



State of California - Department of Fish and Wildlife

2024 ENVIRONMENTAL DOCUMENT FILING FEE**CASH RECEIPT**

DFW 753.5a (Rev. 01/01/24) Previously DFG 753.5a

RECEIPT NUMBER:

37-12/19/2024-1043

STATE CLEARING HOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

SAN DIEGO UNIFIED PORT DISTRICT
DEVELOPMENT SERVICES DEPARTMENT

LEAD AGENCY EMAIL

DATE

12/19/2024

COUNTY/STATE AGENCY OF FILING

SAN DIEGO

DOCUMENT NUMBER

37-2024-1043

PROJECT TITLE

AMENDMENT TO POINT LOMA MARINA MASTER SPECIAL EVENTS PERMIT RENEWAL

PROJECT APPLICANT NAME

JOHN GRIMSTAD, POINT LOMA MARINA, LLC

PROJECT APPLICANT EMAIL

PHONE NUMBER

619-718-6260

PROJECT APPLICANT ADDRESS

4980 NORTH HARBOR DRIVE

CITY

SAN DIEGO

STATE

CA

ZIP CODE

92106

PROJECT APPLICANT (Check appropriate box)

☐ Local Public Agency☐ School District☐ Other Special District☐ State Agency☒ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)

\$4,051.25

\$

0.00

☐ Mitigated/Negative Declaration (MND)/(ND)

\$2,916.75

\$

0.00

☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW

\$1,377.25

\$

0.00

☒ Exempt from fee☒ Notice of Exemption (attach)☐ CDFW No Effect Determination (attach)☐ Fee previously paid (attach previously issued cash receipt copy)☐ Water Right Application or Petition Fee (State Water Resources Control Board only)

\$850.00

\$

0.00

☒ County documentary handling fee

\$

50.00

☐ Other

\$

0.00

PAYMENT METHOD:

☐ Cash☒ Credit☐ Check☐ Other

TOTAL RECEIVED

\$

50.00

SIGNATURE

X

AGENCY OF FILING PRINTED NAME AND TITLE

San Diego County Clerk, TIFFANI HOOD, Deputy

Payment Reference #: ORDER # 193169544 AND AUTH # 004683



SAN DIEGO COUNTY CLERK
CEQA FILING COVER SHEET

FILED
Dec 19, 2024 09:57 AM
JORDAN Z. MARKS
SAN DIEGO COUNTY CLERK
File # 2024-001130
State Receipt # 37121920241043

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

AMENDMENT TO POINT LOMA MARINA MASTER SPECIAL EVENTS PERMIT
RENEWAL

Check Document being Filed:

- ☐ Environmental Impact Report (EIR)
- ☐ Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- ☒ Notice of Exemption (NOE)
- ☐ Other (Please fill in type):

FILED IN THE OFFICE OF THE SAN DIEGO COUNTY CLERK ON <u>December 19, 2024</u> Posted <u>December 19, 2024</u> Removed _____ Returned to agency on _____ DEPUTY _____
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Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

Notice of Exemption*CEQA Guidelines Appendix E*

To: ■ San Diego County Recorder/County Clerk
1600 Pacific Highway, Suite 260
San Diego, CA 92101-2480

From: ■ San Diego Unified Port District
Development Services Department
3165 Pacific Highway
San Diego, CA 92101

Project Title: Amendment to Point Loma Marina Master Special Events Permit Renewal

Project Applicant: John Grimstad, Point Loma Marina, LLC, 4980 North Harbor Drive, San Diego, CA 92106;
(619) 718-6260

Project Location – Specific: 4890 North Harbor Drive, San Diego, CA 92106

Project location – City: San Diego

Project Location – County: San Diego

Description of Nature, Purpose, and Beneficiaries of Project: The proposed project would consist of the renewal of a Master Special Events Permit (MSEP) for the existing park adjacent to the Point Loma Marina (PLM) leasehold on 4980 N. Harbor Drive in the city of San Diego, California. A Coastal Act Categorical Determination of Exclusion was previously issued for a renewal of the original permit (Project No. 2019-204) on November 21, 2019, and this amendment would update the following project description to clarify existing language and reflect the most current logistics of the permit.

