



Date of Notice: June 27, 2024

# NOTICE OF RIGHT TO APPEAL

## ENVIRONMENTAL DETERMINATION

### CITY PLANNING DEPARTMENT

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**PROJECT NAME/NUMBER:** ROE Solana Highlands Neighborhood Park and Joint Use Area Paving Resurfacing

**COMMUNITY PLAN AREA:** Carmel Valley

**COUNCIL DISTRICT:** Council District 1

**LOCATION:** 13097 Candela Pl, San Diego, CA 92130

**PROJECT DESCRIPTION:** This activity is for the issuance of a Right-of-Entry (ROE) Permit between the City of San Diego (City) and LC Paving & Sealing Inc. (Permittee), allowing the Permittee to perform one-time repairs of asphalt and concrete paving located on a portion of Solana Highlands Neighborhood Park Joint Use Facility. The proposed scope of work consists of demolition, repair, and replacement of existing concrete swale, concrete pavement, asphalt pavement, and associated infrastructure. The permittee may use a non-exclusive construction path of travel over the existing park asphalt parking lot. The permittee is also granted exclusive use of the asphalt playcourt area as a fenced construction staging area. The permit area includes space to construct the improvements both on parkland and the adjacent Solana Highlands Elementary School located on Solana Beach School District property.

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

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to 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 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 or 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; 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. 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. 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 historic 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:** Shannon Scoggins, Parks and Recreation Department

**MAILING ADDRESS:** 202 C Street, Mail Station 35, San Diego, CA 92101

**PHONE NUMBER/E-MAIL:** 619-236-6894, [sscoggins@sandiego.gov](mailto:sscoggins@sandiego.gov),

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On June 27, 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 (**July 5, 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](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: 6/27/2024

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

POSTED: Gjohansen