



CEQA and COASTAL DETERMINATIONS  
and  
NOTICE OF APPROVAL

Project: San Diego Fire Rescue 5K and Kids' Run  
Location: Spanish Landing Park West, 4300 North Harbor Drive, San Diego, CA 92101  
Parcel No.: 005-081 and 007-001  
Project No.: 2019-153  
Applicant: Wendy Robinson, San Diego Fire Rescue Foundation, PO Box 235837, Encinitas CA 92023  
Date Approved: August 26, 2019

**PROJECT DESCRIPTION**

The proposed project is the San Diego Fire Rescue 5K and Kids Run, which would take place around the Spanish Landing Parks West and East in Harbor Island on October 5, 2019. The District would provide sponsorship in the form of District services for the event, a 5K and kids' run. The event would consist of a 5K and kids' run, a fire safety expo, and a post run entertainment and beer garden serving concessions. The race start and finish lines, fire safety expo, and entertainment area, would be located at Spanish Landing Park West, and would include a pass through at Spanish Landing Park East.

The event would have an approximate duration of one (1) day and would have an estimated attendance of 700 people. The event would use 70 parking spaces at Spanish Landing Park West and 43 spaces at Spanish Landing Park Far West, which are both accessible via Lee Court and west of the Spanish Landing Park West. Additional parking would be available at nearby 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: 2 - Harbor Island/Lindbergh Field (Precise Plan Figure 9)

Land Use Designations: Park/Plaza; and Promenade

The proposed project conforms to the certified Port Master Plan because it would involve a temporary race event that would draw the public to San Diego Bay, consistent with the existing certified Land 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**

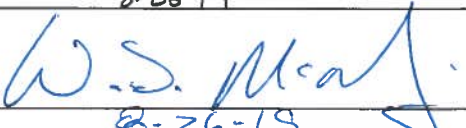
The proposed project complies with Section 87.(a)(5) of the Port Act, which allows for the construction, reconstruction, repair, maintenance, and operation of public buildings, public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and 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

Deputy General Counsel

Signature:   
Date: 8-26-19

Signature:   
Date: 8-26-19