



THE CITY OF SAN DIEGO

Date of Notice: April 26, 2024

NOTICE OF RIGHT TO APPEAL

ENVIRONMENTAL DETERMINATION

ENGINEERING & CAPITAL PROJECTS

IO# 16000044

PROJECT NAME: Emergency Maintenance of Storm Water Channels and Culverts – Council Districts 1, 4, and 9 (Orion Construction)

COMMUNITY PLAN AREA: Torrey Pines, Encanto, and Mid-City Communities (Eastern Area)

COUNCIL DISTRICTS: 1, 4, and 9

LOCATION: The project sites are located near Sorrento Valley Road, between Carmel Mountain Road and Industrial Court, 4051 College Avenue, 4149 Cartagena Drive, 4941 Dalehaven Place, Euclid Avenue, between Market Street and Naranja Street, and east of Euclid Avenue near Castana Street.

PROJECT DESCRIPTION: A visual inspection of Soledad Creek, Chollas Creek, South Chollas Creek, and appurtenant drainages revealed accumulated vegetation, sediment, and debris from recent rain events, impeding stormwater flow.

The project will clear accumulated vegetation, sediment, and debris from culverts and underpasses along Soledad Creek, Chollas Creek, and South Chollas Creek. The project will also repair the concrete lining along the channels near 4149 Cartagena Drive and 4941 Dalehaven Place. Failure to remove these blockages and repair the concrete linings increases the likelihood of future flooding, erosion, and impacts on private property and the public right-of-way. The proposed work is the minimum necessary to ensure the operational capacity of the storm water conveyance infrastructure.

If debris removal or repair work permanently impacts Environmentally Sensitive Lands, a subsequent Site Development Permit (SDP) will be required per Section 143.0126 of the Land Development Code.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego

ENVIRONMENTAL DETERMINATION: This activity is statutorily exempt from CEQA pursuant to CEQA Statute Sections 21080(b)(2) and (4) and CEQA Guidelines Sections 15269(b) and (c) (Emergency Projects).

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego Engineering & Capital Projects

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego conducted an environmental review that determined the project meets the definition of an “Emergency” as defined in CEQA Guidelines Section 15359 (Emergency) as the project involves a sudden, unexpected occurrence involving a clear and imminent danger, demanding immediate action to prevent or mitigate the loss of, or damage to, life, health, property, or essential public services, including the repair of significant leaks from spalling and cracking concrete in the dam structure. This emergency repair is required in order to protect public health, safety, and property and is supported by the expert opinion of the City Engineer. Thus, this emergency activity is statutorily exempt from CEQA pursuant to CEQA Statute Section 21080(b)(2) and CEQA Guidelines Section 15269(b) (Emergency Projects), which exempts emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to public health, safety or welfare. This activity is also statutorily exempt from CEQA pursuant to CEQA Statute Section 21080(b)(4) and CEQA Guidelines Section 15269(c) (Emergency Projects), which exempts specific actions necessary to prevent or mitigate an emergency.

CITY PROJECT MANAGER: Eriberto J Valdez Jr.
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On April 26, 2024 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 Project Manager listed above.

Applications to appeal CEQA determination to the City Council must be filed in the Office of the City Clerk within ten (10) business days from the date of the posting of this Notice (by May 10, 2024). Appeal procedures are described in Information Bulletin 505 (<https://www.sandiego.gov/sites/default/files/dsdib505.pdf>). Appeals to the City Clerk must be filed by email or in person as follows:

- 1) Appeals filed via E-mail: 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 application form (including grounds for appeal and supporting documentation in pdf format) by email to Hearings1@sanidiego.gov by 5:00 p.m. on the last day of the appeal period; your email appeal will be acknowledged within 24 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 within 5 business days of the date the appeal is filed.
- 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>. Deposit the fully completed appeal application (including grounds for appeal and supporting documentation) to the City Administration Building—Public Information Counter (Open 8:00 a.m. to 5:00 p.m. Monday through Friday excluding City-approved holidays), 1st Floor Lobby, located at 202 C Street, San Diego, CA 92101, by 5:00 p.m. 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. Please include the project name on the memo line of the check/money order This Drop-Off Box is checked daily, and payments are processed the following business day.

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

POSTED ON THE CITY'S CEQA WEBSITE

POSTED: 4/26/2024

REMOVED: _____

POSTED: E. Valdez