

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
DIRECTOR'S OFFICE
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**CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR
RESTORATION PROJECTS
CONCURRENCE NO. 21080.56-2025-081-R5**

Project: Enhancing Connections and Restoration within Otay Valley Regional Park

Location: San Diego County

Lead Agency: City of San Diego

Lead Agency Contact: Rebecca Malone; rmalone@sandiego.gov

Background

Project Location: The Enhancing Connections and Restoration within Otay Valley Regional Park (Project) is located in the City of San Diego within the boundaries of Otay Valley Regional Park (OVRP). The Project area encompasses approximately 15 acres and is situated just west of a segment of Interstate 805, which crosses through OVRP. The approximate coordinates are 32.591869, -117.02475.

Project Description: The Resource Conservation District of Greater San Diego County (RCD), in partnership with the Lead Agency, proposes to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend, and to restore or provide habitat for California native fish and wildlife.

The Project will benefit native species by restoring and enhancing 15 acres of Diegan coastal sage scrub and native grassland habitats. The native species that are expected to benefit from this Project include plant species such as: coastal sage scrub oak (*Quercus dumosa*), coast live oak (*Quercus agrifolia*), California sycamore (*Platanus racemosa*), Fremont cottonwood (*Populus fremontii*); and sensitive bird species such as coastal California gnatcatcher (*Polioptila californica californica*), and least Bell's vireo (*Vireo bellii pusillus*). Native invertebrates will also benefit from the improved habitat, including Crotch's bumble bee (*Bombus crotchii*).

Project activities will include non-native and invasive vegetation removal, improving water quality through the creation of four detention basins with bioswales, native vegetation planting, and maintenance and monitoring.

Non-native and Invasive Vegetation Removal: Non-native and invasive plant species, including an approximate 8-acre stand of eucalyptus (*Eucalyptus spp.*) trees, will be removed throughout the Project area. The trees will either be fully removed or stumped

mechanically with the use of light and/or heavy machinery. Stumps may be ground down or left in place to avoid ground disturbance. Herbicide may also be strategically applied to supplement mechanical methods to remove invasive plants. Approximately ten eucalyptus trees will be retained for the benefit of raptor species. Contouring of the Project area will occur to enhance natural hydrologic processes. Woody material may be milled or mulched and either taken off site for disposal or used on site.

Water Quality Improvements: The Project includes installing vegetated bioswales and detention basins to improve natural processes of water filtration and infiltration while also providing wildlife habitat. Soil will be removed and portions of the Project area will be recontoured to create bioswales and detention basins. The bioswales and detention basins will be hydroseeded with a mix of up to 14 native plant species. The removed soil will be placed within the Project area.

Native Vegetation Planting: Native planting will include hydroseeding and container planting with native species, and will also include irrigation, staking, and protection from foraging. Rocks and fencing may be installed to protect these plantings from foraging and anthropogenic disturbance. A natural wood decomposing process called *hügelkultur* will be used to improve soil quality by helping to retain moisture in the soil. Any resprouting eucalyptus and other non-native plants will be removed using non-chemical and/or chemical weed management methods. Supplementary hydroseeding and planting may occur if deemed necessary to achieve the desired native vegetation cover.

Maintenance and monitoring: Maintenance and monitoring activities will include upkeep of new plants and trees, and prevention of re-growth of eucalyptus trees and other non-native plants. These maintenance activities may include mechanical and/or chemical methods. Upkeep of new plants and trees will involve watering and removal of stakes and guards once the plants are established. To assist with the maintenance and monitoring activities, a trail system will be established through the Project area, which will connect to an existing OVRP trail network. The public will also have access to use the trail system. Interpretive signage and benches will be installed using repurposed material from the removed trees to educate users of the importance of native plants.

Tribal Engagement: The RCD conducted outreach to Jamul Indian Village representatives from April 2024 through November 2024 through emails and phone calls. The RCD met with a representative from the Jamul Indian Village and shared information about the Project. The RCD will continue to engage with the Jamul Indian Village. Project information was also shared with representatives from the Kumeyaay, which resulted in further planned engagement. A Historical Resources Report has been prepared for the Project.

