

# NOTICE OF DETERMINATION

TO:  Office of Planning and Research  
1400 Tenth Street  
Sacramento, CA 95814

Assessor/Recorder/County 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 Environmental Health  
Solid Waste Local Enforcement Agency  
5500 Overland Avenue, Suite 170, MS O-560  
San Diego, CA 92123

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

Project Name: Otay Landfill – Compostable Materials Handling Facility Permit

State Clearinghouse No.: 1996091009

Project Location: Otay Landfill – 1700 Maxwell Road, Chula Vista, CA 91911

Project Applicant: Otay Landfill, Inc.  
1700 Maxwell Road, Chula Vista, CA 91911

Project Description: The proposed action consists of the issuance of a Compostable Materials Handling Facility Permit (CMHFP) by the San Diego County Solid Waste Local Enforcement Agency to introduce an additional 200 tons per day of agricultural and food waste into the existing organics composting operation at Otay Landfill using a mobile Covered Aerated Static Pile (CASP) composting system. The 200 TPD of organics waste that would be diverted from the landfill to the CASP composting system does not count towards the operator's daily landfill waste maximum because it would not be disposed of in the landfill. The additional tonnage does not generate a new waste stream, instead it diverts suitable organic waste to produce a useable compost material. This material will be beneficially re-used onsite for landfill operations or exported offsite for use as a soil amendment compost. No new facilities are proposed for construction. No new permits or approvals are required from the San Diego Air Pollution Control District; however, the project will require an enrollment into the Waste Discharge Requirements General Order for Composting Operations with the San Diego Regional Water Quality Control Board. The issuance of the CMHFP does not require changes to the current Major Use Permit for the landfill site, and the organics composting operation is consistent with previous land use approvals.

Agency Approving Project: County of San Diego Solid Waste Local Enforcement Agency

County Contact Person: Ricardo M. Serrano, Supervisor Telephone: (858) 495-5810

Date Form Completed: March 16, 2021

This is to advise that the County of San Diego Department of Environmental Health, Local Enforcement Agency in accordance with  Lead Agency  Responsible Agency

Public Resource Code, Division 30, has approved the above described project on 3/9/2021 and has made the following determinations:

The LEA has reviewed and considered the information, including the environmental effects of issuing the Compostable Materials Handling Facility Permit (CMHFP) contained in the Final Environmental Impact Report (EIR) dated February 18, 2000, Addendum #1 to the EIR dated February 5, 2010, Addendum #2 to the EIR dated September 12, 2019, and Addendum #3 to the EIR dated October 29, 2020. The LEA finds that there are no significant unmitigable environmental effects associated with the issuance of the CMHFP. Accordingly, based on the Final EIR and subsequent Addendums:

1. The project  will  will not have a significant effect on the environment.
2.  An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of the CEQA.  
 A Negative Declaration or Mitigated Negative Declaration was prepared for this project pursuant to the provisions of the CEQA.
3. Mitigation measures  were  were not made a condition of the original MND approval of the project.

**The following determinations are only required for projects with Environmental Impact Reports:**

4. A Statement of Overriding Considerations  was  was not adopted for this project.
5. Findings  were  were not made pursuant to the provisions of State CEQA Guidelines Section 15091.

Project status under Fish and Game Code Section 711.4 (Department of Fish and Game Fees):

- Certificate of Fee Exemption (attached)  
 Proof of Payment of Fees (attached)

The Environmental Impact Report and Addendums with any comments and responses and record of project approval may be examined at the County of San Diego, Solid Waste Local Enforcement Agency, 5500 Overland Ave., Ste 170, San Diego, CA 92123.

Signature: Jeff Kashak Telephone: (858) 694-3914

Name (Print): Jeff Kashak Title: Land Use/Environmental Planning Manager

This notice must be filed with the Recorder/County Clerk within five working days after project approval by the decision-making body. 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 15075 or 15094.