



CEQA and COASTAL DETERMINATIONS  
and  
NOTICE OF APPROVAL

Project: San Diego Brewers Guild Festival at Embarcadero Marina Park North  
Location: 400 Kettner Boulevard, San Diego, CA 92101  
Parcel No.: 019-062  
Project No.: 2019-145  
Applicant: Caitlin Cobb, San Diego Brewers Guild, PO Box 180696, Coronado, CA 92178  
Date Approved: August 20, 2019

**PROJECT DESCRIPTION**

The proposed project is the San Diego Brewers Guild Festival, which would take place on the Embarcadero Marina Park North in the City of San Diego, California on Saturday November 2, 2019. The District would provide sponsorship in the form of District services for the proposed project, a beer festival. The paid admittance event would involve samples of local beer, concession vendors, and live entertainment. The event would include VIP attendance which would provide an hour-long Hornblower cruise from their terminal prior to the event, and would drop patrons at the Brewers Guild Festival.

The event would have an approximate duration of one day and would take place during summer with an anticipated attendance of 1,000 people. Approximately 22 parking spaces would be reserved during set up and take down and 75 parking spaces would be available during the event at the Embarcadero Marina Park North; additional parking would be available nearby at parking facilities and on surface streets

The following categorical determinations are based on the project submittal and all project information known to the District as of the date of this determination.

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**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

**CATEGORICAL DETERMINATION**

Categorical Exemptions: SG §15304, Class 4/Section 3.d: Minor Alterations to Land; and SG § 15323 (Class 23): Normal Operations of Facilities for Public Gatherings

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: 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:

(6) 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, amphitheatres, planetariums, swimming pools, and amusement parks.

The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Sections of the District's *Guidelines for Compliance with CEQA* as identified above. These are appropriate for the proposed project because it 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. 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).

Pursuant to CEQA Guidelines Section 15062, a 35-day statute of limitations for this CEQA exemption shall apply from the date a Notice of Exemption is posted with the San Diego County Clerk, or a 180-day statute of limitations for this CEQA exemption shall apply if no Notice of Exemption is filed.

**CALIFORNIA COASTAL ACT**

***PORT MASTER PLAN CONSISTENCY***

Planning District: 3 - Centre City Embarcadero (Precise Plan Figure 11)

Land Use Designations: Park/Plaza; Promenade; and Open Bay/Water

The proposed project conforms to the certified Port Master Plan because it would involve operation of a beer festival, consistent with the existing certified Land and Water use designations. The proposed project would not change the use of the site nor would it interrupt or expand the existing conforming use of the site.

***CATEGORICAL DETERMINATION***

Categorical Exclusions: Section 8.d: Minor Alterations to Land

8.d. Minor Alterations to Land: Minor public or private alterations in the condition of land, water, and/or vegetation which do not involve the removal of mature, scenic trees, including but not limited to:

- (5) Minor temporary uses of land and water having negligible or no permanent effects on the environment, including festivals, boating activities, parades, and running or bicycling events.

The proposed project is determined to be Categorically Excluded pursuant to the Section of the District's *Coastal Development Permit Regulations* as identified above. This is appropriate for the proposed project because it is a temporary event that would draw the public to the San Diego Bay thereby encouraging recreational opportunities and promoting public access along the waterfront.


Pursuant to California Coastal Act Section 30717, there is a 10-working-day period to appeal this "Coastal Act Categorical Determination of Exclusion" to the California Coastal Commission.

**CALIFORNIA PUBLIC TRUST DOCTRINE**

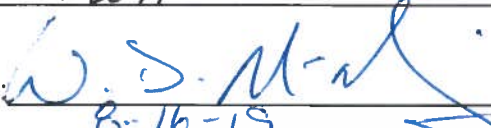
The proposed project complies with Section 87.(a)(5) of the Port Act, which allows for the construction, reconstruction, repair, maintenance, and operation of public buildings, public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and fishing piers, public recreation facilities, including, but not limited to, public golf courses, and for all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed project is consistent with the Public Trust Doctrine.

RANDA CONIGLIO  
President/CEO

Determination by:  
Michael Paul  
Assistant Planner  
Development Services

Signature:   
Date: 8-20-19

Deputy General Counsel

Signature:   
Date: 8-16-19