

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From (Public Agency):
Otay Water District
2554 Sweetwater Springs Blvd
Spring Valley, CA 91978

(Address)

County Clerk

County of: San Diego
1600 Pacific Highway, Suite 260
San Diego, CA 92101

Project Title: Water Main Protection Project

Project Applicant: Otay Water District

Project Location – Specific: The site is located south of Olympic Parkway and immediately northwest of an Otay Water District reservoir, in the City of Chula Vista.

Project Location – City: Chula Vista **Project Location – County:** San Diego

Description of Nature, Purpose and Beneficiaries of Project: The project involves the repair of erosion associated with an unnamed tributary to Sweetwater River that caused the underlying 30-inch recycled water main to become exposed and vulnerable to failure. The repair will involve recontouring the channel to pre-erosion conditions, using native fill and gabion blocks to fill the scour and encase the exposed pipe (see attached for detailed project description).

Exempt Status (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Class 1, Section 15301, Existing Facilities
- Statutory Exemptions. State code number:


Reasons why project is exempt: The project involves the repair/maintenance of an existing 30-inch recycled water main that became exposed and vulnerable to failure as a result of erosion of the overlying channel. The channel would be restored to pre-erosion contours and function. There would be no expansion of the existing pipeline or channel. A biological resources report was completed and concluded that the project would not result in significant impacts to biological resources (see attached). The project would not result in significant effects on the environment, result in cumulative impacts, damage scenic resources within a state scenic highway, be located on a hazardous waste site, or cause a substantial adverse change in the significance of a historical resource.

Lead Agency: Otay Water District

Contact Person: Juliana Luengas **Area Code/Telephone Extension:** 619.670.2219

If filed by applicant:

1. Attach certified document of exemption filing.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: 

Date: 7/15/2024

Title: Environmental Compliance Specialist

Signed by Lead Agency

Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

Attachment 1

Otay Water District (District)

WATER MAIN PROTECTION PROJECT

Project Description

The project involves the repair of erosion associated with an unnamed tributary of the Sweetwater River that resulted in the exposure of a District water main. The winter storms of 2022-2023 resulted in severe and unexpected erosion to the channel, causing the underlying 30-inch recycled water main to become exposed and vulnerable to failure. The repair will involve recontouring the channel to pre-erosion conditions, using native fill and gabion blocks to fill the scour and encase the exposed pipe. Best management practices (BMPs) will be used during construction to control sediment and protect against additional erosion, which may include gravel bags, sandbags, silt fencing, straw wattles, and any additional measures deemed necessary. Access will be established through the development of a new access road connecting the existing reservoir access road to the work area.

The project would incorporate the following avoidance and minimization measures.

1. Staging areas and access roads will be located within disturbed and developed areas and areas mapped as non-native grassland to the greatest extent feasible. Biologists will assist in determining areas of least impact. Project limits will be delineated using fencing, stakes, or other field markers.
2. Fencing and/or staking will be added for adjacent jurisdictional and sensitive upland areas that are to be avoided.
3. Temporarily disturbed non-native grassland will be restored in place using a native seed mix.
4. Biological monitoring will occur during work adjacent to sensitive vegetation communities and jurisdictional resources that are to be avoided.
5. In accordance with regulatory requirements, emergency permit applications will be submitted to the USACE, RWQCB, and CDFW for work within non-wetland waters of the U.S./State and CDFW non-vegetated stream areas. Compensatory mitigation is not proposed due to the small size of the work area; however, the final decision on mitigation requirements will be made by the USACE, RWQCB, and CDFW.
6. To comply with the Migratory Bird Treaty Act and California Fish and Game Code, clearing and removal of habitat should occur outside of the breeding season (generally February 1 to August 30). If the removal of habitat in the proposed area of disturbance must occur during the breeding season, a Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds within the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including vegetation removal), and a survey results summary shall be provided to the District for review and approval prior to initiating any construction activities. If an active nest is documented during the survey, the Qualified Biologist will provide a recommended setback distance from the active nest based on the location of the nest, species, and environmental conditions.



**SAN DIEGO COUNTY CLERK
CEQA FILING COVER SHEET**

FILED
Jul 17, 2024 12:48 PM
JORDAN Z. MARKS
SAN DIEGO COUNTY CLERK
File # 2024-000617
State Receipt # 37071720240574

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

WATER MAIN PROTECTION PROJECT

Check Document being Filed:

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type):

<p>FILED IN THE OFFICE OF THE SAN DIEGO COUNTY CLERK ON <u>July 17, 2024</u></p> <p>Posted <u>July 17, 2024</u> Removed _____</p> <p>Returned to agency on _____</p> <p>DEPUTY _____</p>

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.



State of California - Department of Fish and Wildlife
2024 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (Rev. 01/01/24) Previously DFG 753.5a

RECEIPT NUMBER: 37-07/17/2024-0574
STATE CLEARING HOUSE NUMBER(If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY OTAY WATER DISTRICT	LEAD AGENCY EMAIL	DATE 07/17/2024
COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 37-2024-0574	
PROJECT TITLE WATER MAIN PROTECTION PROJECT		

PROJECT APPLICANT NAME OTAY WATER DISTRICT	PROJECT APPLICANT EMAIL	PHONE NUMBER 619-670-2219
PROJECT APPLICANT ADDRESS 2554 SWEETWATER SPRINGS BLVD	CITY SPRING VALLEY	STATE CA
		ZIP CODE 91978

PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$4,051.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)/(ND)	\$2,916.75	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,377.25	\$	0.00

- Exempt from fee
- Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee(State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	0.00

PAYMENT METHOD

- Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ 50.00

SIGNATURE X <i>Maria Gomez</i>	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County Clerk, MARIA GOMEZ, Deputy
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Payment Reference #: CHECK # 55228 \$50