

RESOLUTION NUMBER R- 311672

DATE OF FINAL PASSAGE APR 10 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO ADOPTING THE SITE DEVELOPMENT PERMIT
NO. 2092309 – PURE WATER NORTH CITY PROJECT –
PROJECT NO. 499621 (MMRP).

WHEREAS, City of San Diego Public Utilities Department, Owner, and Permittee, filed an application with the City of San Diego for a Site Development Permit to work within Environmentally Sensitive Lands (ESL) to construct the Pure Water Program’s North City Project consisting of the construction of new advanced water treatment facilities, wastewater treatment facilities, pump stations, and pipelines and upgrading existing facilities.

WHEREAS, The North City Project would use advanced water purification technology to produce purified water from recycled water known as the Pure Water Program’s North City Project, located in multiple locations: North City Water Reclamation Plant 4949 Eastgate Mall Road; North City Pure Water Facility & Pure Water Pump Station 4940 Eastgate Mall Road; Metro Biosolids Center, 5240 Convoy Street; Miramar Water Treatment Plant, 10710 Scripps Lake Drive; Pure Water Dechlorination Facility, 10139 Meanly Drive; Morena Pump Station 887 Sherman Street, Morena Pump Station Pipelines city owned Open Space Parcels APN 6710102300, 3451720700, 3480106500 within Rose Canyon and San Clemente Canyon along Genesee Avenue and including the public right of way, easements; and

WHEREAS, under San Diego Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals

affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the matter was set for public hearing on APR 10 2018,

testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Site Development Permit No. 2092309:

SITE DEVELOPMENT PERMIT SDMC Section 126.0502

(a) Findings for all Site Development Permits:

1. **The proposed development will not adversely affect the applicable land use plan.** The North City Project is considered an essential public project. The applicable land use plans for the project are the City of San Diego's General Plan and multiple community plans including Mission Valley, Linda Vista, Clairemont Mesa, University City, Mira Mesa and Scripps Miramar Ranch.

The North City Project will expand the existing North City Water Reclamation Plant (NCWRP) and construct an adjacent North City Pure Water Facility (NCPWF) and North City Pump Station along with a pipeline to Miramar Reservoir. Other project components include a new pump station (Morena Pump Station) and forcemain to deliver additional wastewater to the NCWRP; a brine/centrate discharge pipeline; upgrades to the existing Metro Biosolids Center; a new North City Renewable Energy Facility at the NCWRP; and a new Landfill Gas (LFG) Pipeline between the Miramar Landfill gas collection system and the NCWRP; and improvements at the Miramar Water Treatment Plant.

The facilities proposed have been determined to be consistent with industrial and public facility land use designations in the applicable community plans, and in the case of the North City Pure Water Facility would be adjacent to similar industrial development and facilities. Additionally, designs of the Morena Pump Station and the Pure Water Facility provide landscaped areas, trees, perimeter and retaining walls, and other site design features to screen the sites and mechanical equipment where feasible.

Pursuant to Government Code Section 53091(e), the City's development regulations do not apply to the Project. Because the pipelines would be installed underground within existing roadways and/or tunnels across highways and canyons, development regulations for underlying zones, such as setbacks, lot size, and building height, in the City's Municipal Code would not apply. However, development of all Project components would comply with the City's development regulations to the maximum extent feasible, and where safety is an issue such as for visibility areas, the Project is designed to meet development regulations. Therefore, no adverse effects related to conflicts between development of the project and the City's General Plan, applicable community plans, or municipal code would occur.

The project includes four pipelines that will be installed underground and include the North City Pure Water Pipeline (North City Pipeline), Landfill Gas (LFG) Pipeline, and Morena Wastewater Forcemain and Brine/Centrates Line (Morena Pipelines). As the pipelines would be installed underground primarily within existing roadways, no conflicts with the goals of the City's General Plan Land Use and Community Planning and Urban Design Elements would occur. Water and wastewater infrastructure are essential services and are located in nearly every neighborhood of the City. Further, because the pipelines would be installed underground and would not include prominent above ground components the

pipelines would not impair the City's City of Villages strategy and would not introduce a use that would be incompatible with existing industrial, commercial, residential and park land uses along the alignment. In addition, the pipelines would not contribute prominent above ground elements to the urban form and character of the neighborhoods traversed by the pipeline alignment.

