



**Date of Notice:** January 29, 2024

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

## **CITY PLANNING DEPARTMENT**

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**PROJECT NAME/NUMBER:** Sidewalk Replacement Group 2331 – CMR, RB & SS

**COMMUNITY PLAN AREA:** Carmel Mountain Ranch, Sabre Springs, and Rancho Bernardo

**COUNCIL DISTRICT:** 5

**LOCATION:** City right-of-way located within the Carmel Mountain Ranch, Sabre Springs, and Rancho Bernardo Community Planning Areas (see Figure 1)

**PROJECT DESCRIPTION:** Conversion and/or installation of curb ramps (Type D) along the existing developed public right-of-way (ROW) within the Carmel Mountain Ranch, Sabre Springs, and Rancho Bernardo Community Planning Areas (see Figure 1) for compliance with the Americans with Disabilities Act (ADA). The proposed improvements include excavation of unsuitable base materials and asphalt pavement; and repair and in-kind replacement of damaged sidewalks, curbs, gutters, curb ramps, and driveways. The project also includes as-needed tree related work as identified by the City Arborist including, but not limited to, tree trimming, tree root relocation, tree root pruning, sidewalk bridging, stump removal, installment of root barriers, and tree removal and/or tree replacement. The removal, relocation, and/or trimming of street trees will occur under the supervision of the City Arborist and in conformance with Council Policy 900-19, where necessary for construction operations. A Traffic Control Plan (TCP) will be implemented during construction work.

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

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301 (Existing Facilities), Section 15302 (Replacement or Reconstruction), 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 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 15302 (Replacement or Reconstruction) which consists of the replacement or reconstruction of existing

structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced; Section 15303 (New Construction or Conversion of Small Structures) which consists of the 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 project area is adjacent to the City's Multi-Habitat Planning Area (MHPA) (nearest location approximately 10-20 feet away). Work is expected from July 2024 through June 2025 and may occur within the City's bird breeding season (February 1 – September 15). The project area is located fully within developed ROW in residential neighborhoods; and adjacent to Interstate 15 (I-15) to the west, California State Route 56 (SR-56), and major roads (Poway Road, Ted Williams Parkway, and Rancho Bernardo Road). As such, the project is not expected to result in or create a significant increase in the existing ambient noise levels. Further, the project will comply with the City's Construction Noise Limits [San Diego Municipal Code (SDMC) Section 59.5.0404]. Nighttime work may occur as-needed. All nighttime lighting will comply with the City's Outdoor Lighting Regulations pursuant to SDMC Section 142.0740 to the maximum extent practicable and directed away from the MHPA using appropriate placement and shielding. As-needed stormwater construction Best Management Practices (BMPs) to prevent non-stormwater discharges from entering the City's stormwater conveyance system will be implemented throughout project construction. The proposed project will comply with the City's Multiple Species Conservation Program (MSCP) MHPA Land Use Adjacency Guidelines, including guidelines related to noise, lighting, and drainage, as applicable. The project is located within an area outside of the development period in which historic sidewalks with scored patterns and stamps would have been constructed. Further, City Engineers have conducted a pre-construction assessment of the project area and did not identify any historical demarcations requiring historical preservation. In the event that any historic sidewalk stamps, street signs, lampposts, street trees, and/or other hardscape and cultural landscape elements are identified during project construction, the Contractor would be required to protect and preserve these per Policy HP-A.5 of the City's General Plan Historic Preservation Element and SDMC Section 142.0670(a)(1).

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 historic 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:** Steven Medina, Associate Engineer, Transportation Department

**MAILING ADDRESS:** 2781 Caminito Chollas, San Diego, CA 92105

**PHONE NUMBER/E-MAIL:** (619) 527-7511 / [SMMedina@sandiego.gov](mailto:SMMedina@sandiego.gov)

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On January 29, 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 (**February 1, 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@sandiego.gov](mailto:Hearings1@sandiego.gov) by 5:00pm 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: 1/29/2024**

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

**POSTED: E. Ramirez Manriquez**



**Figure 1**  
**Sidewalk Replacement Group 2331**  
**Street Segments Overview Map**

**Transportation Department**  
**Street Division**

