

NOTICE OF EXEMPTION

TO: Office of Planning and Research
State Clearinghouse
CEQASubmit.opr.ca.gov

County Assessor/Recorder/Clerk
Attn: Fish and Wildlife Notices
1600 Pacific Highway, Suite 260, MS A-33
San Diego, CA 92101

FROM: County of San Diego, Department of Public Works
Environmental Services Unit
Attn: Annisa Busch
5510 Overland Avenue, Suite 410, MS O-332
San Diego, CA 92123

SUBJECT: FILING OF NOTICE OF EXEMPTION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152

Project Name: GENERAL SERVICES - ADOPT A RESOLUTION TO SUMMARILY VACATE A PUBLIC WALK IN THE BORREGO SPRINGS COMMUNITY PLANNING AREA AND CEQA EXEMPTION (VAC 2023-0041) (DISTRICT:5)

Project Location: The vacation site is located on the public walk lying easterly of the De Anza Spur cul-de-sac which is between APN 140-234-05 and 140-242-62.

Project Applicant: County of San Diego
Department of General Services, Real Estate Services Division
5560 Overland Avenue, Suite 410
San Diego, California 92123-1294

Project Description: Adopt a Resolution to summarily vacate all the pedestrian right-of-way (public walk) at the east end of De Anza Spur cul-de-sac, that is located between APN 140-234-05 and APN 140-242-62. The public walk was dedicated to the public to provide a pedestrian walkway to the future golf course, but an asphalt pathway was constructed on APN 140-42-62 which provides the public the same intended purpose of pedestrian access to the golf course. The County Department of Public works has determined the public walk to be excess right-of-way which is no longer needed for present or future public use because this portion was never constructed, is not County-maintained and is not part of the General Plan Mobility Element.

Agency Approving Project: County of San Diego
County Contact Person: Thomas McCabe Telephone: 619-952-6413
Date Form Completed: August 28, 2024


This is to advise that the County of San Diego Board of Supervisors (County decision-making body) has approved the above described project on August 28, 2024 (#5) (Meeting Date /Item #) and found the project to be exempt from CEQA under the following criteria:

Exempt status and applicable section of the CEQA ("C") and/or State CEQA Guidelines ("G"): (check only one)

- Categorical Exemption:** Sec. G 15060(c)(2) – The activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.
- Categorical Exemption:** Sec. G 15060(c)(3) - Activity is exempt from the CEQA because it is not a project as defined in Section 15378.
- Declared Emergency:** Sec. C 21080(b)(3); Sec. G 15269(a)
- Emergency Project:** Sec. C 21080(b)(4); Sec. G 15269(b)(c)
- General:** Sec. C.
- Ministerial:** Sec. C 21080(b)(1); G 15268
- Preliminary Review:** Sec. G
- Statutory Exemption:** Sec. G

Statement of reasons why project is exempt: Find the proposed summary vacations are not subject to review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(2) and 15060(c)(3) because the action would not have a reasonably foreseeable direct or indirect effect on the environment and is therefore not a project subject to CEQA section 15378. The proposed action would vacate a pedestrian right-of-way (public walk) easement that has not been constructed and is not needed for future public purposes. There is no known plan to develop the area subject to the vacation for other purposes. Since the proposed action would merely remove an encumbrance from title and not result in any physical change in the environment it is exempt from CEQA review pursuant to Section 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines.

The following is to be completed only upon formal project approval by the appropriate County of San Diego decision-making body.

Signature:  Telephone: (858) 288-5740

Name (Print): Jeff Kashak Title: Environmental Planning Manager

This Notice of Exemption has been signed and filed by the County of San Diego.
This notice must be filed with the Recorder/County Clerk as soon as possible after project approval by the decision-making body. The Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than nine months. Reference: CEQA Guidelines Section 15062.