

# ATTACHMENT A

## NOTICE OF EXEMPTION

TO: ☒ Mail Stop: A-33  
ARCC-Recorder  
Attn: CEQA Postings  
1600 Pacific Highway  
San Diego, CA 92101

☒ State Clearinghouse  
Sacramento, CA 95812-3044  
P.O. Box 3044

FROM: Mail Stop: 029  
County of San Diego,  
Department of Parks and Recreation  
Attn: Crystal Benham  
5500 Overland Avenue, Suite 410  
San Diego, CA 92123

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

Project Name: Mira Mesa Epicentre Rehabilitation

Project Location: 8450 Mira Mesa Blvd, San Diego, CA 92126

Project Applicant: County of San Diego Department of Parks and Recreation, 5500 Overland Avenue, Suite 410, San Diego, CA 92123 (858) 565-3600

**Project Description:** In 2021, the County of San Diego (County) Board of Supervisors (Board) directed the County's Department of Parks and Recreation (DPR) to negotiate a lease agreement with the City of San Diego (City) to launch a capital project to rehabilitate the Mira Mesa Epicentre building, as a County operated community center. The Mira Mesa Epicentre is an approximately 8,000-square-foot existing structure within a larger recreation facility that is currently vacant, except for a portion occupied by the City Police Department Retired Senior Volunteer Patrol. Work to rehabilitate the Mira Mesa Epicentre building would include but is not limited to interior reconfiguration, painting, replacement of existing skylights, accessibility improvements, landscaping, pedestrian pathways, fencing, artificial turf installation, and irrigation improvements. The project would not add any additions to the existing Mira Mesa Epicentre building and would stay within the existing footprint of the facility.

The improved Mira Mesa Epicentre is anticipated to operate seven days a week, alongside the existing Mira Mesa Recreation Center and associated recreational facilities. It will provide structured and unstructured recreational opportunities for youth during after-school hours, community meeting spaces, and available space for private events. Youth recreational programs are anticipated to include but not be limited to the following: school and career counseling, intergenerational programs with the neighboring senior center, gardening, cooking, health and fitness, art and music, community and holiday events, community service projects, and outdoor trips to destinations around the region.

Agency Approving Project: County of San Diego

Date Form Completed: June 27, 2024

County Contact Person: Riley DeWitt-Rickards

Telephone: (619) 695-6010

This is to advise that the County of San Diego Board of Supervisors has approved the above-described project on **July 17, 2024 (item #)** and found the project to be exempt from the California Environmental Quality Act (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, 15302, 15304
- ☐ 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 proposed action complies with CEQA because it is: (1) categorically exempt under Section 15301 of the CEQA Guidelines, Existing Facilities, as it involves the leasing of an existing facility that would undergo renovations and improvements to the interior and exterior of the facility with negligible or no expansion of existing or former use. (2) categorically exempt under Section 15302 of CEQA Guidelines, Replacement or Reconstruction, because the improvements would occur on the same site as the existing facility and would have substantially the same purpose and capacity as the existing facility; and (3) categorically exempt under Section 15304 of the CEQA Guidelines, Minor Alterations to Land, because minor land disturbance may be required for the project which would not involve the removal of healthy, mature, scenic trees.

Additionally, there are no unusual circumstances or other applicable exceptions to the exemptions and no features that would distinguish this project that would constitute unusual circumstances. The project would not impact environmental resources of hazardous or critical concern that are designated, precisely mapped and officially adopted by government agencies; does not contribute to a cumulative environmental impact; would not have a significant

impact on the environment due to unusual circumstances; does not damage scenic resources within a designated state scenic highway; is not on the list of Hazardous Waste and Substance Sites pursuant to Section 65962.5 of the Government Code; and does not cause adverse change in the significance of a historical resource.

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

Signature: \_\_\_\_\_ Telephone: (619) 539-4155

Name (Print): Crystal Benham Title: Chief, Resource Management Division

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.

#### EXHIBIT A

The proposed action complies with the California Environmental Quality Act (CEQA) and State and County CEQA Guidelines because the action is: (1) categorically exempt under Section 15301 of the CEQA Guidelines, Existing Facilities, as it involves the lease of an existing facility that would undergo renovations and improvements to the interior and exterior of the facility, involving negligible or no expansion of existing or former use. (2) categorically exempt under Section 15302 of CEQA Guidelines, Replacement or Reconstruction, because the improvements would occur on the same site as the existing facility and would have substantially the same purpose and capacity as the existing facility; and (3) categorically exempt under Section 15304 of the CEQA Guidelines, Minor Alterations to Land, because minor land disturbance may be required for the project which would not involve the removal of healthy, mature, scenic trees.

