



**Date of Notice:** August 29, 2023

# **NOTICE OF RIGHT TO APPEAL**

## **ENVIRONMENTAL DETERMINATION**

### **PLANNING DEPARTMENT**

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**PROJECT NAME/NUMBER:** Consent to Assignment of Sublease covering that certain Hangar Lease Agreement between MYF Holdings, LLC and MDB Air, LLC at the Montgomery-Gibbs Executive Airport

**COMMUNITY PLAN AREA:** Kearny Mesa

**COUNCIL DISTRICT:** 7

**LOCATION:** Montgomery-Gibbs Executive Airport at 3753 John J. Montgomery Drive, San Diego, CA 92123

**PROJECT DESCRIPTION:** This Consent to Assignment of Sublease ('Consent') is executed by the City of San Diego ('City') and MYF Holdings, LLC, a Delaware Limited Liability Company, and MBD Air, LLC, (Lessee), located at the Montgomery Gibbs Executive Airport (3753 John J. Montgomery Drive, San Diego, CA 92123), to be effective upon execution by the respective authorized representatives of City, Lessee, Subtenant (defined below), and Assignee (defined below) and approval as to form by the San Diego City Attorney (the 'Effective Date').

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

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities).

**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 allows 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 where the exceptions listed in CEQA 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:** Thurman Hodges, Supervising Property Agent, Real Estate Assets - Airports Division

**MAILING ADDRESS:** 3750 John J. Montgomery Drive, MS 14, San Diego, CA 92123

On August 29, 2023 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 in the office of the City Clerk within five (5) business days from the date of the posting of this Notice on **(September 5, 2023)**. Per the revised Public Notice issued by the Office of the City Clerk on September 28, 2021, 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:** August 29, 2023

**REMOVED:**

**POSTED:** vanessa Sandoval