



Date of Notice: October 11, 2023

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

CITY PLANNING DEPARTMENT

PROJECT NAME/NUMBER: License Agreement – Waste Management of California, Inc.

COMMUNITY PLAN AREA: Kearny Mesa

COUNCIL DISTRICT: 6

LOCATION: A portion of APN 346-032-04 (southwest of the intersection of Magnatron Boulevard & Kearny Mesa Road; see Figure 1)

PROJECT DESCRIPTION: License Agreement between Waste Management of California, Inc. (Licensee) and the City of San Diego (City) for the non-exclusive use of a portion of City-owned Assessor Parcel No. 346-032-04-00, consisting of approximately 8,400 square feet of fenced off, previously disturbed land located at the west side of Kearny Mesa Road, just to the south of Magnatron Boulevard, San Diego, California 92111 (Figure 1). The Licensee will utilize the permitted area for the storage of transfer containers for driver use, and other incidental uses allowed by the City by separate written consent, for a period of three (3) years. The Licensee will also be responsible for maintaining, repairing, reconstructing, and replacing, as necessary, all asphalt, concrete, landscaping, utility systems, irrigation systems, drainage facilities or systems, grading, subsidence, retaining walls or similar support structures, foundations, signage, ornamentation, and all other improvements on or to the License Area to maintain the appearance, character and level of quality of the License Area.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) 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 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; 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 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: Heide E. Farst, Supervising Property Agent, Department of Real Estate and Airport Management

MAILING ADDRESS: 1200 Third Avenue, Suite 1700, MS 51A, San Diego, CA 92101

PHONE NUMBER/E-MAIL: (619) 236-6727 / HFarst@sandiego.gov

On October 11, 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 (**October 18, 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 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: 10/11/2023

REMOVED: _____

POSTED: E. Ramírez Manríquez

FIGURE 1
(Portion of APN 346-032-04-00)

LICENSE AREA DESCRIPTION

The License Area is that portion of Assessor Parcel No. 346-032-04-00, consisting of approximately 8,400 square feet of land, which is an unimproved fenced lot located at the west side of Kearny Mesa Road, just to the south of Magnatron Boulevard, San Diego, California 92111, and generally identified in the following photograph with yellow highlighting:

