



Date of Notice: March 6, 2024

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

CITY PLANNING DEPARTMENT

PROJECT NAME/NUMBER: Sidewalk Replacement Group 2330 – LV & N

COMMUNITY PLAN AREA: Linda Vista & Navajo

COUNCIL DISTRICT: 7

LOCATION: City right-of-way located within the Linda Vista and Navajo Community Planning Areas (see attached Figures)

PROJECT DESCRIPTION: The project involves furnishing all labor, materials, equipment, services and construction for the removal, replacement and repair of tree-related and non-tree-related damaged sidewalks, curbs and gutters, curb ramps and driveways; excavation of unsuitable base materials and asphalt pavement; as well as required tree services such as root pruning, tree trimming, tree removal, stump removal, installation of root barrier, and tree planting to mitigate the impact of trees on streets, sidewalks, and surface drainage. Tree services and other vegetation related work have been determined through recommendations by a City horticulturist and an arborist will be required on-site for certain work per the recommendation of the City horticulturist. The project will involve the conversion and/or installation of curb ramps (Type D) to meet ADA requirements, storm drain inlet protection, sediment control, and possible weekend work. All work would occur within the public right-of-way or previously disturbed non-sensitive areas only, and outside the City's Multiple Habitat Planning Area (MHPA). Sensitive vegetation will not be impacted or removed. Storm Water Best Management Practices (BMPs) for erosion control preventing discharge, as well as a Traffic Control Plan (TCP) would be implemented throughout construction.

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 August 2024 through May 2026 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 8 (I-8), California State Route 125 (SR-125), California State Route 163 (SR-163), and major roads (Linda Vista Road, Navajo Avenue, and Waring 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]. 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. Portions of the project are located within an area 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 identified 42 date stamps and impressions requiring historical preservation. The historical date stamps and impressions will be preserved per Whitebook Standards. In the event that additional 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. As to the exception for hazardous materials, there are locations listed on GeoTracker and EnviroStor within 1,000 feet of the public right-of-way. While these locations are listed, there are no open environmental cases of known hazardous material contamination that would be disturbed which would otherwise preclude use of a CEQA exemption pursuant to Section 65962.5 of the Government Code.

CITY CONTACT: Eric Luong, Associate Engineer, Transportation Department

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On March 6, 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 (**March 13, 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 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: 03/06/2024

REMOVED:

POSTED: v. Sandoval





