



**Date of Notice:** December 5, 2022

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

## **PLANNING DEPARTMENT**

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**PROJECT NAME:** Midway Rising – License Agreements

**COMMUNITY PLAN AREA:** Midway-Pacific Highway

**COUNCIL DISTRICT:** 2

**LOCATION:** 3240, 3250, 3500 and 3340-3360 Sports Arena Boulevard, San Diego, CA 92110

**PROJECT DESCRIPTION:** Issuance of four (4) License Agreements to Midway Rising allowing access to 3240, 3250, 3500, and 3340-3360 Sports Arena Blvd. on a non-exclusive basis for preliminary site due diligence which would include activities such as geo-sampling, soil borings, a preliminary soil report, and Phase 1 environmental analysis.

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

**ENVIRONMENTAL DETERMINATION:** This activity is categorically exempt from CEQA pursuant to CEQA Guidelines Sections 15301 (Existing Facilities) and 15306 (Information Collection)

**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 CEQA Guidelines Section 15301 (Existing Facilities) which exempts 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 15306 (Information Collection) which allows for basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which public agency has not yet approved, adopted, or funded. The exceptions to the exemptions 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.

**PROJECT MANAGER:** Penny Maus, Director, Department of Real Estate and Airport Management

**MAILING ADDRESS:** 1200 Third Avenue, 17<sup>th</sup> Floor, San Diego, CA 92101  
**E-MAIL/PHONE NUMBER:** [pmaus@sandiego.gov](mailto:pmaus@sandiego.gov) / (619) 236-7346

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On December 5, 2022, 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 Project Manager 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 (**December 12, 2022**). 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: Send the appeal by email to [Hearings1@sandiego.gov](mailto:Hearings1@sandiego.gov); your email appeal will be acknowledged within 24 hours. You must separately mail the required appeal fee by check payable to the City Treasurer to: **City of San Diego Planning Department, Attn: Jordan Moore, 9485 Aero Drive, MS 413, San Diego, CA 92123**. The appeal filing fee must be postmarked within 5 business days of the date the appeal is filed.
2. Appeals filed In-Person: The appeal application can be obtained in the Lobby of the City Administration Building located at 202 'C' Street, San Diego, CA 92101. The completed appeal package must include the required appeal fee in the form of a check payable to the City Treasurer to: **City of San Diego Planning Department, Attn: Jordan Moore, 9485 Aero Drive, MS 413, San Diego, CA 92123**. The appeal filing fee must be postmarked within 5 business days of the date the appeal is filed.

If you have any questions regarding the procedures to file the appeal, please contact **Jordan Moore** at [JTMoore@sandiego.gov](mailto:JTMoore@sandiego.gov). The revised Public Notice can be found here: [https://www.sandiego.gov/sites/default/files/office\\_of\\_the\\_city\\_clerk\\_public\\_notice\\_rev09252020\\_v2.pdf](https://www.sandiego.gov/sites/default/files/office_of_the_city_clerk_public_notice_rev09252020_v2.pdf)

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

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

**POSTED: 12/05/22**

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

**POSTED: J. Moore**