



**Date of Notice:** October 26, 2023

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

## **CITY PLANNING DEPARTMENT**

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**PROJECT NAME/NUMBER:** San Diego River Conservancy Direct Grant Program Pilot Project

**COMMUNITY PLAN AREA:** College Area; Mid-City: Kensington-Talmadge; Navajo; and Tierrasanta

**COUNCIL DISTRICT:** 7 and 9

**LOCATION:** City Right-of-Way located within the College Area; Mid-City: Kensington-Talmadge; Navajo; and Tierrasanta Community Planning Areas (see Figure 1).

**PROJECT DESCRIPTION:** The proposed project involves the performance of San Diego River Conservancy Direct Grant Program activities to support the City of San Diego's (City's) Brush Management Program. The proposed project includes purchasing battery-powered, cordless trimmers to replace the City's Fire-Rescue Department's (SDFD) gas-powered brush management and weed abatement equipment; purchasing two new SDFD vehicles for the transportation of fuel treatment and equipment to aid in fire risk reduction; providing education, outreach, and community awareness through vehicle wrap signage; and purchasing new proprietary fuel treatment (Mighty Fire Breaker Citrotech-31) to create and maintain fuel breaks between open space and private property. Mighty Fire Breaker Citrotech-31 is an Environmental Protection Agency's (EPA) Safer Choice's qualified product that contains ingredients that exhibit more positive environmental and human health characteristics than conventional fire-fighting formulations. Application of Mighty Fire Breaker Citrotech-31 will only occur within the developed Right-of-Way (ROW) (Figure 1) as part of a pilot project between the City's Parks & Recreation Department - Open Space Division (P&R) and SDFD. The treated areas will be recorded via GPS tracking to monitor effectiveness and prevent overtreatment, and the results will be shared publicly via an ArcGIS mapping tool created on SDFD's website.

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

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to CEQA Guidelines Sections 15301 (Existing Facilities), 15304(i) (Minor Alterations to Land) and 15306 (Information Collection)

**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 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(i) (Minor Alterations to Land) which exempts minor public or private alterations in the condition of land, water, and/or vegetation which do not involve the removal of healthy, mature, scenic trees except for forestry or agricultural purposes, including fuel management activities within 30 feet of structures to reduce the volume of flammable vegetation, provided that the activities will not result in the taking of endangered, rare, or threatened plant or animal species or significant erosion and sedimentation of surface waters. This exemption also applies to fuel management activities within 100 feet of a structure if the public agency having fire protection responsibility for the area has determined that 100 feet of fuel clearance is required due to extra hazardous fire conditions. This activity is also exempt pursuant to CEQA Guidelines Section 15306 (Information Collection) which exempts basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource; these may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded. The Mighty Fire Breaker Citrotech-31 application areas are located approximately 50 – 350 feet away from the City's Multi-Habitat Planning Area (MHPA); however, application would only occur within the developed ROW and would not result in direct or indirect impacts to any sensitive plant or animal species, or result in significant erosion and sedimentation of surface waters, and will be monitored by P&R staff biologists to ensure compliance with the City's Landscape Standards. Fuel treatment application would not result in significant noise impacts to sensitive noise receptors. The exceptions to the exemptions 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.

**PROJECT MANAGER:** Anthony Tosca, Fire Marshal, San Diego Fire-Rescue Department

**MAILING ADDRESS:** 525 3<sup>rd</sup> Floor, San Diego, CA 92101

**PHONE NUMBER/E-MAIL:** 619-533-4431 / [Atosca@sandiego.gov](mailto:Atosca@sandiego.gov)

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On October 26, 2023, 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 (**November 2, 2023**). 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.