The Project is not subject to any of the exceptions to the categorical exemptions listed in Section 15300.2 of the State CEQA Guidelines as it (1) will not impact environmental resources of hazardous or critical concern that are designated, precisely mapped and officially adopted by government agencies; (2) will not have a significant effect on the environment due to unusual circumstances; (3) will not contribute to a cumulative environmental impact; (4) will not damage scenic resources within a designated state scenic highway; (5) is not on the list of Hazardous Waste and Substance Sites pursuant to Section 65962.2 of the Government Code; and (6) will not cause adverse change in the significance of a historical resource.

Section 21084 of the Public Resources Code requires the CEQA Guidelines to include a list of classes of projects which have been determined to not have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. DPR Staff has determined the project is categorically exempt pursuant to Section 15301 Class 1, Existing Facilities; Section 15302 Class 2, Replacement and Reconstruction; and Section 15304 Class 4, Minor Alterations to Land for the reasons described below.

#### **Categorical Exemption: Section 15301 – Existing Facilities**

Section 15301 of the CEQA Guidelines entails changes to existing facilities. As stated in the CEQA Guidelines, the key consideration for applying this exemption is whether the project involves negligible or no expansion of use.

Class 1 consists of 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. Section 15301 lists several different examples of the projects that would be expected to fall within Class 1. However, the types of "existing facilities" itemized within Class 1 are not intended to be all-inclusive of the types of projects which may fall within the class. The following are some examples listed in Section 15301:

- Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances;
- Existing facilities of both investor and publicly owned utilities used to provide electrical power, natural gas, sewerage, or other public utility services;
- Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety, and other alterations such as the addition of bicycle facilities, including but not limited to bicycle parking, bicycle-share facilities and bicycle lanes, transit improvements such as bus lanes, pedestrian crossings, street trees, and other similar alterations that do not create additional automobile lanes);
- Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood;
- Additions to existing structures provided that the addition will not result in an increase of more than:
  - 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or
  - 10,000 square feet if:
    - The project is an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and
    - The area in which the project is located is not environmentally sensitive.
- Addition of safety or health protection devices for use during construction of or in conjunction with existing structures, facilities, or mechanical equipment, or topographical features including navigational devices;
- New copy of existing on and off-premise sign;
- Maintenance of existing landscaping, native growth, and water supply reservoirs (excluding the use of pesticides, as defined in Section 12753, Division 7, Chapter 2, Food and Agricultural Code).

CEQA exemption Section 15301, Class 1, applies to this project as the project involves a lease agreement with the County and the City to launch a capital project to rehabilitate the existing Mira Mesa Epicentre, which would consist of improvements to the interior and exterior for the purposes of facilitating recreational activities to an existing recreational facility. The Mira Mesa Epicentre would continue to be operated as a community center, and limited expansion would be substantially similar to the existing use. This project is categorically exempt under Section 15301 because it involves an existing facility with negligible expansion of existing or former use. Furthermore, the project is not located in an environmentally sensitive area; are not cumulative impacts of successive projects of the same type in the same place over time; will not result in impacts to scenic highways or historical resources, and do not present any significant effects on the environment due to unusual circumstances.

#### **Categorical Exemption: Section 15302 – Replacement or Reconstruction**

Section 15302 of the CEQA Guidelines entails the replacement or reconstruction of existing structures and facilities, where the project would be located on the same site as the structure replaced and would have substantially the same purpose and capacity as the structure being replaced.

The Class 2 exemption includes but is not limited to the following examples listed in Section 15302:

- Replacement or reconstruction of existing schools and hospitals to provide earthquake resistant structures which do not increase capacity more than 50 percent.
- Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.
- Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.
- Conversion of overhead electrical utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding.

CEQA exemption Section 15302, Class 2, applies to the project because it consists of the rehabilitation of the existing Mira Mesa Epicentre which would occur on the same site and would have substantially the same purpose and capacity of the existing facility. The rehabilitated Mira Mesa Epicentre would serve as a community center that would serve substantially the same purpose and operation as the existing facility. The project consists of improvements to the interior and exterior of the Mira Mesa Epicentre including existing utility systems and facilities involving negligible expansion of capacity and former use. The project, as proposed, would be on the same site as the existing facilities, and the improvements would have substantially the same purpose and capacity as the existing facilities. It therefore is categorically exempt under Section 15302. Furthermore, the project is not located in an environmentally sensitive area; will not contribute to cumulative impacts of successive projects of the same type in the same place over time; will not result in impacts to scenic highways or historical resources; and does not present any significant effects on the environment due to unusual circumstances.

