



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

Project: Live Well San Diego 5K/1-Mile Fun Run
Location: Waterfront Park, 1600 Pacific Highway, San Diego, CA 92101
Parcel No.: Various
Project No.: 2023-115
Applicant: Ellen Larson, Vice President, In-Motion Events; (760) 692-2901
Date Approved: 08/29/2023

PROJECT DESCRIPTION

The proposed project is the Live Well San Diego 5K and one-mile fun run in the city of San Diego, California. All event participants would begin their run at the intersection of North Harbor Drive and Ash Street. The 5K route would head south on North Harbor Drive, move onto the Embarcadero promenade once reaching the West Broadway intersection, continue along the Embarcadero promenade passing through Ruocco Park, run around Embarcadero Marina Park North, turn around following the route the same way north until turning right onto West Harbor Drive, continue north on Pacific Highway, turn left onto West Grape Street with a finish at the County of San Diego's Waterfront Park (Waterfront Park). The one-mile fun run route would run east on West Ash Street, turn left onto Pacific Highway where the participants would combine with the 5K route, turn left on West Grape Street, and similarly finish at Waterfront Park. Temporary road closures are anticipated to occur, but at least one lane in each direction shall remain open on North Harbor Drive, Ash Street, Pacific Highway, and Grape Street during the event. Following completion of the run/walk, event participants would be invited to celebrate at Waterfront Park. The event, including set-up and breakdown, would have an approximate duration of one-day in the Fall, and the anticipated attendance for the event is approximately 5000 people. Parking for the event would be available off-tidelands. All temporary street closures would be promptly reopened as event participants finish the run/walk, and all closures are anticipated to be restored no later than 9:30 am. The promenade shall remain open for public use at all times during the event. Signage related to the event would be installed along the Embarcadero promenade, at Ruocco Park, and at Embarcadero Marina Park North a minimum of 72 hours in advance of the event to notify members of the public about the event.

Due to its temporary nature and limited scope, the proposed event would generate a minor amount of vehicle trips and would require limited use of equipment. Therefore, impacts related to air quality and greenhouse gas emissions 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.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

CATEGORICAL DETERMINATION

Categorical Exemptions: CEQA Guidelines Section 15304 (Class 4)/District Guidelines for Compliance with the CEQA Section 3.d: Minor Alterations to Land and CEQA Guidelines Section 15323 (Class 23): Normal Operations of Facilities for Public Gatherings

3.d. Minor Alterations to Land: 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

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 result in no permanent effects on the environment and would consist of the normal operations 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; Promenade; and 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 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 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 is a temporary event that 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.

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: 08/29/2023

Deputy/Assistant General Counsel

Signature: Shiraz D. Tanzeer
Date: 08/29/2023