

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS - LAND USE
WEDNESDAY, JANUARY 08, 2025**

MINUTE ORDER NO. 1

SUBJECT: STATE ROUTE 125 OTAY MESA ROAD FREEWAY MAINTENANCE AGREEMENT AND RELATED CEQA EXEMPTION (DISTRICT: 1)

OVERVIEW

This is a request to approve a Freeway Maintenance Agreement (FMA) to define maintenance responsibilities between Caltrans and County related to specific facilities located within the State's right-of-way in the unincorporated area. On February 23, 2000, the California Transportation Commission added State Route (SR) 125 South to the State freeway system. On January 16, 2002 (10), the County of San Diego (County) entered into a Freeway and Cooperative Agreement with California Department of Transportation (Caltrans) to define the responsibilities of each agency for closure, relocation, construction and maintenance of roads in the unincorporated area that will be affected with the construction of SR 125 South project (Project) in East Otay Mesa. In January 2024, Caltrans completed the construction of the Project.

The County will have maintenance responsibility for portions of Otay Mesa Road within the State's right-of-way to ensure ongoing access and safety for the public. A right-of-way is defined as an area designated for use as a public street, including the travel portion of the street, the shoulders, curbs, gutters, sidewalks, utilities, drainage facilities, traffic signs and any other improvements. Caltrans will continue to maintain all its freeway facilities in its right-of-way, including freeway surfaces, on and off-ramps, and bridge structures. This is a request to approve a Freeway Maintenance Agreement (FMA) for the Project to define maintenance responsibilities between Caltrans and County related to facilities located within the State's right-of-way, consistent with the 2002 Freeway and Cooperative Agreement.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed activity is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(3) and 15378. Section 15060(c)(3) specifies that activities which do not cause a direct or reasonably foreseeable indirect physical change in the environment are not considered "projects." Since entering into the freeway maintenance agreement (FMA) will have no impact on the environment, it does not meet the definition of a project and is therefore not subject to CEQA review.
2. Approve and authorize the Clerk of the Board and the Director, Department of Public Works to execute, upon receipt, four copies of the State Route 125 Otay Mesa Road FMA 11-8403 with Caltrans.

EQUITY IMPACT STATEMENT

Otay Mesa Road is an important route to connect to new and future developments in the East Otay Mesa area. These developments will provide jobs and support other economic opportunities to serve East Otay Mesa, which is an underserved community. Through the County of San Diego's (County's) partnership with Caltrans, Caltrans completed the construction of State Route 125 South (Project),

which included a new overpass spanning Otay Mesa Road, with north and southbound access ramps connecting to Otay Mesa Road. These actions will provide connectivity to the community members in these new developments.

SUSTAINABILITY IMPACT STATEMENT

Today’s action will support the County’s sustainability initiatives of the by ensuring the proper maintenance of County roads. Maintaining County roads has benefits to sustainability in terms of the economy, environment, social health, and well-being. Maintaining roads in a timely manner prevents more costly maintenance treatments in the future, thereby supporting economic sustainability. Well-maintained roads allow vehicle owners to use fewer resources for vehicle maintenance and operation providing social sustainability benefits. Drainage improvements proposed in this action, such as rehabilitating culverts, curbs, and gutters contribute to the County's sustainability goals to improve water quality and extend the useful life of facilities, by protecting County-maintained roads from costly and resource-intensive repairs.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2024-25 Operational Plan in the Department of Public Works, Road Fund. If approved, the estimated fiscal impact associated with the approval of the State Route 125 Otay Mesa Road Freeway Maintenance Agreement is approximately \$5,000 per year for ongoing maintenance starting in FY 2024-25. The funding source is State Highway User Tax Account (HUTA). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Montgomery Steppe, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, on Consent.

AYES: Anderson, Lawson-Remer, Montgomery Steppe, Desmond
ABSENT: (District 1 Seat Vacant)

State of California)
County of San Diego)

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER
Clerk of the Board of Supervisors



Signed
by Andrew Potter