

NOTICE OF EXEMPTION

TO: Mail Stop: A-33
ARCC-Recorder
Attn: Jobell Rusit
1600 Pacific Highway
San Diego, CA 92101

FROM: Mail Stop: 0-368
County of San Diego,
General Services
Attn: Marcus Lubich
5560 Overland Avenue, Suite 410
San Diego, CA 92123

State Clearinghouse

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

Project Name: Right of Entry Permit between the County of San Diego and 222 North City, LLC

Project Location: 141-151 Carmel Street, San Marcos, CA 92078 (APN: 220-202-01)

Project Applicant: County of San Diego General Services,
5560 Overland Avenue, Suite 410, San Diego, CA 92123

Project Description: For the sole purpose of accessing approximately 3,000 square feet of County property to perform storm drain corrective work and incidental grading on Permittee's Property (APN: 220-202-73-00), and connect a newly constructed sidewalk on Permittee's Property to an existing sidewalk on the County property, and use County property to access and construct a retaining wall on Permittee's Property. The Right of Entry Permit shall commence on September 1, 2024, and expire November 30, 2026 (excluding weekends and County holidays). The Permittee and County may extend this term for an additional three (3) months to expire no later than February 28, 2027.

Agency Approving Project: County of San Diego

Date Form Completed: August 23, 2024

County Contact Person: Kelley Bernard-James

Telephone: (619) 932-8929

This is to advise that the County of San Diego Director of General Services has approved the above-described project on September 16, 2024, and found the project to be exempt from the CEQA under the following criteria:

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

- Declared Emergency [C 21080(b)(3); G 15269(a)]
 Emergency Project [C 21080(b)(4); G 15269(b)(c)]
 Statutory Exemption. C Section:
 Categorical Exemption. G Section(s): 15301. Existing Facilities & 15304. Minor Alterations to Land
 G 15182 – Residential Projects Pursuant to a Specific Plan
 Activity is exempt from the CEQA because it is not a project as defined in Section 15378.
 G 15061(b)(3) - It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and the activity is not subject to the CEQA.

Statement of reasons why project is exempt:

The Right of Entry Permit between the County of San Diego and 222 North City, LLC is categorically exempt from CEQA pursuant to Section 15301: Existing Facilities as it involves leasing existing sidewalk, parking, and landscaped area to access and construct retaining wall on adjacent property, perform storm drain corrective work and incidental grading, and construct a new sidewalk that does not involve the expansion or change of the existing County use. The Permit is also categorically exempt from CEQA pursuant to Section 15304 Minor Alterations to Land as it involves minor grading and temporary use of land having negligible or no permanent effects on the environment and doesn't involve removal of healthy, mature scenic trees. Further, no exceptions listed in CEQA Guidelines Section 15300.2 apply to the project. Additionally, the project will not impact environmental resources of hazardous or critical concern that are designated, precisely mapped and officially adopted by government agencies; does not contribute to cumulative environmental impact; will not have a significant impact on the environment due to unusual circumstances; does not damage scenic resources within a designated state scenic highway; and is not on the list of Hazardous Waste and Substance Sites pursuant to Section 65962.5 of the Government Code.

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

Signature: Marcus Lubich Telephone: (858) 414-4593

Name (Print): Marcus Lubich Title: Environmental Project 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 twelve months. Reference: CEQA Guidelines Section 15062.