



# Special Event Guidelines

## California Environmental Quality Act (CEQA)

### May 2014

#### Effective July 1, 2014

Pursuant to the California Environmental Quality Act (CEQA), the City of San Diego will perform environmental review of all Special Event Permit Applications that: (1) Are received by the City on or after July 1, 2014; or, (2) Have Special Event dates on or after January 1, 2015.

#### Why do Special Events require environmental review?

CEQA is a California state law that requires public agencies such as the City to consider the impacts of their actions on the environment. A public agency is required to comply with CEQA when it undertakes activities defined by CEQA as “projects”, including the approval of permits, where a public agency uses its discretion to grant such approval. As defined by CEQA, the term “project” generally refers to the whole of an action which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Because Special Events have the potential to affect the environment and because the City has the authority to condition, approve, or deny a Special Event Permit Application, state law requires the City to perform environmental review of the project prior to the issuance of a Special Event Permit.

#### What is the City doing to help with the CEQA requirements for Special Events?

The City of San Diego recognizes the importance of Special Events to the vitality, quality of life, and economic prosperity of our community. To oversee the implementation, consistency, and efficiency of the environmental review process associated with Special Events, the City will identify a staff member knowledgeable about CEQA to serve as the primary point of contact with Special Event organizers. Additionally, at this time, there is no fee associated with the cost of City staff conducting environmental review and any City staff review related to an appeal of such environmental review relating to Special Event Permit Applications. However, should City staff’s review of a Special Event Permit Application require a Special Event applicant to retain the services of an outside consultant or any other private service(s) to conduct a technical study or any other environmental review, the Special Event applicant shall be fully and solely responsible for any and all such expenses.



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#### What is a CEQA determination?

As a result of the environmental review conducted for a Special Event Permit Application, a CEQA determination is made by City staff. In many cases, such a determination is publicly noticed in a written Notice of Right to Appeal (NORA). Any appeals of an environmental determination will be heard by the City Council. The environmental appeal to the City Council is the final administrative remedy for challenging an environmental determination on a Special Event Permit Application. It should be noted that the City Council action does not preclude a third party from filing a lawsuit to further challenge an environmental determination, which may further delay the issuance of a Special Event Permit.

Under CEQA, there are a number of different environmental determinations that may be made related to a particular Special Event Permit Application. Three common environmental determinations are described below. Additionally, a special event may be covered by environmental review that was previously conducted and in that case, a new environmental document or NORA may not be required.

#### Categorical Exemption

A Special Event that falls within a list of classes of projects which has been determined to have no significant effect on the environment may receive a categorical exemption. Examples of categorical exemptions that may apply to certain Special Events include Minor Alterations to Land and Normal Operations of Facilities for Public Gatherings.

#### Negative Declaration or Mitigated Negative Declaration

A Special Event that cannot be deemed categorically exempt and is determined to require more detailed environmental review and possible mitigation measures due to its potentially significant effect on the environment may require a Negative Declaration or Mitigated Negative Declaration.

#### Environmental Impact Report

A Special Event that will cause a significant impact on the environment even after mitigation measures are instituted will require the issuance of an environmental



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document known as an Environmental Impact Report, which will identify possible ways to mitigate the significant effects and describe reasonable alternatives to the project.

#### How does environmental review affect the planning timeline for my event?

The environmental review of a Special Event Permit Application cannot begin until the operational aspects, including but not limited to items such as street closures, traffic plans and site plans depicting the location of all stages, tents, temporary structures, fences and other components of a Special Event Permit Application are finalized. Therefore, it is critical to the Special Event Permit Application review process that Special Event applicants submit *completed* Special Event Permit Applications and supporting plans that accurately represent all aspects of the Special Event. Any changes to a permit application that could impact the environment after the completion of the environmental review could trigger the initiation of a new environmental review process.

**Because of the strict time frames associated with the CEQA review process, the City of San Diego may not be able to process late Special Event Permit Applications or last minute Special Event changes that affect the environment.** A Special Event Permit cannot be issued without a final CEQA determination that has completed the City's environmental review process, which may include an appeal of the determination.

#### Sample Timeline for a Special Event Permit Application

The following chart is intended for planning purposes only and represents a sample timeline associated with the submission of a Special Event Permit Application that complies with the City's requirements for Special Events as described in the Special Event Planning Guide and which receives a categorical exemption determination.

Timelines will vary based upon specific factors associated with each Special Event Permit Application. Among other factors, Special Events with more complicated or environmentally sensitive elements or that are proposed to be located within or in close proximity to an environmentally sensitive location may require a more time-consuming and higher level of environmental review as previously described. Additionally, applications that are not complete



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or require follow-up for more detailed plans may require additional time for review. Therefore, organizers of Special Events should plan accordingly. It is strongly recommended that Special Event applicants submit completed Special Event Permit Applications to the City of San Diego as soon as reasonably possible so that there is sufficient time to address any unanticipated or unforeseen circumstances.

Processing Steps	Average Days for Processing
1. Special Event Permit Application review for public safety and operational compliance with Special Events Planning Guide and other City requirements	30—60 Days
2. Once all public safety and operational plans are finalized <b>and prior</b> to permit issuance, initiate CEQA review. The following timeline applies to an event with a Categorical Exemption*: <ul style="list-style-type: none"> <li>a. Planning, Neighborhoods &amp; Economic Development (PNED) Department determination (10—14 days)</li> <li>b. Public Notice of Right to Appeal (14 days**)</li> <li>c. City Council Environmental Determination Appeal Hearing (30—45 business days depending upon meeting schedule)</li> </ul>	24—28 Days, unless an appeal is filed  30—45 Days additional time if an appeal is filed
Total Average Days For Permit Issuance	54—88 Days No CEQA Appeal
	84—133 Days with City Council CEQA Appeal

\*Technical studies and additional public noticing timelines may be required for Special Events that are determined to require a Negative Declaration, Mitigated Negative Declaration or Environmental Impact Report. Special Event applicants should anticipate a minimum of 90—180 days for completion of the environmental review required for these types of determinations.

\*\*San Diego Municipal Code section 112.0310(f) requires posting of the Notice of Right to Appeal for 10 business days, which essentially equates to 14 calendar days.