



**Date of Notice:** July 17, 2024

# **NOTICE OF RIGHT TO APPEAL**

## **ENVIRONMENTAL DETERMINATION**

### **CITY PLANNING DEPARTMENT**

---

**PROJECT NAME:** Landscape Maintenance Services Agreement for the Ocean View Hills Maintenance Assessment District

**COMMUNITY PLAN AREA:** Otay Mesa

**COUNCIL DISTRICT:** District 8

**LOCATION:** The Ocean View Hills Maintenance Assessment District (MAD). The boundaries of the Ocean View Hills MAD are shown in Exhibit A, Ocean View Hills MAD Boundary Location (Exhibit A).

**PROJECT DESCRIPTION:** The proposed agreement between Treebeard Landscape, Inc. (contractor) and the City of San Diego is to conduct complete landscape and hardscape maintenance and improvements for the Ocean View Hills MAD. The Ocean View Hills MAD contract areas include landscaped street medians, hardscaped street medians, landscaped right-of-way (ROW), open space within the MHPA, landscaped slopes, sidewalks, gutters, curbs, streets, and concrete brow ditches. The scope of work for this agreement includes, but is not limited to the following: irrigation; pruning, shaping, and training of trees, shrubs, turf, and groundcover plants; fertilization; litter control; weed control; control of all plant diseases and pests; edging; soil treatment; sweeping streets, gutters, and browditches; and all other maintenance required to maintain the sites included in this contract 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; bee nest removal; removing graffiti; locating and repairing damaged electrical service lines; clean-up of illegal dumps; and concrete, masonry and/or asphalt work for sidewalk and median repairs. The proposed MAD contains some areas within and adjacent to (less than approximately 50 feet) of the City's Multi-Habitat Planning Area (MHPA). Maintenance activities proposed within the MHPA includes litter removal, litter removal on trails and maintenance roads, and the maintenance of trail and ordinance signs. Maintenance activities proposed adjacent to the MHPA 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. No nighttime work is proposed as part of this agreement.

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

**ENVIRONMENTAL DETERMINATION:** Categorically exempt from CEQA pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities) 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 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 use beyond that existing at the time of the lead agency's determination; 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:** Loren Boerboom, District Manager

**MAILING ADDRESS:** City of San Diego Department of Parks & Recreation, 9485 Aero Dr., San Diego, CA 92123

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

---

On July 17, 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 24, 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 5:00 pm 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 8:00 am to 5:00 pm Monday through Friday

excluding City approved holidays), 1st Floor Lobby, located at 202 C Street, San Diego, CA 92101, by 5:00 pm 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: 7/17/2024**

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

**POSTED: T. Ash-Reynolds**

# Exhibit A: Ocean View Hills MAD Boundary Location

