



**CEQA and COASTAL DETERMINATIONS  
and  
NOTICE OF APPROVAL**

Project: Island Vibe Music Festival  
Location: Embarcadero Marina Park North, 400 Kettner Boulevard, San Diego, CA 92101  
Parcel No.: 019-062  
Project No.: 2021-106  
Applicant: Ed Arguelles, Executive Director, Prime Motivation, Inc., 265-1/2 Broadway, Chula Vista, CA 91910  
Date Approved: Sep 7, 2021

**PROJECT DESCRIPTION**

The proposed project is the Island Vibe Music Festival, which would take place at Embarcadero Marina Park North in the City of San Diego, California. The District would provide sponsorship in the form of District services for the proposed project. The proposed project would consist of a paid admission cultural festival, which would include live performances, and food, beverage, and apparel vending. The festival would have a duration of one day, with an additional two days for staging and breakdown, and would take place during late-summer. The festival has an anticipated attendance of approximately 4,000 people. The proposed project would require the reservation of approximately 80 parking spaces at Embarcadero Marina Park North. 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:

(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, amphitheaters, 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 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 operation 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 Districts: 3 - Centre City Embarcadero (Precise Plan Figure 11)

Land Use Designation: Park/Plaza

The proposed project conforms to the certified Port Master Plan because it would involve a temporary event that would draw the public to San Diego Bay thereby encouraging recreational opportunities and promoting public access along the waterfront, which is consistent with the existing certified Land use designation.

*CATEGORICAL DETERMINATION*

Categorical Exclusion: 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 involve minor temporary use of land and would have no permanent effect on the environment.

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:  
Cameron McLeod  
Associate Planner  
Development Services

Signature: Cameron McLeod  
Date: Sep 7, 2021

Deputy General Counsel

Signature: Rebecca Harrington  
Date: Sep 7, 2021