



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

Project: National School District 5K Fun Run  
Location: 3299 Tidelands Avenue, National City, CA 91950  
Parcel No.: Various  
Project No.: 2023-070  
Applicant: Steven Sanchez, Coordinator of Education Services, National School District, 1500 N. Avenue National City, CA 91950  
Date Approved: 05/05/2023

**PROJECT DESCRIPTION**

The proposed project is the National School District 5K Fun Run which would take place in the city of National City, California. The event would involve a 5K walk/run, beginning at Pepper Park, continuing east toward Broadway adjacent to the Sweetwater River, and returning to end at Pepper Park. Within Pepper Park there would be an area for portable restrooms, event related booths, and a small sound system for announcements throughout the event. This event would be free to attend, and no alcohol would be served throughout the event. The event would have an approximate duration of one (1) day including set up and take down and would take place in spring. The event would have an anticipated attendance of 500 people.

Parking would be available for attendees and members of the public at Pepper Park and on nearby surface streets. There are two gates for access into Pepper Park, an east gate, and a west gate. The east gate would remain closed throughout the duration of the event to allow for controlled traffic through the west gate. A crossing guard would be stationed at the west gate to monitor the ingress and egress of traffic in order to have safe pedestrian crossing at the entrance to the parking lot.

Throughout the duration of this event, Pepper Park and the boat launch ramp would remain accessible to members of the public and non-event attendees.

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. Furthermore, the Applicant would be responsible for complying with all applicable federal, state, and local laws regarding construction demolition debris, hazards and hazardous materials, and stormwater.

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 portion of the proposed project within the District's jurisdiction 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 District: 5 - National City Bayfront (Precise Plan Figure 15)

Land Use Designations: Commercial Recreation and Park/Plaza

The portion of the proposed project located within the District's Coastal Act approval authority conforms to the certified Port Master Plan because it is a temporary event that would draw the public to the National City Bay thereby encouraging recreational opportunities and promoting public access along the waterfront, which is 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 portion of the proposed project located within the Coastal Development Permit (CDP) and Coastal Act exclusion authority of the District 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 involve minor temporary use of land and water 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.

For the portion of the proposed project located outside of the District's Coastal Act approval authority, additional approvals may be required from other agencies.

## **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

Signature: Abigail Haynam  
Date: 05/05/2023

Assistant/Deputy General Counsel

Signature: Simon Kaye  
Date: 05/05/2023