use and Occupancy Permit for MarineLabs Data Systems Pilot Project

Project Applicant: Scott Beaty, CEO, MarineLabs Data Systems, Inc., 801 Travis Street, Houston, TX 77002; (778) 817-1198

Project Location – Specific: Near Campbell Cap (32.702457, -117.161065); Coronado Cays South of East Island (32.621732, -117.129490); Chula Vista (32.635195, -117.113405); Embarcadero near Hornblower Pier (32.722889, -117.173630); Harbor Island, Between eConcrete installations (32.724654, -117.207704); Shelter Island (32.712435, -117.226732); Imperial Beach Pier (32.578016, -117.138756)

Project location – City: Various

Project Location – County: San Diego

Description of Nature, Purpose, and Beneficiaries of Project: The proposed pilot project would involve a Tidelands Use and Occupancy Permit (TUOP) for the use of water area to install smart buoy technology on approximately 5 new buoys and 5 existing United States Coast Guard (USCG) buoys located in San Diego Bay (approximately 7 square feet of water area per buoy). The proposed pilot project would include the installation of CoastAware sensors, in which the Applicant (MarineLabs Data Systems dba MarineLabs) would develop, test, and validate a tailored coastal intelligence service and subscription platform for various District monitoring applications. It is anticipated that the project and corresponding TUOP would have a minimum term of two (2) years, with the opportunity to extend upon District review and approval. The TUOP may be terminated by the District or the Applicant as a matter of right and without cause at any time upon providing thirty-day notice in writing to the other party of such termination. A "Blue Economy Agreement" by and between the District and the Applicant is also proposed, and other similar agreements may also be required.

The CoastAware sensors provide real-time coastal intelligence to inform maritime safety and operations. It features coastal domain awareness and climate resilience data from fleets of rugged, cell and satellite network connected marine wind/wave/camera sensor nodes. CoastAware can assist with vessel and vessel wake monitoring by leveraging high resolution buoy data, Automated Identification System (AIS) data, and machine learning algorithms to detect and attribute vessel wake events to individual vessels and vessel types. CoastAware sensors use Artificial Intelligence (AI) forecasting and weather modelling to provide hyper-local and accurate 10-day weather, wind and wave forecasts. The subscription platform allows for successful customization and integration for District applications including real-time updates, customizable alerts and dashboards, and adjustment of sensor location to better suit data needs. As soon as the sensors are in the water, tested and activated, the data is delivered to the District customized subscription platform. The District is specifically interested in utilizing CoastAware technology to identify and measure the time, height and power level of vessel wakes. Data collected on passing vessels can assist the District in identifying what kinds of vessels and users are contributing to erosion from vessel wakes on sensitive areas, such as the Chula Vista Wildlife Reserve, and measure overall vessel traffic in a given area.

Prior to sensor and buoy deployment, the Applicant would conduct a site inspection to review proposed private buoy locations and confirm the bathymetry in the area. Site inspections are performed on a small vessel, and previous bathymetry surveys are used to assess the bottom conditions. Following deployment of new buoys and sensors, land-based cameras and supportive equipment may be installed to verify data collected. All sensor calibration would be completed during deployment, and any maintenance and updates can be completed remotely.

CoastAware sensors can be installed on private buoys or on existing USCG operated Aids to Navigation (AToNs) buoys. In coordination with the District and the USCG, a total of five (5) AToNs would be selected for sensor installation, with one buoy to be located in each of the four (4) ecoregions in San Diego Bay. The fifth AToN location would be located offshore. There are seven (7) proposed private buoy locations that are being considered in San Diego Bay; ultimately five (5) of those locations would be selected for private buoy deployment. Thus, the number of private buoys to be deployed would not exceed five (5) total. No eelgrass resources are known to occur at any of the potential locations. The seven (7) locations for potential private buoy deployment are the following:

- 1) Near Campbell Cap (32.702457, -117.161065)
- 2) Coronado Cays South of East Island (32.621732, -117.129490)
- 3) Chula Vista (32.635195, -117.113405)
- 4) Embarcadero near Hornblower Pier (32.722889, -117.173630)
- 5) Harbor Island, Between eConcrete installations (32.724654, -117.207704)
- 6) Shelter Island (32.712435, -117.226732)
- 7) Imperial Beach Pier (32.578016, -117.138756)

New private buoys would be installed using a combination of weights, rope, chain and marine attachments to secure the unit to the Bay. It is anticipated that a 16.5 lb Bruce Anchor and 150 lb clumps mass anchor would be used to secure the unit to the seafloor. Private buoys generally have a movement radius of 100 m but can be kept to a smaller footprint in shallower water. The sensor packages would be mounted to the top of either the private buoys or the existing USCG AToNs using four bolts. The floats are made of marine grade polymers. The sensor packages are made of aluminum, silica based solar panels, and electrical components which are sealed inside the housing. The standard float package is 0.9m in diameter. Each deployment takes approximately 2-8 hours depending on the depth, proximity to the coastline, weather conditions and other local factors. The deployment team would use a small deployment vessel (under 40') and consist of five crew members.