Interested Party Coordination: The OVRP is governed by a partnership between the County of San Diego, the City of Chula Vista, and the Lead Agency. The RCD has engaged with neighbors, community groups, and community-based organizations to ask questions and provide feedback through public meetings. Representatives from various state and local governments have also been informed of the Project, including city council representatives, county district representatives, state senators, and assembly members.

Anticipated Project Implementation Timeframes:

Start date: July 2026

Completion date: March 2031

Lead Agency Request for CDFW Concurrence: On January 14, 2026, the Director of the California Department of Fish and Wildlife (CDFW Director) received a concurrence request from the Lead Agency pursuant to Public Resources Code section 21080.56, subdivision (e) (Request). The Request seeks the CDFW Director's concurrence with the Lead Agency's determination on January 14, 2026 that the Project meets certain qualifying criteria set forth in subdivisions (a) to (d), inclusive, of the same section of the Public Resources Code (Lead Agency Determination). The CDFW Director's concurrence is required for the Lead Agency to approve the Project relying on this section of the California Environmental Quality Act (CEQA). (Pub. Resources Code, § 21000 et seq.).

Concurrence Determination

The CDFW Director concurs with the Lead Agency Determination that the Project meets the qualifying criteria set forth in Public Resources Code section 21080.56, subdivisions (a) to (d), inclusive (Concurrence).

Specifically, the CDFW Director concurs with the Lead Agency that the Project meets all of the following conditions: (A) the Project is exclusively to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or is exclusively to restore or provide habitat for California native fish and wildlife; (B) the Project may have public benefits incidental to the Project's fundamental purpose; (C) the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery; and includes procedures and ongoing management for the protection of the environment; and (D) Project construction activities are solely related to habitat restoration. Pursuant to Public Resources Code section 21080.56, subdivision (g), CDFW will post this Concurrence on its CEQA Notices and Documents internet page: <https://wildlife.ca.gov/Notices/CEQA>.

This Concurrence is based on best available science and supported, as described below, by substantial evidence in CDFW's administrative record of proceedings for the Project.

This Concurrence is also based on a finding that the Project is consistent with and that its implementation will further CDFW's mandate as California's trustee agency for fish and wildlife, including the responsibility to hold and manage these resources in trust for all the people of California.

Discussion

- A. Pursuant to Public Resources Code section 21080.56, subdivision (a), the CDFW Director concurs with the Lead Agency that the Project will exclusively conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or restore or provide habitat for California native fish and wildlife.

The Project will restore and enhance native habitat through removal of non-native and invasive vegetation species and the planting of native species. The Project will also improve water quality through installation of vegetated bioswales and water detention basins, encouraging native plant growth and habitat use by native wildlife species. These Project activities will assist in the recovery of sensitive native species, such as coastal California gnatcatcher, through the establishment of coastal sage scrub habitat.

- B. Pursuant to Public Resources Code section 21080.56, subdivision (b), the CDFW Director concurs with the Lead Agency that the Project may have incidental public benefits, such as public access and recreation.

Consolidated trails will be created from an existing loose group of informal trails that currently cross the Project area. Trails will provide staff with access for restoration work, maintenance, and monitoring, and will also be available for public access and recreation. All trails have been designed to focus public access and recreation within narrow and well-defined areas to ensure that recreational use will not damage sensitive habitats being restored. To further reinforce avoidance of sensitive habitat, interpretive signs will be installed to inform visitors of the Project's restoration benefits, including signs explaining the value of native plants. Because of these attributes, the Project may have incidental public access, recreation, and education benefits.

- C. Pursuant to Public Resources Code section 21080.56, subdivision (c), the CDFW Director concurs with the Lead Agency that the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery, and includes procedures and ongoing management for the protection of the environment.