The pipelines would further the water and wastewater goals of the Public Facilities, Services, and Safety Element and Conservation Element. The overall project is consistent with the General Plan Conservation Element goals, and specifically Policy CE-D.1 to reduce dependence on imported water supplies and sustain future water needs. Specific project components are consistent with policies for sustainability and sustainable design as well as Policy CE-F.3 for the use of methane as an energy source. As such, no adverse effects related to conflicts between development of the pipelines and applicable environmental goals, objectives, and recommendations of the City's General Plan would occur.

The project includes the construction of new facilities and redeveloped/expanded facilities. New facilities include the Morena Pump Station, North City Pure Water Facility, North City Pure Water Pump Station, North City Renewable Energy, and the Pure Water Dechlorination Facility. Improvements within existing facilities include the expansion of the North City Water Reclamation Plant, Metro Biosolids Center improvements and improvements at the Miramar Water Treatment Plant. Upgrades and improvements at existing facilities are compatible with the underlying land use designations and existing development and do not change the character or use of the properties.

The Pure Water Program and its components are also supported in the City of San Diego's Climate Action Plan (pages 60 and 61). The Plan discusses the vulnerability of the City's drinking water resources and the Pure Water Program specifically as an adaptation to mitigate for that vulnerability by providing safe, reliable, and cost effective drinking water supply for San Diego.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The purpose of the North City Project is to design, construct and operate the treatment and conveyance facilities necessary to produce 30 million gallons a day of purified water, thereby creating a new source of reliable, locally controlled water. The North City Project would expand the City's potable water production capacity to replace imported water supplies and would meet projected water demands within the City's service area as outlined in the conceptual future water supply sources in the City's 2015 Urban Water Management Plan. The project will also serve existing and planned future non-potable recycled water customers.

The North City Project will provide increased protection of the ocean environment. The project would reduce flows to the Point Loma Waste Water Treatment Plant, which would reduce total suspended solids discharged and recycle a valuable and limited resource that is currently discharged into the Pacific Ocean.

The City primarily relies on imported water supplies to meet the City's potable water demand. The region's reliance on imported water causes the City's water supply to be vulnerable to impacts from shortages and susceptible to price increases beyond the City's control. Potable reuse provides a proven, safe, and reliable source of water. The North City Project is needed to make San Diego more water independent and increase the reliability of

water supplies. This project will create a reliable water source that is protective of public health by meeting stringent drinking water quality standards. Therefore, this project will not have a detrimental impact to the public health, safety, and welfare.

3: The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code. The project would impact Environmentally Sensitive Lands and must obtain a Site Development Permit as required pursuant to SDMC section 143.0110. Based on the location and nature of the proposed project, no feasible action alternative exists to completely avoid impacts to sensitive resources. Minimization of impacts to Environmentally Sensitive Lands has been done to the extent feasible, by locating project features within existing developed areas and road right-of-ways whenever possible and feasible. The project will restore temporarily impacted areas and provided compensatory habitat mitigation to offset permanent loss of native or sensitive habitats. Pursuant to the California Environmental Quality Act (CEQA) Environmental Impact Report (EIR), required Mitigation, Monitoring and Reporting Program (MMRP) mitigation for sensitive habitat impacts would occur at required ratios outlined in the City's Biology Guidelines in compliance with the Land Development Code. Additionally, a Multiple-Habitat Planning Area (MHPA) Boundary Line Adjustment was required for the project to add the proposed SANDER mitigation property to the MHPA.

