



**Date of Notice:** December 9, 2019

# **NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION PLANNING DEPARTMENT**

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**PROJECT NAME:** Flat Rate Ground Lease with Metropolitan Airpark LLC for Office Space and Improved Land at Brown Field Municipal Airport

**COMMUNITY PLAN AREA:** Otay Mesa

**COUNCIL DISTRICT:** District 8

**LOCATION:** Brown Field Municipal Airport, 1424 Continental Street, San Diego, CA 92154

**PROJECT DESCRIPTION:** A three-year flat rate ground lease agreement between the City of San Diego (City) and Metropolitan Airpark LLC (Lessee) for real property at Brown Field Municipal Airport consisting of approximately 1,200 square feet of office space and approximately 43,560 square feet of improved land (Premises), along with the non-exclusive use of all public airport facilities at the airport and all appurtenant easements and rights of access between the Premises and any adjacent public streets, rights-of-way, and utilities that exist as of the lease commencement date. Lessee will use the Premises for the purpose of constructing and operating an interim aircraft refueling facility, which consists of the installation of two above-ground 10,000 gallon fuel tanks to be constructed on the Premises "Fuel Farm"; providing corporate and construction administration services; and subleasing an interim pre-fabricated operations facility to the Customs and Border Protection (CBP). Lessee will construct the temporary CBP facility offsite for placement on a concrete ramp across from the terminal building. Lessee will trench within the existing parking lot for the installation of new utility services for the Premises which will connect to existing services at Brown Field Municipal Airport, and will provide trash containers and onsite parking. Lessee will also install and maintain fences, gates, walls, and/or barriers on the Premises to prevent unauthorized access. Lessee will maintain the Premises and all improvements, fixtures, structures, or installations in a decent, safe, healthy, and sanitary condition as to not interfere with the safe operation of the airport.

Lessee will not construct or install any buildings or structures on the Premises or otherwise improve or alter the Premises in any manner except in accordance with written plans and specifications submitted to and approved, in writing, by the City. All construction activities will be conducted outside of the western burrowing owl (*Athene cunicularia*) breeding/nesting season (February 1 through August 31) and Lessee will be required to implement all burrowing owl species specific avoidance measures in accordance with the City's MSCP Subarea Plan and will follow all guidance issued by the City's MSCP staff during permit review. Lessee will be required to remove all improvements constructed on the Premises upon the expiration or termination of this lease.

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

**ENVIRONMENTAL DETERMINATION:** This activity is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities), Section 15303 (New Construction or Conversion of Small Structures), and Section 15304 (Minor Alterations to Land).

**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 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; Section 15303 (New Construction or Conversion of Small Structures) which consists of construction and location of limited numbers of new, small facilities or structures, installation of small new equipment and facilities in small structures, and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure; and Section 15304 (Minor Alterations to Land) which consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. 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 the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

**CITY CONTACT:** Michele King, Property Agent  
**MAILING ADDRESS:** Real Estate Assets Department – Airports Division  
3750 John J. Montgomery Drive, MS 14, San Diego, CA 92123  
**PHONE NUMBER:** (858) 573-1433

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On December 9, 2019, 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 the CEQA determination to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (**December 23, 2019**). The appeal application can 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 IN THE OFFICE OF DSD**

**POSTED: 12/9/2019**

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

**POSTED: E. Pascual**