



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

Project: Temporary Waterside Activation by GDX Studios at Fifth Avenue Landing
Location: 600 Convention Way, San Diego, CA 92101
Parcel No.: 019-064
Project No.: 2025-073
Applicant: GDX Studios & Fifth Avenue Landing, Seth Bardacke, President, GDX Studios, (916) 548-8163
Date Approved: 6/27/2025

PROJECT DESCRIPTION

The proposed project would involve a temporary waterside activation by GDX Studios docked at the Fifth Avenue Landing (FAL) leasehold in the city of San Diego, California. The activation would be a free, temporary, promotional event and include:

- Docking of a combined 60' x 102' deck barge, composed of two (2) separate barges, at FAL Dock 1A. Barges would be docked utilizing existing dock cleats and not anchored to the bay bottom.
- Construction of a temporary deck and set with carnival-like attractions within the footprint of the barge. The activation will be fully enclosed with perimeter fencing and accessed via ramp for Americans with Disabilities Act (ADA) access and/or stairs.
- Deck materials will be loaded onto barge offsite at a marine terminal or other marine industrial location and tugged to FAL marina to be docked. Crew will assemble/install the deck, stairs, and the ADA ramp.
- Set materials will be loaded onto barges via crane from the south embarcadero promenade and set will be built on deck. It is anticipated that the crane would be onsite for approximately 4-6 hours. Pedestrian traffic control would be onsite to direct the public around the crane, however, no closures of the promenade would occur. There will be no staging of materials outside of the barge during construction. The maximum height of any structure of the set is about 25 feet.
- Once event is over, barge will be tugged out with set still on top of barge. No breakdown of set will take place at FAL or Embarcadero.

The temporary activation will correspond with the duration of the Comic-Con event in July. All proposed equipment is temporary and would be removed after the activation. Setup of the activation is anticipated to begin a week prior to the Comic-Con event, and removal is anticipated to be complete two days after the Comic-Con event.

The activation will be free and open to the public from approximately 9am – 6pm.

Due to its nature and limited scope, construction of the proposed project would generate a minor number of vehicle trips and would require limited use of equipment. Therefore, impacts related to air quality, greenhouse gas emissions, transportation and traffic are not anticipated to occur. Furthermore, the Applicant/Tenant 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 Exemption: CEQA Guidelines Section 15301 (Class 1)/District Guidelines for Compliance with CEQA Section 3.a: Existing Facilities and CEQA Guidelines Section 15304 (Class 4)/District Guidelines for Compliance with CEQA Section 3.d: Minor Alterations to Land

- 3.a. Existing Facilities: Includes operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:
 - (1) Repair, maintenance or minor alteration of existing mooring facilities, floats, piers, piles, wharves, bulkhead, revetment, buoys, or similar structures; marine terminal facilities; airport facilities; and commercial industrial, or recreational facilities
- 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 uses of land having negligible or no permanent effects on the environment

The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Section(s) of the District's *Guidelines for Compliance with CEQA* as identified above. These are appropriate for the proposed project because it is for a promotional activation on a temporary docked barge, would involve no expansion of use beyond that previously existing and would not result in a significant cumulative impact due to the continuation of the existing use, would result in no permanent effects on the environment, and would not involve the removal of mature, scenic trees. 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 Designation: Recreational Boat Berthing;

The proposed project conforms to the certified Port Master Plan because it would involve a temporary waterside recreational event consistent with the existing certified Land Use designation(s). 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 Exclusions: Section 8.a: Existing Facilities; Categorical Exclusions: Section 8.d: Minor Alterations to Land

- 8.a. Existing Facilities: The operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:
 - (10) Repair, maintenance or minor alteration of existing mooring facilities, floats, piers, bulkhead, revetment, buoys or similar structures
- 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 use 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 Categorically Excluded pursuant to the Section(s) of the District's *Coastal Development Permit Regulations* as identified above because it would involve no expansion of use beyond that previously existing and 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.

SCOTT CHADWICK
President/CEO

Determination by:
Luis Duran
Senior Planner
Development Services

Signature: Luis Duran
Date: 6/27/2025

Assistant/Deputy General Counsel

Signature: Shiraz Tangri
Date: 6/27/2025