The project will result in permanent impacts to 0.38 acre of wetlands (vernal pool). The project meets the definition of an Essential Public Project as identified in Section IV of the City's Biology Guidelines, in that it is a utility project which will serve the community at large and is not just a single development project or property. The North City Project is a

covered project under the City of San Diego Vernal Pool Habitat Conservation Plan (VPHCP), which was adopted in January 2018. In association with the adoption of the VPHCP, an ordinance amending the City of San Diego's Land Development Code, ESL regulation was approved. The amended ESL regulation states outside the Coastal Overlay Zone, encroachment into a vernal pool is allowed outside of the MHPA where the development is consistent with the Biology Guidelines of the Land Development Manual and VPHCP. Such development does not require a deviation to the wetland regulations. Since the vernal pools on the NCPWF are outside the MHPA and will be mitigated in accordance with the City's Biology Guidelines and VPHCP requirements, the North City Project meets the requirements for impacts and mitigation to vernal pools under the VPHCP.

The proposed development will comply with the applicable regulations of the Land Development Code.

(b) Supplemental Findings--Environmentally Sensitive Lands

1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands. The project would be located primarily in areas of existing development (existing treatment plants) and public right-of-ways which are suitable for continued development. The North City Pure Water Facility would be located on an undeveloped property, outside of the Multiple Species Conservation Plan (MSCP) MHPA, directly north of the existing Water Reclamation Plant which makes the location most efficient and reasonable for additional water purification post tertiary treatment. The North City Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) evaluated two action alternatives including the proposed project, the Miramar Alternative.

Based on the analysis, the Miramar Reservoir Alternative is identified as the Environmentally Superior Alternative. The Miramar Reservoir Alternative would have less impact to biological resources, lower greenhouse gas emissions, less community disruption and less electricity and gas consumption. As such, the sites proposed for the project are physically suitable for the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards. The project would primarily be located within developed areas and roadways; however, some components are located adjacent to or traverse open space areas with potentially flammable materials such as brush, grass, or trees. A Construction Fire Prevention/Protection Plan shall be prepared prior to construction for project features adjacent to flammable sources such as dense brush. Construction within or immediately adjacent to areas of dense foliage during periods of low humidity and/or high winds (Red Flag Warning periods) will be prohibited. During all other non-Red Flag Warning periods, necessary brush fire prevention and management practices shall be incorporated and shall address common construction-related ignition prevention and hot-works (any spark, heat, or flame-producing activity) policies, as well as necessary fire prevention equipment to be on site during all construction activities. Brush management would occur at all facilities in accordance with section 142.0412 of the San Diego Municipal Code. Implementation of brush management would ensure no adverse impacts related to wildlife hazards from operation of the project.

All Project components are subject to effects associated with moderate to severe ground shaking in response to a major earthquake occurring on one of the major regional active faults. The closest active regional faults to the Project components are the Rose Canyon, Coronado Bank, the San Miguel–Vallecitos, La Nacion, and the Elsinore fault zones. Seismic design parameters, per the 2016 California Building Code (CBC) are included in Project design. Seismic design in accordance with building codes and associated standards would reduce the potential adverse effects of earthquake ground shaking on buildings to an acceptable level of risk. Such seismic design parameters would minimize risk due to fault rupture. Design measures that would stop flow and would allow for investigations of pipeline integrity following a seismic event have been incorporated into the project, minimizing potential hazards from fault rupture. Liquefaction minimization parameters are incorporated into the design of the project and include installation of stone columns across the Morena Pump Station site, mat foundations below the groundwater level. Expansive soils will be removed and compaction of fill materials would occur during construction, per standard construction practices to eliminate geologic risks from unstable soils.

As the project has adequately addressed soil and geologic conditions, would not construct new above grade facilities within 100 year flood zone, and will incorporate mitigation measures to address potential hazards to the public, the proposed project will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands. The North City Project has been designed to occur primarily within developed or previously disturbed areas. Access to Project components would be through existing roads, and no new access roads would be constructed.

