



Date of Notice: June 18, 2024

# NOTICE OF RIGHT TO APPEAL

## ENVIRONMENTAL DETERMINATION

### CITY PLANNING DEPARTMENT

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**PROJECT NAME/NUMBER:** Penasquitos East Maintenance Assessment District Landscape Maintenance Agreement

**COMMUNITY PLAN AREA:** Rancho Penasquitos

**COUNCIL DISTRICT:** 5

**LOCATION:** The Penasquitos East Maintenance Assessment District is generally located within the Rancho Penasquitos Community Planning Area, as depicted in Figure 1 (attached).

**PROJECT DESCRIPTION:** The contractor shall perform complete landscape maintenance and improvements of all contract areas identified in the Scope of Work within the Penasquitos East Maintenance Assessment District. Improvements and activities generally consist of maintenance and servicing of landscaped and hardscaped rights-of-way, landscaped and hardscaped medians, a mini-park, open space, enhanced bus stops, and community entrance signs in the District are depicted in Figure 1. The maintenance, in general, consists of irrigation; fertilization; removal of weeds, trash, and litter; pruning of trees and shrubs; replacement of dead and diseased trees and shrubs; repair of equipment and facilities; and weed abatement. The use of chemicals shall conform to the current San Diego County Department of Agriculture regulations. No chemical herbicides, insecticides, or rodenticides, shall be applied until its use is approved, in writing, by the Contract Administrator as appropriate for the purpose and area proposed.

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

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) 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 State 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 or facilities involving negligible or no expansion of use; 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; and where the exceptions 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; as to the exception for hazardous materials, there are locations listed on GeoTracker and EnviroStor within 1,000 feet of the project area. While these locations are listed, there are no 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:** Monica Honoré, District Manager, Parks and Recreation Department

**MAILING ADDRESS:** 202 C Street MS 5D, San Diego, CA 92101

**PHONE NUMBER/E-MAIL:** 619-685-1325/ MHonore@sandiego.gov

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On June 18, 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 (**June 26, 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 5:00p.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: 6/18/2024**

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

**POSTED:** V. Sandoval