



**Date of Notice:** January 2, 2020

# **NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION PLANNING DEPARTMENT**

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**PROJECT NAME/NUMBER:** Right of Entry Permit for Presidio Park HOA Improvements

**COMMUNITY PLAN AREA:** Eastern Area

**COUNCIL DISTRICT:** Council District 9

**LOCATION:** Clay Neighborhood Park, 4767 Seminole Drive, San Diego, CA 92115

**PROJECT DESCRIPTION:** Right of Entry Permit between the City of San Diego and Restoration Systems & Consulting Inc. (Permittee) allowing Permittee to traverse across the Permit Area to perform work on property adjacent to City-owned property. The scope of work will include: 1) detaching the existing City-owned chain link fence to gain access to Presidio Park Apartment Complex; 2) cutting down and removing a non-City-owned Pepper Tree and a volunteer Pepper Tree (determined by the City's Parks & Recreation Department Arborist to be Presidio Park Apartment Complex's responsibility) that is undermining the retaining wall; 3) removing and replacing the retaining wall and footing; 4) reinstalling the chain link fence along the property line; and 5) performing other minor repairs to disturbed City-owned property to return it to its previous condition. Permittee's staging area will be in the dirt planting bed to avoid damage to existing grass or irrigation and will be used for the overnight storage of construction materials or vehicles required for the Project. Plywood will be placed and removed daily to protect the grass at all entry points.

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

**ENVIRONMENTAL DETERMINATION:** This activity is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities), Section 15302 (Replacement or Reconstruction), 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; Section 15302 (Replacement or Reconstruction) which consists of 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; 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 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 the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

**CITY CONTACT:** Brian Anthony, Area Manager  
**MAILING ADDRESS:** 5319 Orange Ave, San Diego, CA 92115  
**PHONE NUMBER:** 619-235-1145

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On January 2, 2020, 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 Contact listed above.

Applications to appeal the CEQA determination to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (**January 16, 2020**). The appeal application can 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.

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**POSTED: E. Pascual**