In order to avoid and/or minimize impacts to sensitive biological resources to the furthest extent possible, refinements were made to facility layouts and pipeline alignments where Project components overlapped sensitive resources. In addition, the use of trenchless construction methods will be implemented during pipeline construction to avoid sensitive resources. The process of selecting each pipeline alignment and facility footprint was made with careful consideration of environmental resources and with the intention to minimize potential impacts. As such, multiple pipeline alignments and facility locations were evaluated, and it has been determined that the proposed project would result in the least environmental impacts. Areas of the project that are located adjacent to lands that support sensitive environmental resources will incorporate measures to prevent impacts to resources outside of the direct project area such as perimeter fencing, storm water protection devices, dust control, noise barriers, light shielding and an environmental education program. Therefore, the project will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan. The City's Subarea Plan contributes to the regional MSCP for preservation and mitigation for impacts to sensitive biological resources within southwestern San Diego County. The Subarea Plan is intended to provide cumulative mitigation for impacts to covered biological resource within the City's jurisdiction and to ensure sufficient resources are preserved to avoid jeopardizing the continued presence of Covered Species under the MSCP. The project is located in the Northern and Urban areas of the Subarea Plan as well as MCAS Miramar and Cornerstone lands. The majority of the Project components are located outside of the MHPA of the City's Subarea Plan. There is 0.05 acre of impacts to lands located within the MHPA boundary;

however, impacts would be located within an existing roadway (0.01 acre of urban/developed from the Morena Pipelines) or have been previously mitigated (0.04 acre of disturbed Diegan coastal sage scrub at the Miramar Water Treatment Plant). Measures are place to ensure compliance with the MSCP program including minimization of intrusion into the MHPA, minimization of impacts to environmentally sensitive lands, avoidance of significant disruption to wildlife corridor usage, fencing for protection of adjacent resources, shielding of nighttime lighting, dust control, noise reduction measures during the avian breeding season, compensatory mitigation to offset loss of sensitive habitats as appropriate and prohibiting the storage of construction materials within the MHPA.

The compensatory mitigation property proposed to meet the project's mitigation requirements triggered the need for a MHPA Boundary Line Adjustment (BLA) to add the SANDER mitigation area into the MHPA. Although the SANDER Mitigation site is included in the MSCP Subarea Plan (City of San Diego 1997), it was not included within MHPA lands. Therefore, a boundary line adjustment was proposed to ensure that all mitigation from the North City Project occurs within the MHPA. The SANDER Vernal Pool and Upland Mitigation site MHPA boundary line adjustment was approved by MSCP, U.S. Fish and Wildlife Service, and California Department of Fish and Wildlife on July 12, 2017, and therefore all habitat would be managed in accordance with MHPA requirements. "MHPA Boundary Line Adjustment for the Pure Water Program North City Project SANDER East Site" (Helix 2017) was approved the City and Wildlife Agencies and is incorporated by reference here. The BLA includes the addition of 21.61 acres into the MHPA. The approved BLA is anticipated to have an overall net beneficial effect on the MHPA preserve and MSCP covered species and habitats.

Based on the project features and mitigation measures, the project is consistent with the requirements of the City of San Diego MSCP Subarea Plan and San Diego Municipal Code, Land Development Code—Biology Guidelines. The proposed project will be consistent with the City of San Diego's MSCP Subarea Plan.

5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply. The project is not located in coastal zone and would not contribute to downstream erosion. The project has storm water standards in place to ensure the Project will avoid substantial increases in the rate or volume of storm water runoff leaving the sites, to avoid altering downstream drainage patterns, and to avoid discharge of polluted storm water. The project will incorporate storm water best management practices including implementation of low-impact development designs, source control and site design measures, structural pollutant control measures, and hydro-modification management measures. An environmental benefit of the project will be that effluent currently discharged to the Pacific Ocean will be reduced with wastewater being redirected away from the Point Loma Wastewater Treatment Plant and recycled for reuse. The project will provide increased protection of the ocean environment. The North City Project would reduce flows to the Point Loma Wastewater Treatment Plant, which would reduce total suspended solids discharged and recycle a valuable and limited resource that is currently discharged to the Pacific Ocean. Therefore, the proposed project will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development. The mitigation required as a condition of the permit has been

determined to be appropriate for the project in consideration of current best practices and scientific analysis. Therefore mitigation required of the project is balanced and reasonably related to, and calculated to alleviate negative impacts created by the proposed development.

