



Date of Notice: July 15, 2021

# NOTICE OF RIGHT TO APPEAL

## ENVIRONMENTAL DETERMINATION

### PLANNING DEPARTMENT

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**PROJECT NAME/NUMBER:** Special Event Permit – DAY MVS XL

**COMMUNITY PLAN AREA:** Downtown

**COUNCIL DISTRICT:** 3

**LOCATION:** Harbor Drive, Access Road, Grape Street, Pacific Highway, Ash Street, County of San Diego Water Park at the Embarcadero

**PROJECT DESCRIPTION:** Special Event Permit for lane, sidewalk, and road closures within San Diego that would be associated with a two-day music festival that would occur at the County of San Diego Waterfront Park at the Embarcadero on August 7-8, 2021. The event permit would be issued by the County. Lane/sidewalk closures would occur from 7 AM on August 3, 2021, until 6 PM on August 9, 2021, and would include one NB lane, the parking area, and the sidewalk on Harbor Drive between Ash and Grape, the access road on Harbor Drive between Hawthorne and Grape Streets, one parking lane and the sidewalk of Grape Street between N. Harbor Drive and Pacific Highway, the parking lane and sidewalk on the west side of Pacific Coast Highway between Grape and Ash Streets, and the w/b lanes of Ash Street between Pacific Coast Highway and Harbor Drive. Noise associated with the event activities and set-up/dismantling would occur from 7 AM on August 3, 2021, until 6 PM on August 9, 2021. There would be three stages with musical performances and sound amplification would occur from 9 AM until 11 PM on August 7-8, 2021. Set-up would occur from 7 AM until 10 PM on August 3-6, 2021. On August 7, 2021, set-up would occur from 7 AM until 12 PM, and the event would occur from 12 PM until 11 PM. On August 8, 2021, set-up would occur from 8 AM until 12 PM, the event would occur from 12 PM until 11 PM, and dismantling would occur from 11 PM until 11 :59 PM. On August 9, 2021, dismantling would occur from 12 AM until 6 PM.

**ENTITY CONSIDERING PROJECT APPROVAL:** City of San Diego Mayor-Appointed Designee

**ENVIRONMENTAL DETERMINATION:** CEQA exemptions §Section 15301 (Existing Facilities); §Section 15304(e) (Minor Alterations to Land); §Section 15311 (Accessory Structures).

**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 and determined the project meets the categorical exemption criteria set forth in the CEQA State Guidelines: §Section 15301 (Existing Facilities) which allows for the operation, repair, maintenance, permitting, leasing, licensing or minor alterations of existing public or private structures or facilities involving negligible or no expansion of use; §Section 15304(e) (Minor Alterations to

Land) which allows for minor, temporary use of land that has negligible or no permanent effects on the environment; §Section 15311 (Accessory Structures) which allows for construction, or placement of minor structures accessory to existing commercial, industrial, or institutional facilities, including, but not limited to, temporary use items in publicly owned facilities or other facilities designated for public use.

In addition, the exceptions set forth in the CEQA State Guidelines §15300.2 do not apply to this project wherein: a) the project would not impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies; b) no cumulative impacts of successive projects of the same type in the same place were identified; c) there is no reasonable possibility that the project would have a significant effect on the environment due to unusual circumstances; d) the project would not result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway; e) the project is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code; and f) the project would not cause a substantial adverse change in the significance of a historical resource.

**CITY CONTACT:** Theresa Millette  
**MAILING ADDRESS:** 1200 Third Avenue, Suite 1326, MS 56A  
San Diego, CA 92101  
**PHONE NUMBER:** (619) 685-1336

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On July 15 2021, the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (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 CEQA determination to the City Council must be filed with the Office of the Clerk within 10 business days from the date of the posting of this Notice (**July 29, 2021**). During the Statewide "Safer-at-Home" directive to reduce the spread of COVID-19, beginning March 19, 2021, appeals to the City Clerk must be filed by email or US Mail as follows:

1. Appeals filed via E-mail: Send the appeal by email to [Hearings1@sandiego.gov](mailto:Hearings1@sandiego.gov); your email appeal will be acknowledged within 24 hours. The [appeal application can be obtained here](#). 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 postmarked within 5 business days of the date the appeal is filed.
2. Appeals filed via US Mail: Send the appeal by US Mail to City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. Appeals filed by US Mail must have a United States Postal Service (USPS) postmark by the appeal deadline to be considered valid. The [appeal application can be obtained here](#). You must separately mail the required 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 postmarked within 5 business days of the date the appeal is filed.

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

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

**POSTED: 07/15/21**

**Name: T Millette**