The Applicant 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, as well as acquiring necessary permits from relevant resource agencies, such as the California Coastal Commission, Army Corps of Engineers, and Regional Water Quality Control Board, including the necessary real estate or access agreements, or coastal development permitting for the proposed project sites that are not within the District's permitting or coastal jurisdiction.

The areas proposed for use under this TUOP are proposed to be used only and exclusively for the purpose of analyzing the feasibility of the proposed pilot project and for no other purpose whatsoever without the prior written consent of the Executive Director of District in each instance. The Applicant 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.

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 Exemption(s): Existing Facilities (SG § 15301) (Class 1), New Construction or Conversion of Small Structures (SG § 15303) (Class 3), Minor Alterations to Land (SG § 15304) (Class 4), Information Collection (SG § 15306) (Class 6), and Accessory Structures (SG § 15311) (Class 11)**
- ☐ Statutory Exemption. State code number:

Reason Why Project is Exempt: The proposed project is determined to be Categorical Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), 15304 (Minor Alterations to Land), 15306 (Information Collection), and 15311 (Accessory Structures) and Sections 3.a.(1), 3.c., 3.d., 3.f., and 3.i. of the District's Guidelines for Compliance with CEQA because it involves a TUOP for the use of water area to install smart buoy technology on approximately 5 new buoys and 5 existing USCG buoys located in San Diego Bay which would involve no expansion of use beyond that previously existing, would consist of the installation of small new equipment and facilities on small structures, would result in no permanent effects on the environment, would not involve the removal of mature, scenic trees, and is for the purpose of research which would not result in a serious or major disturbance to an environmental resource. Sections 3.a.(1), 3.c., 3.d., 3.f., and 3.i.(1) 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.
- (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.

AND/OR

- 3.d. Minor Alterations to Land (SG § 15304) (Class 4): Includes minor alterations in the condition of land, water and/or vegetation not involving removal of mature, scenic trees, including, but not limited to:
- (6) Minor temporary use of land having negligible or no permanent effects on the environment.

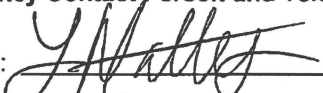
AND/OR

- 3.f. Information Collection (SG § 15306) (Class 6): Includes basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be for information gathering purposes, or as part of a study leading to an action which has not yet been approved, adopted or funded.

AND/OR

- 3.i. Accessory Structures (SG § 15311) (Class 11): Includes construction, or placement of minor structures accessory to (appurtenant to) existing facilities, including:
- (1) Construction or placement of minor mooring facilities, floats, buoys or similar structures accessory to (appurtenant to) existing commercial, industrial or institutional facilities.

Lead Agency Contact Person and Telephone Number: Lillian Mattes, (619) 686-8200

Signature:  **Date:** 05/12/2025 **Title:** Associate Planner

- ☒ Signed by Lead Agency
☐ Signed by Applicant

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



San Diego County



Transaction #: 8374858
Receipt #: 2025177298

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: 05/12/2025
Cashier Location: SD

Print Date: 05/12/2025 10:18 am

Payment Summary

Total Fees:	\$50.00
Total Payments:	\$50.00
Balance:	\$0.00

Payment

VITALCHEK PAYMENT \$50.00

Total Payments \$50.00

Filing

CEQA - NOE FILE #: 2025-000380 Date: 05/12/2025 10:16AM Pages: 4

State Receipt # 37-05/12/2025-0340

Fees: Fish & Wildlife County Administrative Fee \$50.00

Total Fees Due: \$50.00

Grand Total - All Documents:

05/12/2025 10:13 AM PDT

SAN DIEGO COUNTY VITAL RECORDS
1600 PACIFIC HIGHWAY
ROOM 260
SAN DIEGO, CA 92101

TERMINAL NAME: E6824101

ORDER# 201766831

PAYMENT

COUNTER PAYMENT \$50.00
8374858

AGENCY SUBTOTAL: \$50.00
LEXISNEXIS SERVICE FEE: \$2.50

TOTAL USD: \$52.50

CARD #: 5495 VISA
PAYMENT: CREDITCHIP READ-CONTACT
MODE: ISSUER
AUTH CODE: 025519
APP LABEL: VISA CREDIT
CVM: NO SIG REQUIRED
AID: A0000000031010
ARQC: B4E6F399998150A8
AMOUNT: \$52.50
*** CARD APPROVED ***

AMOUNT PAID:
\$52.50

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