



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

Project: America's Finest City Half Marathon
Location: North Harbor Drive, Harbor Island Drive, & Ash Street, San Diego, CA 92101
Parcel No.: Various
Project No.: 2023-102
Applicant: Ellen Larson, Vice President, In Motion Events; (760) 601-0420
Date Approved: 07/26/2023

PROJECT DESCRIPTION

The proposed project is the America's Finest City Half Marathon, which consists of a half-marathon race beginning at Cabrillo National Monument and finishing in Balboa Park in the city of San Diego, California. For the portion of the race within the District's jurisdiction, event participants would run in the street along North Harbor Drive, around Harbor Island, and continue on North Harbor Drive towards Ash Street. The proposed event would have a duration of one (1) day at the end of the summer, and set-up/breakdown for the event would be limited to the day of the event. There would be an estimated attendance of 4,000 people for the proposed event. During the event, at least one lane in each direction shall remain open on North Harbor Drive for vehicular traffic and bike lanes are to remain open for public use. Temporary road closures are anticipated to occur, such as the southbound lane on North Harbor Drive between Grape Street and Ash Street and the eastbound lane on Ash Street between North Harbor Drive and Pacific Highway. During the event, all properties on the western side of Pacific Highway would be allowed to exit and head southbound towards Broadway, and all properties on the eastern side of Pacific Highway would be allowed to exit and head northbound towards Ash Street. The San Diego Police Department and Special Event Traffic Controller would be present along the route to assist with the direction of traffic and to ensure the safety of event participants. All temporary street closures would be promptly reopened as event participants finish the race, and all closures are anticipated to be restored no later than 9:00 am. Parking will be available on side streets and off-tidelands, at Balboa Park.

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

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 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 for 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: 1 - Shelter Island/La Playa (Precise Plan Figure 4); 2 - Harbor Island/Lindbergh Field (Precise Plan Figure 9); and 3 - Centre City Embarcadero (Precise Plan Figure 11)

Land Use Designation: Streets

The portion of the proposed project located within the Coastal Development Permit (CDP) and Coastal Act exclusion authority of the District conforms to the certified Port Master Plan because it would involve a temporary event 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 portion of the proposed project located within the 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 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 CDP jurisdiction, 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.

RANDA CONIGLIO
Acting President/CEO

Determination by:
Lillian Mattes
Assistant Planner
Development Services

Signature: Lillian Mattes
Date: 07/26/2023

Deputy/Assistant General Counsel

Signature: Shiraz D. Tanjri
Date: 07/25/2023