



Date of Notice: August 12, 2021

NOTICE OF RIGHT TO APPEAL

ENVIRONMENTAL DETERMINATION

PLANNING DEPARTMENT

PROJECT NAME/NUMBER: Right of Entry Permit for The Haunted Trail San Diego, LLC

COMMUNITY PLAN AREA: Balboa Park

COUNCIL DISTRICT: District 3

LOCATION: Marston Point, Pine Grove Picnic Area in Balboa Park

PROJECT DESCRIPTION: The use of the Permit Area by The Haunted Trail San Diego, LLC ("Permittee") shall be limited to the following: (1) operation of the Haunted Trail attraction; (2) the assembly of approximately fifteen (15) scenes constructed of aluminum frames and plywood; and (3) parking of two (2) trailers, a school bus, a power generator and a dumpster on the Permit Area in order to operate the Haunted Trail attraction. Live and animated characters may be used in the scenes. Participants shall follow a roped course in the Permit Area. The Haunted Trail attraction will be contained by a temporary secured fence south of Juniper Street and east of Balboa Drive. All new construction must comply with the City design guidelines, regulations, California Building Code Title 24, and Americans with Disability Act standards.

The Haunted Trail attraction will be open to the public from September 23, 2021 through October 31, 2021. Permittee shall completely dismantle the Haunted Trail attraction by the close of business for the Balboa Park-Marston Point/Pine Grove Area on November 7, 2021.

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 15303 (New Construction or Conversion of Small Structures), Section 15304 (Minor Alterations to Land), Section 15311 (Accessory Structures), and Section 15323 (Normal Operations of Facilities for Public Gatherings).

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 15303 (New Construction or Conversion of Small Structures) which consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment or 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; 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; Section 15311 (Accessory Structures) which consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities; and Section 15323 (Normal Operations of Facilities for Public Gatherings) which consist of the normal operations of existing facilities for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same or similar kind of purpose. For the purposes of this section, "past history" shall mean that the same or similar kind of activity has been occurring for at least three years and that there is a reasonable expectation that the future occurrence of the activity would not represent a change in the operation of the facility. 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: Johnny Chou

MAILING ADDRESS: 2125 Park Blvd., San Diego, CA 92101

EMAIL / PHONE NUMBER: JChou@sandiego.gov / 619-235-1106

On August 12, 2021, 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 Program Manager listed above.

Applications to appeal the CEQA determination to the City Council must be filed with the Office of the Clerk within 5 business days from the date of the posting of this Notice (**August 19, 2021**). During the Statewide "Safer-at-Home" directive to reduce the spread of COVID-19, beginning March 19, 2020, appeals to the City Clerk must be filed by email or US Mail as follows:

1. Appeals filed via Email: Send the appeal by email to Hearings1@sandiego.gov; your email appeal will be acknowledged within 24 hours. You must separately mail the required appeal fee by check payable to the City Treasurer to: **City of San Diego Planning Department, Attn: Sureena Basra, 9485 Aero Drive, MS 413, San Diego, CA 92123**. The appeal filing fee must be postmarked within 5 business days of the date the appeal is filed.
2. Appeals filed via US Mail: Send the appeal by US Mail to **City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101**. Appeals filed by US Mail must have a United States Postal Service (USPS) postmark by the appeal deadline to be considered valid. You must separately mail the required appeal fee by check payable to the City Treasurer to: **City of San Diego Planning Department, Attn: Sureena Basra, 9485 Aero Drive, MS 413, San Diego, CA 92123**. The appeal filing fee must be postmarked within 5 business days of the date the appeal is filed.

If you have any questions regarding the procedures to file the appeal, please contact **Sureena Basra** at SBasra@sandiego.gov.

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

POSTED ON THE CITY'S CEQA WEBSITE

POSTED: 8/12/2021

REMOVED:

POSTED: S Basra