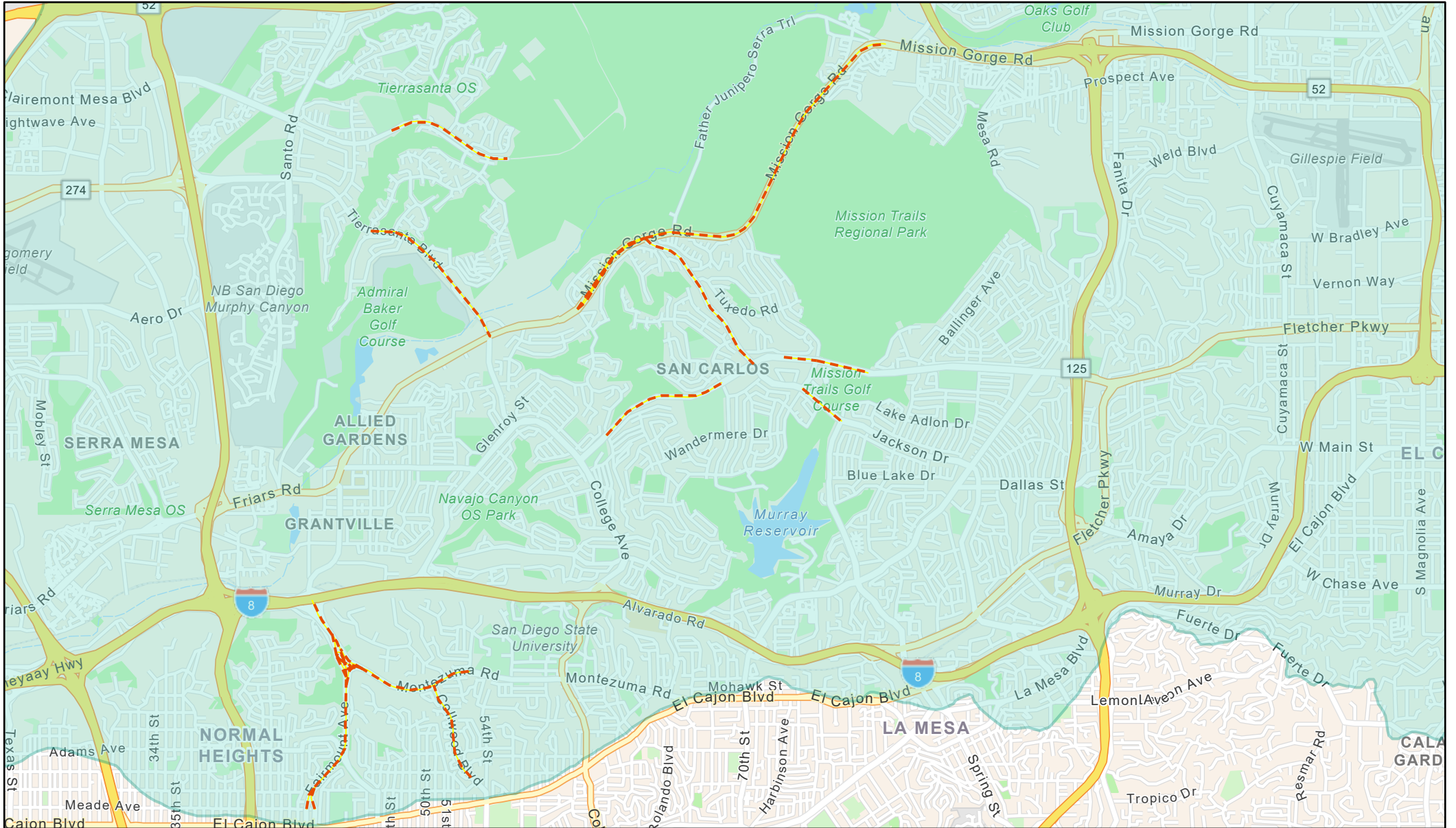
**POSTED ON THE CITY'S CEQA WEBSITE**

**POSTED: 10/26/2023**

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

**POSTED: E. Ramirez Manriquez**

Figure 1 - River Conservancy Grant Map



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- - - River Conservancy Grant Roads - Segments w/in Watershed Management Area in San Diego
- River Conservancy Grant Roads -10 foot Buffer w/in Water Management Area in San Diego
- Watershed Management Area (San Diego River)