#### **Categorical Exemption: Section 15304 – Minor Alterations to Land**

Section 15304 of the CEQA Guidelines involves 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. Examples of this exemption include, but are not limited to:

- Grading on land with a slope of less than 10 percent, except that grading shall not be exempt in a waterway, in any wetland, in an officially designated (by federal, state, or local government action) scenic area, or officially mapped area of serve geological hazard such as Alquist-Priolo Earthquake Fault Zone or within an official Seismic Hazard Zone, as delineated by the State Geologist.
- New gardening or landscaping, including the replacement of existing conventional landscaping with water efficient or fire resistant landscaping.
- Filling of earth into previously excavated land with material compatible with the natural features of the site.
- Minor trenching and backfilling where the surface is restored.

CEQA exemption Section 15304, Class 4, applies to this project as the project may require minor land alterations such as new landscaping or trenching and backfilling for the improvements to the Mira Mesa Epicentre. These minor alterations do not involve removal of healthy, mature, scenic trees, nor would grading occur in areas with a slope of 10 percent or greater. Furthermore, the project is not located in an environmentally sensitive area; does not contribute to cumulative impacts of successive projects of the same type in the same place over time; will not result in impacts to scenic highways or historical resources; and does not present any significant effects on the environment due to unusual circumstances.

#### **Section 15300.2 – Exceptions**

The project was reviewed for the exceptions outlined in the CEQA Guidelines, Section 15300.2 (a – f) to determine if there are any reasons a project may not be considered categorically exempt under any of the following classes or projects (Section 15300 et al.). The project would be consistent with Section 15301, Class 1; Section 15302, Class 2; and Section 15304, Class 4. None of the exceptions to the exemptions apply (Section 15300.2 of the CEQA Guidelines), as described in the following paragraphs:

**15300.2(a) – Location:** The CEQA categorical exemptions identified for the project are Class 1 (Section 15301, Existing Facilities), Class 2 (Section 15302, Replacement or Reconstruction), and Class 4 (Section 15304, Minor Alterations to Land). Class 1 and 2 are not qualified by consideration of where the project is to be located. Class 4 is qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. The project is not located within particularly sensitive environments, and the project would not impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

**15300.2(b) – Cumulative Impact:** All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. The project would be interior and exterior improvements to an existing facility. There would not be a cumulative impact of successive projects of the same type in the same place, over time that would be significant. As such, the project would occur within the same footprint as the existing facilities and would consist of renovations and improvements to the existing facility. Furthermore, the project is not located in an environmentally sensitive area and successive projects of the same type in the same place, over time would not have a significant impact.

**15300.2(c) – Significant Effect:** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The project consists of interior and exterior improvements that would occur within the existing Mira Mesa Epicentre footprint. As such, there is nothing unusual about the property location or operational use of the Mira Mesa Epicentre. Therefore, there is no reasonable possibility of significant impacts due to unusual circumstances.

**15300.2(d) – Scenic Highways:** A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway official designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR. State scenic highways refer to those highways that are officially designated by the California Department of Transportation (Caltrans) as scenic (Caltrans – California Scenic Highway Program). No Scenic Highways designated by Caltrans are in proximity of the project site. Therefore, the project would not cause a significant impact to scenic resources within a highway officially designated as a state scenic highway.

**15300.2(e) – Hazardous Waste Sites:** A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. No potential significant impacts due to hazardous waste sites would occur due to the project. The existing facility has been developed. The site has not been used for any use type which would authorize the handling of hazardous waste materials and is not included on any list compiled pursuant to Section 65962.5 of the Government Code.

**15300.2(f) – Historical Resources:** A categorical exemption shall not be used for a project which may cause a substantial adverse change in significance of a historical resource. The existing facility parcel or the existing facility is not designated as historical. There are no known cultural resources within 1,500 feet of the project area. Therefore, the project will not cause a substantial adverse change in the significance of a historical resource.

The project is consistent with CEQA Sections 15301 – Existing Facilities, 15302 – Replacement or Reconstruction, and 15304 – Minor Alterations to Land, and no exceptions listed in CEQA Section 15300.2 apply. Therefore, the project may rely on the exemptions for the reasons documented above.