

# Notice of Determination

**To:** Office of Planning and Research  
U.S. Mail:  
P.O. Box 3044  
Sacramento, CA 95812-3044

Street Address:  
1400 Tenth Street, Room 113  
Sacramento, CA 95814

**From:**  
CA Regional Water Quality Control  
Board, San Diego Region (San Diego  
Water Board)  
2375 Northside Drive, Suite 100  
San Diego, CA 92108  
Contact: Lisa Honma  
Phone: 619-521-3367

**Lead Agency (if different from  
above):**

County of San Diego  
Planning & Development Services  
5510 Overland Avenue, Suite 110  
San Diego, CA 92123  
Contact: Marisa Smith  
Phone: 858-694-2621

***SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.***

**State Clearinghouse Number (if submitted to State Clearinghouse):** 2008061077

**Project Title:** Otay Business Park

**Project Applicant:** CH Realty X-ELC I San Diego Otay Business Park, L.P., Brig Black, Principal

**Project Location (include county):** East of Alta Road near the intersection of Alta Road and Siempre Viva Road within the Otay Mesa community of unincorporated San Diego County, California, 92154, assessor's parcel number 648-070-21. The Project's approximate center readings are latitude 32.5565, longitude -116.9153.

**Project Description:** The San Diego Water Board issued a Clean Water Act section 401 water quality certification (Certification No. R9-2023-0150) to the Project Applicant to construct a mixed industrial use development within the East Otay Mesa Specific Plan area that will provide industrial/distribution capacity to serve the U.S./Mexico border region in the vicinity of the future East Otay Mesa International Port of Entry. The project consists of mass grading and construction of nine commercial/industrial lots, two on-site water quality basins, one lot reserved for a sewer pump station facility, interior roads, sidewalks, and driveways, and public roadway extensions of Airway, Siempre Viva, and Alta Roads to provide connections to State Route 11, the future East Otay Mesa Port of Entry, and the surrounding area. The Project will fill the existing unnamed intermittent stream channel, 10 vernal pools, and 14 seasonal depressions supporting San Diego and Riverside fairy shrimp and construct a new channel to convey the water

flows in a new location along the eastern site boundary. The Discharger is required to construct a permittee-responsible mitigation project at the Lonestar Mitigation Site to compensate for the permanent impacts to jurisdictional aquatic resources.

This is to advise that the San Diego Water Board, a responsible agency, has approved the above-described project on October 25, 2023, and has made the following determinations regarding the above-described project.

1. The project will have a significant effect on the environment.
2. A Supplemental Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA by the lead agency.
3. Mitigation measures were made a condition of the San Diego Water Board's approval of the project.
4. A mitigation reporting or monitoring plan was adopted by the San Diego Water Board for this project.
5. A statement of Overriding Considerations was not adopted by the San Diego Water Board for this project.
6. Findings were made by the San Diego Water Board pursuant to the provisions of CEQA.

The documents and other materials that constitute the lead agency's record of proceedings of their decision is available to the general public at the County of San Diego, Department of Planning and Land Use, Project Processing Center at 5201 Ruffin Road, Suite B, San Diego, CA 92123. The record associated with the San Diego Water Board's decision is available at 2375 Northside Drive, Ste. 100, San Diego CA 92108, ph. 619-521-1990 (Electronic File No./PIN 728237).

Signature (Public Agency) of David W. Gibson, Executive Officer:

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

Authority cited: Sections 21083, Public Resource Code.  
Reference Sections 210000-21174, Public Resource Code.