



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

Project: Dr. Martin Luther King Jr. Parade  
Location: North Harbor Drive, San Diego, CA 92101  
Parcel No.: Various  
Project No.: 2022-111  
Applicant: Brian Samuels, MLK Parade Chairman, San Diego Alpha Foundation, 1217 Half Moon Bay Dr., Chula Vista, CA 91915  
Date Approved: Dec 12, 2022

**PROJECT DESCRIPTION**

The proposed project is the Dr. Martin Luther King Jr. Parade, which is expected to begin at the corner of West Grape Street and North Harbor Drive. The route will travel south, along North Harbor Drive, then east onto West Broadway and continue south onto Pacific Highway and disband near Seaport Village. This will be a one (1) day event that would occur in winter.

Staging for this event will take place along North Harbor Drive from West Grape Street to West Ash Street. Set up will begin at approximately 8:00 am and break down will be complete by approximately 6:00 pm. At least one lane on Harbor Drive will be left open and managed by Special Events Traffic Control until one hour before the event when the street will be fully closed. The parade is expected to start at approximately 2:00 pm. A rolling open will be implemented at this event such that the parade route will reopen to traffic as the parade fully passes each section of the route.

The District would provide sponsorship in the form of District funding and services for this event. The parade would feature marching, floats, music, and dance by upwards of 100 organizations. It would involve temporary installation of bleacher seating and a raised platform for announcements and entertainment along portions of the parade route on North Harbor Drive. Set up and tear down of all temporary installations would occur on the same day of the parade. The event has an expected attendance of approximately 10,000 people. Parking would be available at nearby public parking facilities and on nearby surface lots and streets. Attendees will be encouraged to utilize public transportation, carpools, and ride-sharing services for this event.

Due to its nature and limited scope, the proposed project would generate a minor amount of vehicle trips and would require limited use of equipment. Therefore, impacts related to air quality, greenhouse gas emissions, and transportation and traffic are not anticipated to occur.

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, amphitheatres, planetariums, swimming pools, and amusement parks.

The proposed project is determined to be Categorical 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 District: 3 - Centre City Embarcadero (Precise Plan Figure 11)

Land Use Designations: Park/Plaza; Streets; and Promenade

The proposed project conforms to the certified Port Master Plan because it would involve a temporary walking event 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 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 Categorical 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 not 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:

Abigail Haynam  
Assistant Planner  
Development Services

Deputy/Assistant General Counsel

Signature: Abigail Haynam

Date: Dec 12, 2022

Signature: Rebecca Harrington

Date: Dec 12, 2022