



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

Project: American Society of Hematology Foundation 5K/3K  
Location: Fifth Avenue Landing, 600 Convention Way, San Diego, CA 92101  
Parcel No.: Various  
Project No.: 2023-116  
Applicant: Andrew Elliott, Race Director, American Society of Hematology; (770) 533-3706  
Date Approved: 09/14/2023

**PROJECT DESCRIPTION**

The proposed project is the American Society of Hematology (ASH) Foundation 5K/3K in the city of San Diego, California. The proposed run/walk event is in coordination with the ASH Foundation's Annual Conference which takes place at the Hilton San Diego Bayfront Hotel. All event participants would begin and finish the race at Fifth Avenue Landing. Runners and walkers participating in the 5K would run north along the South Embarcadero promenade, pass through Embarcadero Marina Park North, continue north along the promenade, turn around at the U.S.S. Midway, and finish the race by looping back along the promenade towards Fifth Avenue Landing. Similarly, the 3K route would run north along the South Embarcadero promenade, run around Embarcadero Marina Park North, and turn around towards Fifth Avenue Landing by crossing the pedestrian walk at Kettner Boulevard and following the South Embarcadero promenade south towards the finish line. There would be event security present at Kettner Boulevard to help runners/walkers safely cross the street and direct cars arriving and leaving the Embarcadero Marina Park North parking lot.

The proposed event, including set-up and breakdown, has a duration of approximately one-day and would take place in December. The 5K/3K is scheduled to occur in the early morning, and all runners/walkers are anticipated to complete the run/walk no later than 9:00 a.m. The event attendance is anticipated to be approximately 1,000 people. Signage shall be placed near the start and finish line as well as along the South Embarcadero promenade to notify members of public a minimum of 72 hours in advance of the event. Temporary Course Way Finder signage and traffic cones would be installed in Embarcadero Marina Park North to direct runners and walkers during the event. During the event, the promenade shall remain open and available for public use, and no event staging shall be permitted along the promenade. Parking for event participants would be available at the Convention Center Public Parking Garage (underground at the Convention Center) and the Bayfront Public Parking Garage (adjacent to Hilton Bayfront Hotel). No parking spaces are required for event staging.

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, 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: 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 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 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: Commercial Recreation; Park/Plaza; and Promenade

The proposed project 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 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 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.

### **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: 09/14/2023

Deputy/Assistant General Counsel

Signature: [Signature]  
Date: 09/14/2023