

#1059
12/13/22

(R-2023-292)

RESOLUTION NUMBER R- 314530
DATE OF FINAL PASSAGE DEC 16 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE AGREEMENT WITH SUKUT CONSTRUCTION, LLC FOR THE DESIGN AND CONSTRUCTION OF AN ORGANICS PROCESSING FACILITY AT THE MIRAMAR LANDFILL IS CONSISTENT WITH THE FINAL ENVIRONMENTAL IMPACT STATEMENT / MASTER ENVIRONMENTAL IMPACT REPORT FOR THE MIRAMAR LANDFILL AND CONSTITUTES SUBSEQUENT DISCRETIONARY ACTION PURSUANT TO PUBLIC RESOURCES CODE SECTION 21166 AND CEQA GUIDELINES SECTION 15162.

WHEREAS, the City of San Diego Operates the Miramar Landfill on property leased from the United States Navy adjacent to Marine Corps Air Station Miramar; and

WHEREAS, the City has made past determinations regarding the compliance of Miramar Landfill development and operations with the California Environmental Quality Act (CEQA), including determinations for facilities and operations for the processing of organic waste; and

WHEREAS, a Final Program Environmental Impact Statement (PEIS)/Master Environmental Impact Report (MEIR) for the Miramar Landfill General Development Plan/Fiesta Island Replacement Project/Northern Sludge Processing Facility/West Miramar Landfill Overburden Disposal project (DEP No. 91-0653/ SCH No. 1991121022) was certified by San Diego Resolution R-285601 (Dec. 5, 1994); and

WHEREAS, a Negative Declaration for the Miramar Landfill Composting Operation project (Project No. 99-0431/SCH No. 1999091113) was adopted by Mayoral Action in February 2000; and

WHEREAS, a Negative Declaration for the Greenery Expansion project (Project No. 159323/SCH No. 2008121119) was adopted by Mayoral Action on February 24, 2009; and

WHEREAS, concurrent and together with this resolution the City is adopting a resolution to award a Design-Build Agreement to Sukut Construction, LLC for the design and construction of a new Organics Processing Facility at the Miramar Landfill; and

WHEREAS, the Environmental Policy Section of the Planning Department completed a CEQA Guidelines section 15162 consistency evaluation in compliance with Public Resources Code section 21166 for the Organics Processing Facility project and determined the project is consistent with the previously adopted CEQA determinations; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, per CEQA Guidelines section 15162 and in compliance with Public Resources Code section 21166, that the Design-Build Agreement with Sukut Construction, LLC for the design and construction of an Organics Processing Facility at the Miramar Landfill is consistent with the Final Program Environmental Impact Statement (PEIS)/Master Environmental Impact Report (MEIR) for the Miramar Landfill General Development Plan/Fiesta Island Replacement Project/Northern Sludge Processing Facility/West Miramar Landfill Overburden Disposal project (DEP No. 91-0653/ SCH No. 1991121022) certified by the San Diego Resolution R-285601 (Dec. 5, 1994); with the Negative Declaration for the Miramar Landfill Composting Operation project (Project No. 99-0431/SCH No. 1999091113) adopted by Mayoral Action in February 2000; and with the Negative Declaration for the Greenery Expansion project (Project No. 159323/SCH No. 2008121119) adopted by Mayoral Action on February 24, 2009.

BE IT FURTHER RESOLVED, that the Organics Processing Facility Project is consistent with the scope of the development program evaluated in the above mentioned environmental documents and would not result in new or more severe significant impacts over and above those disclosed in the previously certified and adopted environmental documents.

BE IT FURTHER RESOLVED, that the Organics Processing Facility project is a subsequent discretionary action and is not a separate project for the purposes of CEQA review pursuant to CEQA Guidelines sections 15378(c) and 15060(c)(3), and pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15162, there is no change in circumstance, additional information, or project changes to warrant additional environmental review for this action.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Frederick M. Ortlieb
Frederick M. Ortlieb
Senior Deputy City Attorney

FMO:cw
November 17, 2022
Or.Dept: Environmental Services
CC No.: N/A
Doc. No. 3145572

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 13 2022

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 12/15/22
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on DEC 13 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 16 2022.

(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:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

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

By Kayshell Medina, Deputy

Office of the City Clerk, San Diego, California

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