



Date of Notice: September 25, 2019

NOTICE OF RIGHT TO APPEAL

ENVIRONMENTAL DETERMINATION

PLANNING DEPARTMENT

PROJECT NAME/NUMBER: Agreements and Permits between the City of San Diego, the California Department of Transportation, and the Little Italy Association regarding Landscape Maintenance and Decorative Plant Storage in the Little Italy District

COMMUNITY PLAN AREA: Downtown

COUNCIL DISTRICT: District 3

LOCATION: California Department of Transportation Right-of-Way, located at the intersection of State Street, Columbia Street, and Ivy Street in the Little Italy District of San Diego

PROJECT DESCRIPTION: Agreements and permits between the City of San Diego (City), the California Department of Transportation (Caltrans), and the Little Italy Association (LIA) regarding landscape maintenance and decorative plant storage in the Little Italy District. The agreements and permits include: 1) an Encroachment Permit between the City and Caltrans granting the City entry onto Caltrans' right-of-way; 2) a Landscape Maintenance Agreement between the City and Caltrans allowing the City to perform landscape maintenance in Caltrans' right-of-way; and 3) an agreement between the City and the LIA granting the LIA access to Caltrans' right-of-way to perform landscape maintenance per the LIA Maintenance Assessment District agreement, create a sustainable nursery, store planting materials and supplies, and assemble hanging baskets and seasonal displays to be used in the Little Italy District.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego

ENVIRONMENTAL DETERMINATION: This activity is "not a project" as defined in CEQA Guidelines Section 15378 and is therefore not subject to CEQA pursuant to State CEQA Guidelines Section 15060(c)(3). Nevertheless, even if this activity is subject to CEQA, this activity would be exempt pursuant to State CEQA Guidelines Section 15061(b)(3) and Section 15301 (Existing Facilities).

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 activity is "not a project" as defined in CEQA Guidelines Section 15378 and is therefore not subject to CEQA pursuant to State CEQA Guidelines Section 15060(c)(3). Nevertheless, even if this activity is subject to CEQA, this activity would be exempt pursuant to State CEQA Guidelines Section 15061(b)(3) which provides that CEQA applies only to projects which have the potential for causing a significant effect on the environment; and 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. 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: Elizabeth Studebaker
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On September 25, 2019, 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 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 (**October 9, 2019**). 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