



**Date of Notice:** September 16, 2024

# **NOTICE OF RIGHT TO APPEAL**

## **ENVIRONMENTAL DETERMINATION**

### **CITY PLANNING DEPARTMENT**

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**PROJECT NAME/NUMBER:** San Diego Opera 60<sup>th</sup> Anniversary Opening Night  
**COMMUNITY PLAN AREA:** Downtown  
**COUNCIL DISTRICT:** 3  
**LOCATION:** San Diego Concourse: 202 C Street, San Diego, CA, 92101

**PROJECT DESCRIPTION:** City to license, permit and authorize the San Diego Opera Association to enter and use certain areas within the San Diego Concourse in support of the San Diego Opera 60<sup>th</sup> Anniversary Opening Night on November 1, 2024.

**ENTITY CONSIDERING PROJECT APPROVAL:** City of San Diego

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) and 15323 (Normal Operations for Public Gatherings).

**ENTITY MAKING ENVIRONMENTAL DETERMINATION:** City of San Diego Mayor-Appointed Designee.

**STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:**

The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment pursuant to State CEQA Guidelines Section(s) 15301 (Existing Facilities) which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use; and Section 15323 (Normal Operations of Facilities for Public Gatherings) which 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. The exceptions listed in CEQA Guidelines Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effects on the environment were identified; the project is not adjacent to a scenic highway; no historical resources would be affected by the action; and as to the exception for hazardous materials, there was one location listed on GeoTracker within 1,000 feet of the premises. While this location is listed, the proposed project would not involve ground disturbance which would expose potential hazardous materials, and as such would not preclude the use of a CEQA exemption pursuant to Section 65962.5 of the Government Code.

**CITY CONTACT:** Koy Nichols, Program Manager, Economic Development Department

**MAILING ADDRESS:** 1200 Third Avenue, Suite 1700, San Diego, CA 92101

**PHONE NUMBER/E-MAIL:** 619-235-5248 / [knichols@sanidiego.gov](mailto:knichols@sanidiego.gov)

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On September 16, 2024, the City of San Diego made the above-referenced environmental determination pursuant to CEQA. This determination is appealable to the City Council. If you have any questions about this determination, contact the City Contact listed above.

Applications to appeal the CEQA determination to the City Council must be filed with the Office of the Clerk within five (5) business days from the date of the posting of this Notice (**September 23, 2024**). Appeals to the City Clerk must be filed via e-mail or in-person as follows:

1. Appeals filed via Email: The Environmental Determination Appeal Application Form [DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Send the completed appeal form (including grounds for appeal and supporting documentation in pdf format) by email to [Hearings1@sanidiego.gov](mailto:Hearings1@sanidiego.gov) by 5:00p.m. on the last day of the appeal period; your email appeal will be acknowledged within 24 business hours. You must separately mail the appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be United States Postal Service (USPS) postmarked) before or on the final date of the appeal.
2. Appeals filed In-Person: The Environmental Determination Appeal Application Form [DS-3031](#) can be obtained at: <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Bring the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation) to the City Administration Building— Public Information Counter (Open 8:00am to 5:00pm Monday through Friday excluding City approved holidays), 1st Floor Lobby, located at 202 C Street, San Diego, CA 92101, by 5:00pm on the last day of the appeal period. The completed appeal form shall include the required appeal fee, with a check payable to: City Treasurer.

The appeal application can also be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.

**POSTED ON THE CITY'S CEQA WEBSITE**

**POSTED: 9/16/2024**

**REMOVED: \_\_\_\_\_**

**POSTED: V. Sandoval**