



**NOTICE OF USE of an
ENVIRONMENTAL IMPACT STATEMENT and ENVIRONMENTAL ACTION
STATEMENT
in the place of an
ENVIRONMENTAL IMPACT REPORT
for the
OTAY RIVER ESTUARY RESTORATION PROJECT**

Notice is hereby given that the **San Diego Unified Port District (District)**, as a responsible agency under the California Environmental Quality Act (CEQA), will use the Final Environmental Impact Statement (EIS) and subsequent Environmental Action Statement (EAS) prepared by the United States Fish and Wildlife Service (USFWS) in place of an Environmental Impact Report for the issuance of a Coastal Development Permit (CDP) for the Otay River Estuary Restoration Project (ORERP). The USFWS certified the Final EIS and approved the ORERP on October 19, 2018. The USFWS subsequently made minor changes to the truck haul route for the ORERP and prepared the EAS to evaluate the potential impacts of the proposed changes. The USFWS approved a revised project description and the EAS on September 17, 2020.

Pursuant to State CEQA Guidelines section 15221, the District has determined that the ORERP must comply with both CEQA and the National Environmental Policy Act (NEPA) and meets the conditions for the District to use the EIS and EAS in place of an environmental impact report (EIR). The District believes that the Final EIS and EAS meet the requirements of CEQA. Per State CEQA Guidelines section 15225(a), the District is not circulating the EIS and EAS for public review because the EIS was circulated by the USFWS for public review and comment and notice was given in a manner meeting the standards in CEQA Guidelines section 15087(a) and, pursuant to State CEQA Guidelines section 15225(a), no further public review and comment is required.

Project Title: Otay River Estuary Restoration Project (SCH # 2016104001; UPD# 2019-195)

Project Applicant: Poseidon Resources (Channelside) LP

Project Location: 990 Bay Boulevard, Chula Vista, CA, 91911, in the County of San Diego.

Project Description Summary: The ORERP includes restoration of coastal wetlands and upland habitat on 33.51 acres of primarily disturbed uplands at the west end of the Otay River floodplain, just to the south of San Diego Bay; and restoration of approximately 91 acres of an active solar salt pond (Pond 15) to tidally influenced subtidal and intertidal habitats. Pond 15 would be hydraulically connected to San Diego Bay through an inlet/outlet opening created on the northern side of the salt pond levee. The inlet/outlet would be constructed by breaching the levee and dredging/excavating approximately 9,000 cubic yards of materials to create a channel. Approximately 1.3 acres of the total 1.74 acre inlet/outlet excavation area is managed by the District and approximately 4,300 cubic yards of the cut would occur within the District's jurisdiction. Since the ORERP was approved, construction modifications for ORERP were identified. Specifically, as it relates to District approval, the ORERP's proposed haul truck route was revised such that trucks transporting materials between the Otay River Floodplain Site and the Pond 15 Site travel an additional 0.37 mile north (northern route) on Bay Boulevard and then turn left onto District property; however, the revised truck route is approximately 4.46 miles round trip, which is a shorter distance than the 7 mile round trip analyzed in the Final EIS. Additionally, a new temporary construction staging area was identified on District property near Pond 15.

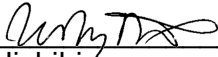
Environmental Effects Analyzed: The Final EIS and EAS addressed all required CEQA topics. The District has prepared a CEQA Equivalency Memorandum and Addendum which reviewed the Final

October 9, 2020

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EIS and EAS and determined that the Final EIS and EAS adequately analyze the ORERP's potentially significant environmental effects to: Topography/Visual Quality; Geology, Soils, and Agricultural Resources; Mineral Resources; Paleontological Resources; Hydrology/Water Quality; Air Quality; Noise; Climate Change, Sea Level Rise, and Greenhouse Gas Emissions; Contaminants; Biological Resources; Cultural Resources; Land Use; Traffic, Circulation, and Parking; Public Utilities/Easements; Public Access/Recreational Opportunities; Vectors/Odors; Economics and Employment; and Environmental Justice.

Availability of Final EIS and EAS: The Final EIS and EAS can be viewed online at: https://www.fws.gov/refuge/San_Diego_Bay/what_we_do/Resource_Management/Otay_Restoration/Otay_River_Estuary_Restoration_Project.html. For assistance, call Ashley Wright, Senior Planner, Planning Department, at (619) 686-6549.



Lesley Nishihira
Director, Planning Department

Date: 10/9/20