

## Notice of Determination

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**To:**

Office of Planning and Research  
[CEQA Submit](#)

**From:**

Department of Fish and Wildlife  
South Coast Region  
3883 Ruffin Road  
San Diego, CA 92123  
Contact: Helena Candaele  
Email: [Helena.Candaele@wildlife.ca.gov](mailto:Helena.Candaele@wildlife.ca.gov)  
Phone: (858) 527-8482



**Lead Agency**

City of Chula Vista  
Development Services Department  
276 Fourth Avenue, Building B  
Chula Vista, CA 91910  
Contact: Dai Hoang  
Email: [DHoang@chulavistaca.gov](mailto:DHoang@chulavistaca.gov)  
Phone: (619) 585-5694

**SUBJECT:** Filing of Notice of Determination pursuant to Public Resources Code section 21108

**State Clearinghouse Number:** 2022040069

**Project Title:** Otay River Focused Remedial Investigation Project (Streambed Alteration Agreement No. EPIMS-SDO-34138-R5)

**Project Location (San Diego County):** The project is located within the bed, channel, and bank of Otay River and tributaries thereto, where they run through Assessor's Parcel Numbers [APN] 644-090-04-00 and 644-080-09-00, owned by the City of Chula Vista, and APNs 644-090-03-00, 644-080-21-00, and 646-010-05-00, owned by HomeFed Otay Land II LLC. The project site is west of Lower Otay Lake, east of State Route 125, and south of Wiley Road, in the City of Chula Vista, County of San Diego, State of California; Latitude 32.59906, Longitude - 116.94455; U.S. Geological Survey (USGS) map Otay Mesa quadrangle, unsectioned lands, Township 18 South, Range 1 West, SBM.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Streambed Alteration Agreement (EPIMS-SDO-34138-R5), pursuant to Fish and Game Code section 1602, to the project Applicant, HomeFed Otay Land II, LLC as represented by H. Robert Penner.

The project proposes to conduct an unexploded ordinance (UXO) investigation by walking transects using a sonar scanning device and drilling soil borings in the historical agriculture site. UXO transect surveys will result in the removal of up to 0.49 acres of tamarisk-dominated non-native riparian habitat and 0.03 acres of mulefat scrub. Driving the drill rig will result in up to 19 acres of impacts to previously disced non-native grassland.

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on July 25, 2024, and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project **will not** have a significant effect on the environment. This determination is limited to effects within CDFW's permitting jurisdiction as a Responsible Agency.
2. CDFW considered the **Mitigated Negative Declaration** prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures **were** made a condition of CDFW's approval of the project.
4. A Mitigation Reporting or Monitoring Plan **was** adopted by CDFW for this project.
5. A Statement of Overriding Considerations **was not** adopted by CDFW for this project.
6. Findings **were not** made by CDFW pursuant to California Code of Regulations section 15091.

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The Mitigated Negative Declaration prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record of project approval as a Responsible Agency is available at CDFW's regional office.

DocuSigned by:  
*Victoria Tang*  
Signature: \_\_\_\_\_ Date: 7/25/2024  
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Victoria Tang, Environmental Program Manager

Date Received for filing at OPR: \_\_\_\_\_