



Date of Notice: April 28, 2025

# NOTICE OF RIGHT TO APPEAL

## ENVIRONMENTAL DETERMINATION

### CITY PLANNING DEPARTMENT

---

**PROJECT NAME/NUMBER:** Landscape Maintenance within Torrey Highlands Maintenance Assessment District Agreement

**COMMUNITY PLAN AREA:** Torrey Highlands

**COUNCIL DISTRICT:** 1 and 5

**LOCATION:** The Torrey Highlands Maintenance Assessment District is located near the intersection of Camino Del Sur and California State Route 56, within the Torrey Highlands Community Planning Area (Figure 1).

**PROJECT DESCRIPTION:** Agreement between the City of San Diego (City) and the successful proposer (Contractor) for Request for Proposal #10090274-25-G to perform complete landscape maintenance and improvements of all contract areas identified in the Scope of Work within the Torrey Highlands Maintenance Assessment District (MAD; Figure 1), including, but not limited to the following: irrigation, pruning, shaping, and training of trees, shrubs, turf, and groundcover plants; fertilization; mulch application; litter control; trash receptacle liner replacement; weed control; control of all plant diseases and pests; mowing; edging; renovation and aeration; sweeping; graffiti removal; graffiti coating application for monuments; as-needed monument signs power washing; and all other as-needed maintenance required to maintain the contract areas in a safe, attractive, and useable condition and to maintain the plant material in good condition with horticulturally acceptable growth and color.

Upon written approval from the City, the Contractor may also perform additional as-needed miscellaneous projects within the MAD, including, but not limited to: planting and replanting areas; installing and repairing irrigation systems; replacing irrigation controllers and irrigation cabinets; locating and repairing damaged electrical service lines; bee nest removal; clean-up of illegal dumps; and providing a Registered Consulting Arborist (RCA) for various tree needs for revenue cost recovery (e.g., vehicle accidents, etc.) and testifying as an expert in a Court of Law. The MAD also includes as-needed maintenance and repair of the approximately 5,808 linear feet of white vinyl split rail fencing on the east and west side of Camino del Sur including power washing.

The Torrey Highlands MAD contract areas include landscaped street medians; hardscaped street medians; landscaped rights-of-ways (ROW); undeveloped ROW; landscaped slopes; gutters; and concrete brow ditches. The proposed MAD contains some areas adjacent to (less than approximately 150 feet) the City's Multi-Habitat Planning Area (MHPA), however, all proposed maintenance activities will occur within the ROW and will not encroach onto the MHPA. Additionally, any proposed maintenance work that occurs adjacent to the MHPA will only use hand tools and will not impact any native vegetation or sensitive species or habitats. There are no designated historical trees included in the maintenance area.

No nighttime work is proposed as part of this agreement. Contractor shall be responsible for the repair or in-kind replacement for any damage or alteration to existing facilities, including irrigation systems, that result from Contractor's performance of this Agreement.

In the event that work would require temporary blockage of streets, sidewalks, alleys, or bikeways, the Contractor will provide a written notice to the impacted residences and file such notice at the City's Development Services Department's (DSD's) Traffic Engineering Division, Plan Check Counter; and comply with the traffic control plans prescribed in Chapter 5 of the Caltrans Traffic Manual: Traffic Control for Construction and Maintenance Work Zones. As-needed stormwater construction Best Management Practices (BMPs) to prevent non-stormwater discharges from entering the City's stormwater conveyance system will be implemented pursuant San Diego Municipal Code Section 43.0307. As-needed sidewalk and median repairs will be conducted in accordance with the City's Land Development Code, Land Development Manual, and other standards and guidelines including, but not limited to, the Standard Specifications for Public Works Construction (i.e., The "GREENBOOK") 2021 Edition, the City's Standard Specifications for Public Works Construction (i.e., "The WHITEBOOK") 2021 Edition, and any applicable technical or informational bulletins published by DSD.

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

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities), 15302 (Replacement or Reconstruction), 15303 (New Construction or Conversion of Small Structures), and 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 exempts 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 and Reconstruction), which exempts 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 exempts 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 exempts 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 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; and as to the exception for hazardous materials, there are locations listed on EnviroStor and GeoTracker within 1,000 feet of the project area. While these locations are listed, the proposed projects 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.

**CITY CONTACT:** Loren Boerboom, District Manager, Parks & Recreation Department

**MAILING ADDRESS:** 9485 Aero Dr., San Diego, CA 92123

**PHONE NUMBER/E-MAIL:** (619) 685-1356 / [LBoerboom@san Diego.gov](mailto:LBoerboom@san Diego.gov)

---

On April 28, 2025, 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 City Clerk within five (5) business days from the date of the posting of this Notice (**May 5, 2025**). 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@san Diego.gov](mailto:Hearings1@san Diego.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:** April 28, 2025

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

**POSTED:** J. Moore

# Torrey Highlands Maintenance Assessment District