The project conducted site specific impact analysis for the proposed development which identifies project design features, a MMRP, and when combined with implementation of the federal, state and local rules and regulations and the project's permit conditions, are reasonably related to, and are calculated to alleviate negative impacts and reduce negative impacts created by the proposed development.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED, that Site Development Permit No. 2092309 is granted to City of San Diego Public Utilities Department, Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

BE IT FURTHER RESOLVED, that the MHPA boundary adjustment as described and shown in the SANDER Vernal Pool and Upland Mitigation Plan for the North City Project (Appendix R of the Biological Resources Report) and the SANDER East Site Multi-Habitat Planning Area Boundary Line Adjustment Equivalency Analysis (Appendix Q of the North City Project Biological Resources Report) is approved.

APPROVED: MARA W. ELLIOTT, City Attorney

By Christine M. Leone
Christine M. Leone
Deputy City Attorney

CML:amc
March 12, 2018
April 12, 2018 REV.
Or.Dept: Development Services
CC No. n/a
Doc. No.: 1707362

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION
501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 21003699

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SITE DEVELOPMENT PERMIT NO. 2092309

PURE WATER SAN DIEGO PROGRAM, NORTH CITY PROJECT - PROJECT NO. 499621 [MMRP]
CITY COUNCIL

This Site Development Permit No. 2092309 is granted by the City Council of the City of San Diego to City of San Diego Public Utilities Department, Owner, and Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0502. The project site is in multiple locations: North City Water Reclamation Plant 4949 Eastgate Mall Rd; North City Pure Water Facility & Pure Water Pump Station 4940 Eastgate Mall Road; Metro Biosolids Center, 5240 Convoy Street; Miramar Water Treatment Plant, 10710 Scripps Lake Drive; Pure Water Dechlorination Facility, 10139 Meanly Drive; Morena Pump Station 887 Sherman Street, Morena Pump Station Pipelines city owned Open Space Parcels APN 6710102300, 3451720700, 3480106500 within Rose Canyon and San Clemente Canyon along Genesee Avenue and including the public right of way, easements; Pure Water pipeline within public right-of-way, easements and city owned property at Miramar Reservoir APN 3191601900, 3190311500; work within the public right of way and within easements including an easement with Marine Corps Air Station (MCAS) Miramar and Metropolitan Transit System (MTS) and additional right of way work as shown on Exhibit A.

Subject to the terms and conditions set forth in this Permit, permission is granted to City of San Diego Public Utilities Department Owner and Permittee to work within environmentally sensitive lands to construct the Pure Water Program's North City Project consisting of the construction of new advanced water treatment facilities, wastewater treatment facilities, pump stations, and pipelines and upgrading existing facilities. The North City Project would use advanced water purification technology to produce purified water from recycled water. Identified by size, dimension, quantity, type, and locations on the approved exhibits [Exhibit "A"] dated _____, on file in the Development Services Department.

The project shall include:

- a. Expansion of existing facility at North City Water Reclamation Plant;
- b. Upgrades to Metro Biosolids Center and Miramar Water Treatment Plant;
- c. Construction of new facilities North City Pure Water Facility; Pure Water Pump Station; Pure Water Dechlorination Facility; Renewable Energy Facility; Pure Water Influent Pump Station; Morena Pump Station;

- d. Pipelines for the Morena Pump Station within City owned Open Space Parcels APN 6710102300, 3451720700, and 3480106500;
- e. Pure Water Pipeline within public right of way, easements and at Miramar Reservoir;
- f. Landfill Gas pipeline and compressor station within public right of way and easements;
- g. Easement and property acquisition;
- h. Easement Expansion with MCAS Miramar and MTS;
- i. Work within the public-right of way as shown on Exhibit A;
- j. MHPA Boundary Line Adjustment; and
- k. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within 10 years (120) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 120 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by April 10, 2028.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
9. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.
10. This Permit may be developed in phases.
11. The Scripps Ranch portion of the project to be constructed first and construction to begin as soon as possible.
12. Public Utilities Staff will work with the Scripps Ranch Technology Park to determine the best days and times to perform construction in the Technology Park.
13. With the Working Group – keep to the construction schedules per segment to reduce issues with driveway access for office buildings and apartment/condos. Keep each segment to under 90 working days of construction, to the extent feasible, to keep disruption and noise to a minimum. Working Group to be able to call a phone number attached to a real person.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

14. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.
15. The mitigation measures specified in the MMRP and outlined in **ENVIRONMENTAL IMPACT REPORT**, NO. 499621/SCH 2016081016, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.
16. The Owner/Permittee shall comply with the MMRP as specified in **ENVIRONMENTAL IMPACT REPORT**, NO. 499621/SCH 2016081016 to the satisfaction of the Development Services Department and the City Engineer. Prior to the issuance of the "Notice to Proceed" with construction, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

Air Quality, Biological Resources, Health and Safety/Hazards, Historical Resources, Noise, Paleontological Resources, Public Utilities, and Transportation, Circulation and Parking.