Long-term Net Benefits to Climate Resiliency: Climate change is anticipated to increase the intensity and rate of occurrence of extreme weather patterns, including drought and intense heat. As a result, fire risk is expected to increase in areas where non-native, less drought-tolerant plants have been established. Removing the eucalyptus grove will significantly reduce fire risk, as eucalyptus may present greater catastrophic fire risk than native vegetation. The Project also contributes to long-term net benefits to climate resiliency through enhancing native habitat adjacent to the Otay River. Coastal sage scrub habitat will be restored and enhanced through the removal of non-native and invasive vegetation species and planting of native species. This enhanced and restored habitat will support sensitive avian and plant species, sequester carbon, capture and hold water, improve soil health, reduce soil erosion, enhance the quality of stormwater, reduce wildfire risk, mitigate extreme weather, and support long-term ecosystem health in the face of climate change.

Long-term Net Benefits to Biodiversity: The Project will remove non-native and invasive, fire-prone eucalyptus trees and will plant coastal sage scrub oak, coast live oak, California sycamore, Freemont cottonwood, and other native species. Bioswales and detention basins will be hydroseeded with native shrubs, forbs, and grasses. This

increase in native botanical diversity will support species including Cooper's hawk, coastal California gnatcatcher, and least Bell's vireo.

This Project will also provide a benefit to biodiversity through habitat connectivity in the Otay River watershed. This connectivity builds upon providing a natural connection and ecological flow through the watershed by expanding foraging habitat linkages and increasing nesting opportunities for native bird species.

Long-term Net Benefits to Sensitive Species Recovery: The Project will create long-term net benefits and support sensitive species recovery through enhancement of riparian and upland habitat. These activities are designed to restore site conditions and create suitable habitat that will contribute to the recovery of sensitive species such as coastal California gnatcatcher (listed as threatened under the Endangered Species Act [ESA]), least Bell's vireo (listed as endangered under the ESA and listed as endangered under the California Endangered Species Act [CESA]), and Crotch's bumble bee (a candidate for listing under CESA).

Procedures for the Protection of the Environment: The Project includes measures to protect sensitive species within the Project site. These measures include, but are not limited to, biological monitoring, preconstruction nesting bird surveys, nesting bird avoidance, preconstruction bee surveys, bee nest avoidance, preconstruction bat surveys, avoidance of bat maternity roosts, seasonal work windows, and sensitive habitat delineation. These protections also include measures from the Multiple Species Conservation Program's (MSCP) General Planning Policies and Design Guidelines and MSCP Subarea Plans from the City of Chula Vista, City of San Diego, and San Diego County, which requires no construction of access roads and limits pre-specified noise levels to avoid impacts to avian species.

Ongoing Management for the Protection of the Environment: The Project includes ongoing management, maintenance, and monitoring activities following the initial restoration phase. This includes an approximate 5-year effort to maintain the Project's restoration function. In addition, a management plan will be drafted to include regular maintenance needs, which include invasive species control, stormwater management, trash/debris removal, basin maintenance, and habitat conservation.

- D. Pursuant to Public Resources Code section 21080.56, subdivision (d), the CDFW Director concurs with the Lead Agency that the Project does not include any construction activities, except those solely related to habitat restoration.

All construction activities included in the Project are solely for the purpose of restoration. Chain saws, bulldozers, excavators, skid steers, and trucks will be used to remove invasives, install bioswales, create detention basins, and provide Project access and staging areas.

Scope and Reservation of Concurrence

This Concurrence is based on the proposed Project as described by the Lead Agency Determination and the Request. If there are any subsequent changes to the Project that affect or otherwise change the Lead Agency Determination, the Lead Agency, or any other public agency that proposes to carry out or approve the Project, shall submit a new lead agency determination and request for concurrence from CDFW pursuant to Public Resources Code section 21080.56. If any other public agency proposes to carry out or approve the Project subsequent to the effective date of this Concurrence, this Concurrence shall remain in effect and no separate concurrence from CDFW shall be required so long as the other public agency is carrying out or approving the Project as described by the Lead Agency Determination and the Request.

Other Legal Obligations

The Project shall remain subject to all other applicable federal, state, and local laws and regulations, and this Concurrence shall not weaken or violate any applicable environmental or public health standards. (Pub. Resources Code, § 21080.56, subd. (f).)

CDFW Director's Certification

DocuSigned by:

By:  Valerie Termini

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Date: 2/10/2026

Valerie Termini, Acting Director
California Department of Fish and Wildlife