

## **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: Kelly Fisher  
Email: Kelly.Fisher@wildlife.ca.gov  
Phone: 858-354-5083



Lead Agency  
City of Chula Vista  
276 Fourth Avenue  
Chula Vista, CA 91910  
Contact: Oscar Romero

Phone: 619-691-5098

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

**State Clearinghouse Number:** 2023030752

**Project Title:** Nirvana Business Park (Streambed Alteration Agreement No. EPIMS-SDO-31445-R5)

**Project Location (San Diego County):** The Nirvana Business Park Project (Project) is located at 821 Main Street, and at the two existing outfalls south of Main Street adjacent to the Otay River, in the City of Chula Vista, County of San Diego, State of California; Latitude 32.594418, Longitude -117.013456; Assessor's Parcel Numbers 644-050-13-00, 644-050-14-00, and 644-050-08-00.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Streambed Alteration Agreement No. EPIMS-SDO-31445-R5, pursuant to Fish and Game Code section 1602, to the project Applicant, ViaWest Group.

The Project includes the fill of two streams and the installation of reinforced concrete pipes to connect the existing storm drain outfalls near the northern property line to the existing storm drain inlets near the southern property line in order to accommodate grading of the overall project site for industrial pads. The Project will then install additional riprap at the existing outfalls to accommodate increased velocities resulting from the development of the site.


This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on 1/30/2024 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:  
  
Signature: \_\_\_\_\_ Date: 1/30/2024  
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Victoria Tang, Environmental Program Manager

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