



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

Project: Independence Day Drone Show at Imperial Beach Pier  
Location: Imperial Beach Pier, Imperial Beach, CA 91932  
Parcel No.: 061-007; 061-022  
Project No.: 2022-055  
Applicant: Andy Hall, City Manager, City of Imperial Beach, 825 Imperial Beach Boulevard, Imperial Beach, CA 91932  
Date Approved: Jun 30, 2022

**PROJECT DESCRIPTION**

The proposed project is for an approximately 12-minute drone show to occur for the July 4<sup>th</sup> Independence Holiday by the City of Imperial Beach. The drone show would be staged and deployed from the Imperial Beach Pier. The proposed event requires the closure of the Imperial Beach Pier from the evening of July 3<sup>rd</sup> until 10:00 AM on the morning of July 5<sup>th</sup>. This would be consistent with closures that have occurred in past years for the Independence Day fireworks displays. No other anticipated closures are anticipated to occur, and the proposed event would be free and accessible to the public.

The City of Imperial Beach would provide monitoring during the proposed event in order to document any impacts on nearby sensitive species, and will share the results with the California Coastal Commission and United States Fish and Wildlife Service (USFWS) following the event. A monitoring plan will be designed in consultation with the USFWS and, at a minimum, including the following:

- Noise monitoring at the San Diego Wildlife Refuge near Imperial beach to ensure the sound from the drone show does not exceed 75 decibels
- Light level monitoring to ensure that lighting does not exceed that of previously anticipated fireworks display
- In-person or camera monitoring to observe and document collisions between birds and drones in the immediate area below and near the performance area, including for deceased or injured birds or pieces of the aerial drones that have broken off. Any instances will be reported to the USFWS

The proposed drone show would not occupy any sandy beach area and would be free and open to the public. Per an email dated June 29, 2022, the City of Imperial Beach has obtained concurrence from the California Coastal Commission, USFWS, and the Federal Aviation Association (FAA) regarding the subject show.

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 Exemption: SG §15304, Class 4/Section 3.d: Minor Alterations to Land

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.

The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Section of the District's *Guidelines for Compliance with CEQA* as identified above. This is appropriate for the proposed project because it would result in no permanent effects on the environment, and would not involve the removal of mature, scenic trees. 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: Imperial Beach Oceanfront (Precise Plan Figure 25)

Land Use Designation: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it is for a temporary drone show on Independence Day. The drone staging and deployment site is from the Imperial Beach Pier but due to its temporary nature, the event would not preclude the use of the site for commercial recreation, as the pier would close in the evening of July 3<sup>rd</sup> and would reopen by 10am July 5 and therefore is consistent with the existing certified land use designation. The proposed project would not change the use of the site nor would it interrupt or expand the existing conforming uses of the site.

*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 would have a negligible, or no permanent, effect on the environment, nor would it involve the removal of mature, scenic trees.

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.

JOE STUYVESANT  
President/CEO

Determination by:  
Lillian Mattes  
Assistant Planner  
Development Services

Signature: Lillian Mattes  
Date: Jun 30, 2022

Deputy/Assistant General Counsel

Signature: Rebecca Harrington  
Date: Jun 30, 2022