CLIMATE ACTION PLAN REQUIREMENTS:

17. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist responses outlined in **ENVIRONMENTAL IMPACT REPORT**, NO. 499621/SCH 2016081016 for structures that require a certificate of occupancy. Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

ENGINEERING REQUIREMENTS:

18. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

19. The drainage system proposed for this development, as shown on the site plan, is public and subject to approval by the City Engineer.

20. All Public Improvements shall be constructed per approved Exhibit 'A' and satisfactory to the City Engineer.

21. The project shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.

22. The project shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.

23. The Project shall prepare a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.

24. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.

25. Public Utilities Staff will work with Working Groups to determine where extra water trucks are necessary to keep down the fugitive dust.

26. No construction on Sundays along Genesee Avenue.

27. Genesee Avenue construction to begin during the evening hours after 7 p.m.

28. On Towne Center Drive and Nobel Drive, construction to begin during the day and to the end at 4 p.m. (if necessary 7 p.m.).
29. Construction in the public right-of-way in Scripps Ranch to be performed at night to minimize impacts to Scripps Ranch High School, and as much street parking as possible to be kept open during the day throughout construction.
30. Reduce the need for tree removal in the parkways, medians, and public right-of-way.
31. Study the possibility of sleeving pipe between Governor Drive and Genesee Avenue.

LOCAL ENFORCEMENT AGENCY

32. The City of San Diego Local Enforcement Agency (LEA) shall be included as a reviewer for all ministerial construction reviews that apply only to the MBC Improvements and the Landfill Gas Line.

PLANNING/HISTORIC DESIGN REQUIREMENTS:

33. Any changes in project scope or alignment will require review and approval by Development Services Department Plan-Historic staff.
34. Any land required for construction of any facility must be acquired prior to construction.

TRANSPORTATION

35. Right of way improvements shall be in conformance with the approved Exhibit A and satisfactory to the City Engineer.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued.

APPROVED by the City Council of the City of San Diego on April 10, 2018 and Resolution Number R-311672.

Site Development Permit No. 2092309
April 10, 2018

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Helene Deisher
Development Project Manager

NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq.

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

City of San Diego Public Utilities Department
Owner/Permittee

By _____
Paz Gomez
Deputy Chief Operating Officer

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.

**CITY OF SAN DIEGO
MEMORANDUM**

DATE: April 18, 2018
TO: Office of the City Clerk/Matthew Hilario
FROM: Office of City Attorney/Christine *Leon*
SUBJECT: Item 331 (Subitem B) of April 10, 2018, Council Meeting

Item 331: Pure Water San Diego Program, North City Project – PTS No. 499621. Subitem B, (R-2018-405), Resolution granting a Site Development Permit and a Multiple Habitat Planning Area Boundary Line Adjustment for the Pure Water North Project.

On April 10, 2018, Item 331, Subitem B was heard by the City Council. During the meeting, Councilmember Bry proposed various amendments to the Site Development Permit. These amendments were approved by the full City Council.

Today, I provided electronic copies of (1) the Revised Resolution for Site Development Permit, (2) Site Development Permit attached to the Resolution to Erin Domorest.

Attached please find a hard copy of these documents with my wet signature. Please let me know if you need any additional information to finalize this action.

Passed by the Council of The City of San Diego on APR 10 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

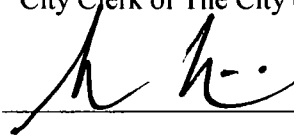
Date of final passage APR 10 2018

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

(Seal)

Office of the City Clerk, San Diego, California

311672

Resolution Number R-_____