The project allows PLM to utilize the park for temporary special events (generally less than 48 hours each, excluding setup and breakdown times), such as, without limitation, weddings, holiday parties, concerts, conventioner meetings, lectures, classes, etc. (Temporary Special Events); for carts selling snacks, beverages, souvenirs and similar type items; and for no other purposes whatsoever. PLM shall maintain reasonable public access through the Event Premises to San Diego Bay at all times, including during Temporary Special Events. The Event Premises shall, at a minimum, be open and available for public use between the hours of 6:00 a.m. and 10:30 p.m. seven (7) days a week unless PLM is directed in writing by District's Executive Director, in their sole and absolute discretion, to maintain a different schedule. All walking and driving paths through the park will remain open and available for use by the general public and access to the 4-foot-wide waterside promenade will never be fenced, screened or blocked in any manner during the hours that the park is open and available for public use. Parking will be available at the public parking facilities located on North Harbor Drive and in the public parking lot adjacent to the PLM leasehold.

The proposed project also includes, but is not limited to, the following features:

1. The Event Premises shall be open and available for public use between the hours of 6:00 a.m. and 10:30 p.m. seven (7) days a week unless PLM is directed in writing by the District's Executive Director or their designee, in their sole and absolute discretion, to maintain a different schedule.
2. For the purpose of the permit, an "event" shall be defined as a booking by a single group. So, if a group books the Event Premises for a day and intends to have multiple activities in the Event Premises such as lunch and dinner, it shall be considered one event; provided, however, in between individual event activities (i.e., breakfast, lunch, dinner or reception), the group shall not occupy the park, but tables, tents, etc. may remain up.
3. In general, events shall not last more than 48 hours excluding set-up and break-down.

4. No more than five (5) events a year may last up to six (6) days excluding set-up and break-down. Regardless of an event's length, no more than five (5) events a month shall be allowed and at least four (4) days in between events shall occur where the park remains unoccupied by an event. Excepting from the maximum number of events detailed in Section 4 of the MSEP are short term events such as fitness and exercise classes, so long as the fitness and exercise class events are in compliance with all other conditions of the Permit and this Exhibit B, and the recurrence of the fitness and exercise classes is conducted in a reasonable manner and frequency so as to minimize any potential impacts to the public's access and use of the park.
5. PLM shall comply with the provisions of the MSEP and all applicable laws, rules, codes, regulations and requirements of the District and other governmental entities having jurisdiction.
6. PLM will coordinate all Temporary Special Events with the District's Parks & Recreation Department (unless notified in writing by District that another District department will be the District's coordinator) by electronic mail or letter. A minimum of thirty (30) days prior to each Temporary Special Event, PLM shall provide in writing to the District, the following information: (i) the name of the event; (ii) the type of event (e.g., corporate, party, wedding, etc.); (iii) the name of the sponsoring organization; (iv) scheduled or proposed dates of the event; (v) the equipment that will be installed for the event (e.g., tent, stage, number of tables, number of chairs, etc.); (vi) the estimated number of attendees; (vii) the type of amplified sound, if any, and what will be heard at the event (e.g., emcee, speeches, music, etc.); (viii) the name of the PLM event organizer responsible for the event; and (ix) the name of a contact person or persons at PLM, or a designated representative, which District Staff may reach twenty-four (24) hours a day, seven (7) days a week regarding complaints about the event. PLM will also coordinate Temporary Special Events with other tenants or businesses in the area, if their operations may be impacted by a Temporary Special Event.
7. Notwithstanding Section 6 of the MSEP, in the event that PLM has a Temporary Special Event planned within any six (6) month period, on or before the fifth (5th) day of each and every month during term of the PLM Master Special Events Permit, PLM shall provide to the District a written report that lists all of the Temporary Special Events that are scheduled during the next six (6) months including (i) the name of the event; (ii) the type of event (e.g., corporate, party, wedding, etc.); (iii) the name of the sponsoring organization; (iv) the scheduled or proposed dates of the event; (v) the estimated number of attendees; and (vi) the type of amplified sound, if any, and what will be heard at the event (e.g., emcee, speeches, music, etc.).
8. For events that do not meet conditions 2 or 3, above, the District reserves the right to require a special event permit issued by the District's Parks & Recreation Department (unless notified in writing by District that another District department will be the District's coordinator).
9. For events that require a special event permit from the District per Section 8 above, PLM shall submit a permit application a minimum of sixty (60) days in advance of the event date and all required documentation for the permit must be submitted a minimum of thirty (30) days in advance of the first event date (inclusive of set-up dates). Once the permit is approved and issued, the District, at its sole discretion, reserves the right to deny change requests.
10. Except during Temporary Special Events, all walking paths through the Event Premises shall remain open and be available for use by the general public and access on said walking paths through the Event Premises to the 4-foot-wide public pedestrian access easement shall never be fenced, screened or blocked in any manner during the hours that the Event Premises are open and available for public use.
11. The event space in the Event Premises shall not be cordoned off during events except for during weddings, or when alcohol is being served (as required by the California State Department of Alcoholic Beverage Control). Otherwise, the Premises shall be open and available to the general public for use for public park

