

Notice of Exemption

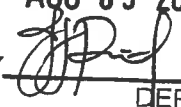
CEQA Guidelines Appendix E

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: (Public Agency)  
 San Diego Unified Port District  
 Development Services Department  
 3165 Pacific Highway  
 San Diego, CA 92101

**FILED**  
 Ernest J Dronenburg, Jr. Recorder County Clerk

**AUG 09 2017**  
 BY  DEPUTY

**Project Title:** U.S. Sand Sculpting Challenge and Dimensional Art Exposition  
**Project Location – Specific:** Broadway Pier, 1000 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 is the U.S. Sand Sculpting Challenge and Dimensional Art Exposition, which would take place at Broadway Pavilion, Pier, and Plaza, and on a portion of the adjacent Embarcadero promenade from August 31 to September 4, 2017. The District would provide sponsorship in the form of District services for the proposed project, a paid admission sand artist competition. The event would involve the installation of temporary structures, including amusement rides, concession vendor stands, entertainment stages, and exhibition booths. Public access to the portions of the event at Broadway Pier and Pavilion and the area between the promenade and N. Harbor Drive, referred to as the 'Kid Zone', would require a paid ticket and would involve the installation of temporary fencing along the eastern end of Broadway Pier and around the Kid Zone to limit access into the event for ticketed guests. The public promenade adjacent to Broadway Pier, running linear to the shoreline, would be partially used for sponsor installations and booths but would remain open to general public use at all times. Unobstructed pedestrian passageway from the promenade to N. Harbor Drive would be maintained at all times. The entirety of the development, including installation, staging, and removal of the temporary structures and material, and the duration of the event, may take up to 14 days total and would result in intermittent closures of all or portions of the Project site to the general public. The event has an anticipated attendance of approximately 50,000 people over the five days. Parking would be accommodated in nearby public parking lots, including the B Street Pier parking lot operated by ABM Parking Services, with approximately 2,000 available parking spaces in the vicinity. Information and incentives for public transit would be distributed via the event organizer's website.

**Name of Public Agency Approving Project:** San Diego Unified Port District (SDUPD)  
**Name of Person or Agency Carrying Out Project:** Gordon Summer, 3D Art Expo, LLC, 850 Beech Street, Suite 709, San Diego, CA 92101; (619) 980-6651

**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: Minor Alterations to Land (SG § 15304) (Class 4) and Normal Operations of Facilities for Public Gatherings (SG § 15323) (Class 23)**  
 Statutory Exemption. State code number:

**Reason Why Project is Exempt:** The project is determined to be Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15304 (Minor Alterations to Land) and/or 15323 (Normal Operations of Facilities for Public Gatherings) and Section 3.d (6) of the District's Guidelines for Compliance with CEQA because it is a temporary event that would not involve the removal of mature, scenic trees, would not have any permanent effects on the environment, and would consist of the normal operations of existing facilities for public gatherings. Section 3.d. (6) of the District's CEQA Guidelines and CEQA Guidelines Section 15323 are as follows:

- 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:
- (2) Minor temporary use of land having negligible or no permanent effects on the environment.

AND/OR

*Normal Operations of Facilities for Public Gatherings (SG § 15323) (Class 23): Consists of the normal operations of existing facilities for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same or similar kind of purpose. For the purposes of this section, "past history" shall mean that the same or similar kind of activity has been occurring for at least three years and that there is a reasonable expectation that the future occurrence of the activity would not represent a change in the operation of the facility. Facilities included within this exemption include, but are not limited to, racetracks, stadiums, convention centers, auditoriums, amphitheaters, planetariums, swimming pools, and amusement parks.*

**Lead Agency Contact Person and Telephone Number:** Cameron McLeod, (619) 686 - 6273

**Signature:** CMcLeod. **Date:** 8/8/2017 **Title:** Assistant Planner

- Signed by Lead Agency
- Signed by Applicant

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

**FILED IN THE OFFICE OF THE COUNTY CLERK**

San Diego County on AUG 09 2017  
Posted AUG 09 2017 Received  
Returned to agency on \_\_\_\_\_  
Deputy [Signature]



State of California - Department of Fish and Wildlife  
**2017 ENVIRONMENTAL FILING FEE CASH RECEIPT**  
 DFW 753.5a (Rev. 12/15/15) Previously DFG 753.5a

RECEIPT NUMBER: 37-2017- 0675
STATE CLEARINGHOUSE NUMBER (If applicable) --

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY SAN DIEGO UNIFIED PORT DISTRICT (SDUPD)	LEAD AGENCY EMAIL --	DATE 08/09/2017
COUNTY/STATE AGENCY OF FILING San Diego County		DOCUMENT NUMBER *20170675*
PROJECT TITLE U.S. SAND SCUPLTING CHALLENGE AND DIMENSIONAL ART EXPOSITION		

PROJECT APPLICANT NAME GORDON SUMMER, 3D ART EXPO, LLC	PROJECT APPLICANT EMAIL --	PHONE NUMBER (619)980-6651
PROJECT APPLICANT ADDRESS 850 BEECH STREET, SUITE 709	CITY SAN DIEGO	STATE CA
		ZIP CODE 92101

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)  | \$3,078.25 | \$ _____ |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)   | \$2,216.25 | \$ _____ |
| <input type="checkbox"/> Certified Regulatory Program document (CRP)  | \$1,046.50 | \$ _____ |
| <br>  |            |          |
| <input 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   | \$ _____ |
| <input checked="" type="checkbox"/> County documentary handling fee   |            | \$ 50.00 |
| <input type="checkbox"/> Other  |            | \$ _____ |

PAYMENT METHOD:

- Cash   
  Credit   
  Check   
  Other 70218314   
 TOTAL RECEIVED \$ 50.00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County      JOBELL L RUSIT      , Deputy
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