State of California - Department of Fish and Wildlife

2026 ENVIRONMENTAL DOCUMENT FILING FEE CASH RECEIPT

DFW 753 5a (Rev 01/01/26) Previously DFG 753 5a

RECEIPT NUMBER	
37-01/29/2026-0094	
STATE CLEARING HOUSE NUMBER (*If applicable*)	

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY	LEAD AGENCY EMAIL	DATE
SAN DIEGO UNIFIED PORT DISTRICT DEVELOPMENT SERVICES DEPARTMENT		01/29/2026
COUNTY/STATE AGENCY OF FILING		**DOCUMENT NUMBER**
SAN DIEGO		37-2026-0094

PROJECT TITLE
GEOTECHNICAL EXPLORATION AND RIGHT OF ENTRY LICENSE AGREEMENT BY BRIGANTINE INC. AT THE FISH MARKET

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL		PHONE NUMBER
MATT MORTON, DIRECTOR OF RESTAURANT, BRIGANTINE, INC.			858-268-1030
PROJECT APPLICANT ADDRESS	**CITY**	**STATE**	**ZIP CODE**
7889 OSTROW STREET	SAN DIEGO	CA	92111

PROJECT APPLICANT (*Check appropriate box*)
☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☒ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)	$4,227 50	$	0 00
☐ Mitigated/Negative Declaration (MND)/(ND)	$3,043 75	$	0 00
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW	$1,437 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	AGENCY OF FILING PRINTED NAME AND TITLE
X Maria Gomez	San Diego County Clerk, MARIA GOMEZ, Deputy

Payment Reference #:

ORIGINAL - PROJECT APPLICANT COPY - CDFW/ASB COPY - LEAD AGENCY COPY - COUNTY CLERK DFW 753 5A (Rev 01012026)

SAN DIEGO COUNTY CLERK
CEQA FILING COVER SHEET

FILED
Jan 29, 2026 08:48 AM
JORDAN Z. MARKS
SAN DIEGO COUNTY CLERK
File # 2026-000099
State Receipt # 37012920260094

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

GEOTECHNICAL EXPLORATION AND RIGHT OF ENTRY LICENSE AGREEMENT BY BRIGANTINE, INC. AT THE FISH MARKET

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 January 29, 2026
Posted January 29, 2026 **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 Geotechnical Exploration and Right of Entry License Agreement by Brigantine, Inc at The Fish Market
Project Applicant: Matt Morton, Director of Restaurant, Brigantine, Inc , 7889 Ostrow Street, San Diego, CA 92111, 858-268-1030
Project Location – Specific 750 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 geotechnical borings, cone penetration testing and a geophysical survey program by Brigantine, Inc dba The Fish Market in the city of San Diego, California The purpose of the proposed project is to complete a geotechnical exploration program in support of proposed future redevelopment of the existing Fish Market restaurant
Work to specifically complete the proposed project would involve

- Drilling two (2) geotechnical borings to a depth of approximately 60 feet below ground surface (bgs) Each boring would be less than 8 inches in diameter
- Advancing three (3) cone penetration test (CPT) soundings to a depth of approximately 100 feet bgs Each CPT probe hole would be approximately 2 inches or less in diameter
- Conducting a non-destructive and non-invasive geophysical survey that would involve temporary placement of wireless geophones at ground surface to collect readings The survey would generally consist of placing geophones on the ground surface and recording vibrations generated by active sources (e g , a sledgehammer) and passive sources (e g , ambient vibrations from traffic or wind) There would be no drilling or disturbance to the ground during the testing

Construction of the proposed project is anticipated to occur in February 2026 and take approximately four (4) days to complete Staging for the proposed project would require the temporary use of approximately five (5) on-site parking spaces and limited use of street in front of The Fish Market Temporary traffic control signage would be placed at the site to redirect traffic Equipment to complete the proposed project would include a truck-mounted drill rig The borings and CPT probe holes would be backfilled and patched at ground surface to match existing conditions

The proposed project would require a Right of Entry License Agreement (ROELA) to Brigantine, Inc (Licensee) to enter certain properties located in the city of San Diego, California The area proposed for use under this ROELA would be used by the Licensee and their authorized agent and contractors for the purpose of geotechnical exploration at two (2) boring sites, three (3) CPT sites, and to conduct a geophysical survey, as well as ingress and egress in support of those activities No new development, construction, or increase in the size of the area is proposed or authorized as part of the ROELA

It is anticipated that the ROELA would have a total term of approximately two (2) years, or upon completion of the work, whichever occurs earlier The ROELA may be terminated by the District as a matter of right and without cause at any time upon providing twenty-four (24) hours' notice in writing to the Licensee of such termination

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)

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: *Information Collection (SG § 15306) (Class 6)***
- ☐ 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 15306 (Information Collection) and Section 3 f of the District's Guidelines for Compliance with CEQA because it is for geotechnical work for the purpose of basic data collection and research which would not result in a serious or major disturbance to an environmental resource Section 3 f of the District's CEQA Guidelines is as follows

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

Lead Agency Contact Person and Telephone Number Betsy Viramontes, 619-890-0465

Signature Betsy Viramontes **Date** 1/29/2026 **Title** Planner I

- ■ Signed by Lead Agency
- ☐ Signed by Applicant

Date received for filing at OPR/Clerk

San Diego County

Transaction #: 8859968
Receipt #: 2026036009

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: 01/29/2026
Cashier Location: SD

Print Date: 01/29/2026 8:49 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 #: 2026-000099 Date: 01/29/2026 8:48AM Pages: 3

State Receipt # 37-01/29/2026-0094

Fees:	Fish & Wildlife County Administrative Fee	$50.00
Total Fees Due:		$50.00

Grand Total - All Documents: $50.00