purposes including, but not limited to, family gatherings, picnics, sunbathing, etc., during all hours that the Premises are open and available for public use. At least 2 signs stating the park is open to the public shall be posted during events.

12. Verbal and music presentations may be amplified through a sound system, but the sound levels cannot exceed the City of San Diego noise standards.
13. PLM shall keep and maintain the Premises including, but not limited to, landscaping, hardscape, public art and other improvements, in a good, safe, healthy, and sanitary condition at all times. PLM shall maintain the Premises to a park standard that, as a minimum, equals the District's standard of maintenance at the nearby Shelter Island Shoreline Park.
14. PLM shall make arrangements for adequate restroom facilities, including drinking water, for persons attending Temporary Special Events in the Event Premises.
15. PLM shall provide an adequate number of trash receptacles throughout the Premises for use by the general public and shall promptly dispose of trash.
16. PLM shall install, maintain, repair, replace and provide, as needed, adequate lighting for safety purposes during night-time hours that the Premises are open and available for public use.
17. PLM will provide to District at least thirty (30) days in advance, a traffic management and parking plan for major Temporary Special Events that will create above normal traffic impacts at and near the Premises.
18. PLM will provide the District (and updates as changes are made), with the names and telephone numbers (including cellular telephone numbers) of PLM personnel that coordinate Temporary Special Events at the Premises.
19. PLM shall provide or ensure that a sufficient number of adequately trained personnel are available at Temporary Special Events to handle security, fire and emergency aid.
20. In considering applications to hold Temporary Special Events, PLM agrees, at all times, to fully comply with all laws now existing or hereinafter enacted, prohibiting discrimination against any person or class of persons by reason of race, color, religion, sex, national origin, ancestry, physical or mental disability, veteran status, medical condition, marital status, sexual orientation and age.
21. Sub-permits to organizations and groups holding Temporary Special Events shall require adequate commercial general liability insurance that names PLM and the San Diego Unified Port District as additional insured entities. The insurance coverage may be carried through PLM's insurance policies, or at PLM's option, under policies maintained by the sub-permittees.
22. Sub-permits to organizations and groups holding Temporary Special Events shall require said organizations and groups as sub-permittees to defend, indemnify and hold harmless PLM and the District and its officers, employees, and agents to the fullest extent permitted by law, for any and all liability, claims, judgments, damages, proceedings, orders, directives, costs, including reasonable attorneys' fees, or demands arising directly or indirectly out of the obligations undertaken in connection with the sub-permit or sub-permittee's occupancy, possession or use of the Premises, except claims or litigation arising through the sole negligence or willful misconduct of PLM and/or District. This indemnity obligation must apply for the entire time that any third party can make a claim against or sue PLM and/or District for liabilities arising out of the sub-permittee's occupancy, possession or use of the Premises.

PLM will be responsible for compliance with all laws and regulations associated with the activities on or in connection with the above-described premises, and in all uses thereof, including, but not limited to, those regulating hazardous substances and stormwater. The following best management practices (BMPs) will be implemented at each event, pursuant to Article 10 of the San Diego Unified Port District Code:

