



NOTICE OF EXEMPTION

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-0344

From: The Trustees of the California State University
401 Golden Shore
Long Beach, California 90802-4210

County Clerk
County of: San Diego

Project Title: Acceptance of Real Property Donation and Execution of Maintenance Agreement for Wetland Mitigation for Fenton Parkway Bridge

Project Applicant: San Diego State University

Project Location-Specific:

The real property that is the subject of this Notice comprises an approximately 10.598-acre portion of Assessor's Parcel Nos. (APNs) 433-270-17-00, 433-270-16-00, 433-270-15-00 and 433-270-35-00, located at 00 Dos Pueblos Drive and 9909-10091 Rio San Diego Drive in the City and County of San Diego, California. These parcels are partially improved with the Club River Run Apartment Project in the north, a San Diego Metropolitan Transit Development Board (MTS) right-of-way through a central portion, and approximately 10 acres of open space south of the MTS right-of-way.

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

Description of Nature, Purpose, and Beneficiaries of Project:

Nature of Project: The Trustees of the California State University ("CSU"), on behalf of San Diego State University, have accepted a donation of approximately 10.598 acres of undeveloped land (the "Property"), formerly part of the Club River Run Apartment Project, to be used and maintained solely for wetlands mitigation lands, conservation, and open space purposes (the "Restricted Use").

The Restricted Use does not apply to a portion of the Property consisting of an approximately 40-foot-wide strip of land running parallel to the northern boundary that is to be made available and maintained by the CSU for use as a segment of the future San Diego River Valley Trail, should the County of San Diego or other entity elect to locate the trail thereon through future acceptance of fee title or acceptance of an easement and maintenance obligation.

The Restricted Use and the exception for the future trail segment are intended to run with title to the Property and are set forth in that certain Grant Deed conveying the Property to CSU, which was recorded in the Official Records of San Diego County, California on December 31, 2025, as Document No. 2025-0367643. The Property is also subject to a Maintenance Agreement with an effective date of December 31, 2025, under which the grantor of the Property to CSU is to perform certain limited maintenance obligations with respect to the Property for a period of up to 18 months at its sole cost and expense.

While not the subject of the present action or this Notice, the future creation of a conservation easement encompassing approximately 6 acres of the property, which acreage excludes the strip of land to be made available as a segment of the future San Diego River Valley Trail, in fulfillment of an Incidental Take Permit issued by the California Department of Fish and Wildlife (CDFW) and a Lake and Streambed Alteration Agreement executed between the CSU and CDFW, and the implementation of wetland restoration, non-native vegetation removal, and riparian woodland restoration activities specified therein are reasonably foreseeable results of the acceptance of this real property donation.

Project Purpose: The Property will be used and maintained solely for the purposes of wetland mitigation lands, environmental conservation, and open space purposes in support of the planned construction of the Fenton Parkway Bridge. Fenton Parkway Bridge is planned for construction by San Diego State University, one of the universities of the California State University system, in the northeast portion of the Mission Valley community. The bridge would span the San Diego River and connect Fenton Parkway on the north and Camino Del Rio on the south. The Environmental Impact Report (EIR) for the Fenton Parkway Bridge project was certified and the project approved by the Trustees of the California State University on September 24, 2024.

Project Beneficiaries: Acceptance and maintenance of the real property that is the subject of this Notice will benefit the California State University in its fulfillment of wetland mitigation obligations to the City of San Diego in connection with the Fenton Parkway Bridge Project. It will also benefit the citizens of the City and County of San Diego in the event that the future San Diego River Valley Trail is located on the portion of the Property not subject to Restricted Use as described above. Finally, use of the Property for wetland mitigation, conservation, and open space purposes will benefit the natural environment and processes associated with the San Diego River corridor.

Name of Public Agency Approving Project: The Trustees of The California State University

Name of Person or Agency Carrying Out Project: San Diego State University

The project is exempt from CEQA under the following authority:

- Ministerial (Sec. 21080(b)(1); 15268);
- 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number:** Class 4 – Minor Alterations to Land (Section 15304); Class 13 – Acquisition of Lands for Wildlife Conservation Purposes (Section 15313); Class 1 – Existing Facilities (Section 15301)
- Common Sense Exemption (Sec. 15061(b)(3))**
- Statutory Exemption. State code number:**

Reasons why project is exempt:

The project independently qualifies for the Class 4 categorical exemption, which exempts projects consisting of “minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes”, and which includes as examples of eligible projects “(d) Minor alterations in land, water, and vegetation on existing officially designated wildlife management areas or fish production facilities which result in improvement of habitat for fish and wildlife resources or greater fish production”. The project consists of real property acquisition and execution of a maintenance agreement for the real property for a limited duration only. Maintenance activities anticipated to be implemented in the execution of the agreement are limited to the removal of trash and debris, coordination with governmental authorities and service providers in connection with those activities, and other minor incidental upkeep as deemed necessary by the grantor of the Property to the CSU, to maintain the property’s open-space condition.

Because the project intent is use and maintenance of the property solely for wetland mitigation, conservation, and open space purposes, the project also independently qualifies for the Class 13 categorical exemption, which exempts projects consisting of “the acquisition of lands for fish and wildlife conservation purposes including (a) preservation of fish and wildlife habitat, (b) establishing ecological reserves under Fish and Game Code Section 1580, and (c) preserving access to public lands and waters where the purpose of the acquisition is to preserve the land in its natural condition.”

The project also independently qualifies for the Class 1 exemption as it would not involve an expansion of existing or former use(s) on the existing property. Examples of eligible projects under the Class 1 categorical exemption include “(h) Maintenance of existing landscaping, native growth, and water supply reservoirs” and “(i) Maintenance of fish screens, fish ladders, wildlife habitat areas, artificial wildlife waterway devices, streamflows, springs and waterholes, and stream channels (clearing of debris) to protect fish and wildlife resources”. The property is currently undeveloped, and the Restricted Use conditions and exception for the future trail segment limit use of the property to wetland mitigation in connection with construction of the Fenton Parkway Bridge, conservation, and open space purposes, and are intended to run with title to the property. Furthermore, as stated above, the maintenance agreement encompasses only removal of trash and debris, governmental agency and service provider coordination as necessary for those activities, and other minor incidental upkeep by the grantor of the Property to the CSU, to maintain the property’s open-space condition.

The project does not trigger the exceptions to any of the applicable categorical exemptions. The project would not impact an environmental resource of hazardous or critical concern, it would not cause significant cumulative impacts in connection with other successive projects of the same type in the same place, there are no unusual circumstances applicable to the project, and there are no scenic highways, hazardous waste sites, or historical resources in the vicinity of the Property.

The project is also independently exempt under the common sense exemption (CEQA Guidelines Section 15061(b)(3)), which is applicable to projects which have the potential for causing a significant effect on the environment, where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. As the project consists of a real property acquisition and maintenance agreement for the real property only, and the property will be used solely wetland mitigation, conservation, and open space purposes, it has been determined to have no possibility of causing a significant effect on the environment.

Documentation relied upon for this Notice is available upon request from the Lead Agency Contact Person identified below.

Lead Agency Contact Person: Kara Peterson **Area Code/Telephone:** (619) 594-6930

Signature:  **Date:** 02/10/2026

Title: Director of Planning, San Diego State University

Signed by Lead Agency Signed by Applicant

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