



Date of Notice: August 21, 2024

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

CITY PLANNING DEPARTMENT

PROJECT NAME: Right of Entry Permit between the City of San Diego and ABL Construction & Restoration, Inc.

COMMUNITY PLAN AREA: Downtown

COUNCIL DISTRICT: District 3

LOCATION: Pantoja Park, 524 W. G St., San Diego, CA 92101

PROJECT DESCRIPTION: Approval of a Right of Entry (ROE) Permit between the City of San Diego and ABL Construction & Restoration, Inc. (Permittee) for the construction and installation of Pantoja William H. Davis Monument (monument) on City-owned land within Pantoja Park (permit area). The ROE is limited to the use of the permit area to install the monument and for no other purposes. The scope of the work for the project includes replacing an existing concrete pavement section (42 inches x 52 inches) with new fiber concrete foundation, in accordance with section details shown on Sheet 3 and San Diego Regional Standard for sidewalk pavement replacement. The new fiber concrete foundation shall have a four inch gravel base, installed over compacted soil. A granite stone block (35 inches x 45 inches) will be forklifted to the site. The granite stone shall be hoisted onto two rods embedded in the new fiber concrete foundation to secure the base of the monument to the new foundation. Concrete epoxy will also be applied to the base of the granite block to secure it to the new fiber concrete foundation. Plaques will be attached to the granite block with information about William H. Davis.

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, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use, 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; 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; and no historical resources would be affected by the action.

As to the exception for hazardous materials, there are locations listed on EnviroStor within 1,000 feet of the public right-of-way. While these locations are listed, the proposed project would not involve ground disturbance which would expose potential hazardous materials, and as such would not preclude the use of a CEQA exemption pursuant to Section 65962.5 of the Government Code.

PROJECT MANAGER: Wendelien Anderson, Area Manager II

MAILING ADDRESS: City of San Diego Parks and Recreation Department, 2125 Park Blvd., MS 32, San Diego CA 92101

PHONE NUMBER/E-MAIL: (619)-235-5294 / wbanderson@sandiego.gov

On August 21, 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 (**August 28, 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 5:00 pm 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 8:00 am to 5:00 pm Monday through Friday excluding City approved holidays), 1st Floor Lobby, located at 202 C Street, San Diego, CA 92101, by 5:00 pm 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: 8/21/2024

REMOVED: _____

POSTED: T. Ash-Reynolds