- Trash dumpsters, portable toilets, or generators shall have secondary containment, be placed under overhead cover, and/or be located away from open stormdrain inlets or catch basins and away from the water's edge. Secondary containment for trash dumpsters may be accomplished by placing a berm around the dumpster to contain leaks. Trash dumpsters must have lids and be covered.
- The special event area is to be kept free of all spills and debris; however, a spill kit is to be accessible to the event coordinator or person in charge of spill response in case a spill occurs.
- Catch basins and storm drain inlets within the special event area are to be protected with temporary screens or filters prior to the event.
- Fencing is to be placed around the waterside perimeter of the event to prevent any windblown trash or debris from reaching the Bay. Where fencing is not feasible, regular and frequent trash and debris removal is to be conducted by event organizers.
- Adequate trash and recycling receptacles are to be provided, kept at acceptable levels (not overflowing), and covered with lids when not in use. Frequent trash and litter removal is to be conducted throughout the duration of the event and secondary containment is to be used when transporting waste.
- Vehicles and equipment are to be maintained, and the special event area is to be kept free of leaks and spills. All wash water is to be captured, contained, and disposed of properly.
- Street sweeping of parking lots, streets and roads associated with the event shall be conducted as needed.
- All hazardous waste, such as cooking oil and grease, are to be captured, contained, and disposed of properly.
- Storage areas are to be minimized throughout the duration of the event and the special event site is to be kept clear of indoor pollutants being tracked outdoors.
- Employee training is to be conducted prior to the event to ensure that BMPs are properly implemented and maintained and that employees are aware of the discharge prohibitions.

Direction related to permitted special event activities can be found in the District Jurisdictional Runoff Management Document (JRMP). The JRMP is available on the District website: (<https://www.portofsandiego.org/environment/environmental-protection/stormwater>) or by contacting the Environmental Protection Department at (619) 686-6254.

The proposed project would renew the permit for a term of approximately five (5) years. The project may be terminated by the Executive Director of the District or their duly authorized representative or PLM as a matter of right and without cause at any time upon the giving of ninety (90) days' notice in writing to the other party of such termination.

Name of Public Agency Approving Project: San Diego Unified Port District (SDUPD)

Exempt Status: (Check one): ☐ Ministerial (Sec. 21080(b)(1); 15268);

- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ **Categorical Exemptions: Existing Facilities (SG § 15301) (Class 1) and Normal Operations of Facilities for Public Gatherings (SG § 15323) (Class 23)**
- ☐ Statutory Exemption. State code number:

Reason Why Project is Exempt: The proposed project is determined to be Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Sections 15301 (Existing Facilities) and 15323 (Normal Operations of Facilities for Public Gatherings) and Section 3.a. of the District's *Guidelines for Compliance with CEQA* because the proposed project would consist of the renewal of a master special events permit for PLM to coordinate special events permitting of the existing park adjacent to PLM that would involve no expansion of use beyond that previously existing, would not allow any new development, would not result in a significant cumulative impact due to the continuation of the existing use, and would consist of the normal operations of existing facilities for public gatherings. Typically, permitting special events in parks is the responsibility of the District, however, the project would allow PLM to be responsible for the permitting of that park. Section 3.a. of the District's *CEQA Guidelines* and Section 15323 of the CEQA Guidelines are as follows:

- 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:
- (4) New and renewed short-term tenancy agreements which do not result in change in the existing use. This exemption does not apply to any new development associated with the activities of the tenant. This exception is also inapplicable if the cumulative impact of continuing the existing use or conditions in the same place, over time, is significant.

AND/OR

Normal Operation 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.

Lead Agency Contact Person and Telephone Number: Davin Cox, (619) 686-6293

Signature:  **Date:** 12/19/24 **Title:** Assistant Planner

- ☒ Signed by Lead Agency
- ☐ Signed by Applicant

Date received for filing at OPR/Clerk:

San Diego County



Transaction #: 8141644
Receipt #: 2024456944

JORDAN Z. MARKS

Assessor/Recorder/County Clerk

1600 Pacific Highway Suite 260

P. O. Box 121750, San Diego, CA 92112-1750

Tel. (619) 237-0502 Fax (619) 557-4155

www.sdarcc.gov

Cashier Date: 12/19/2024

Cashier Location: SD

Print Date: 12/19/2024 9:58 am

Payment Summary

Total Fees	\$100.00
Total Payments	\$100.00
Balance:	\$0.00

Payment

VITALCHEK PAYMENT	\$100.00
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Total Payments	\$100.00
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Filings

CEQA - NOE	FILE #: 2024-001130 Date: 12/19/2024 9:57AM	Pages: 6
	State Receipt # 37-12/19/2024-1043	
Fees:	Fish & Wildlife County Administrative Fee	\$50.00
Total Fees Due:		\$50.00

CEQA - NOE	FILE #: 2024-001131 Date: 12/19/2024 9:57AM	Pages: 3
	State Receipt # 37-12/19/2024-1044	
Fees:	Fish & Wildlife County Administrative Fee	\$50.00
Total Fees Due:		\$50.00

Grand Total - All Documents:	\$100.00
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