

RESOLUTION NUMBER R- 316133

DATE OF FINAL PASSAGE APR 03 2025

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT AUTHORIZING THE AWARD OF A CONTRACT TO OHLA USA, INC. FOR CONSTRUCTION OF THE MORENA IMPROV 3, MORENA IMPROV 3A, AND MORENA BL MEDIAN PROJECTS IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER TITLE 14 CALIFORNIA CODE OF REGULATIONS SECTIONS 15301, 15302, AND 15304.

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. The Council will consider approval of a contract between the City and OHLA USA, Inc. (OHLA) under which OHLA will construct the Morena Pipeline, Morena Improv 3, Morena Improv 3A, Morena Pipeline (BL), and Morena Bl Median projects (Project).

B. The California Environmental Quality Act (CEQA), California Public Resources Code (Code) sections 21000-21189.91, provides in Code section 21083 that the California Office of Planning and Research will promulgate, and the Secretary of the California Natural Resources Agency will adopt, guidelines for implementation of CEQA. The California Office of Planning and Research promulgated, and the Secretary of the California Natural Resources Agency adopted, the guidelines for implementation of CEQA set forth in Title 14 California Code of Regulations sections 15000 through 15387 (CEQA Guidelines).

C. Code section 21084 requires the CEQA Guidelines to include a list of classes of projects that have been determined not to have a significant effect on the environment and are exempt from the provisions of CEQA. CEQA Guidelines sections 15300 through 15333 list

classes of projects that have been determined not to have a significant effect on the environment and declared to be exempt from preparation of environmental documents under CEQA.

D. The Council has considered the written record related to the Project and all public comments about the potential environmental effects of the Project.

E. The Council, using its independent judgment, has determined that the Morena Improv 3, Morena Improv 3A, and Morena BI Median portions of the Project are categorically exempt from the provisions of CEQA under CEQA Guidelines sections 15301 (titled “Existing Facilities”) because they involve the operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use, and section 15302 (titled “Replacement or Reconstruction”) because they involve replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

F. Further, the Council, using its independent judgment, has determined that the Morena Improv 3 and Morena Improv 3A are also exempt under CEQA Guidelines section 15304 (titled “Minor Alterations to Land”) because they involve minor alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees.

G. The Morena Pipeline portion of the Project has been reviewed for consistency with and is adequately addressed in the Final Addendum to Mitigated Negative Declaration (MND) No. 255100 for the Morena Pipeline Project (Project No. 583432/SCH No. 2011091045/WBS No. B-10627.02.02) which was adopted by the City of San Diego

Development Services Department on November 9, 2017; and in the Final Addendum to MND No. 255100 for the Elvira to Morena Double Tracking Pipelines Relocation Project (Project No. 401591/SCH No. 2011091045/WBS No. B-10627.02.02) which was adopted by the City of San Diego Planning Department on July 14, 2015.

H. The Morena Pipeline (BL) portion of the Project has been reviewed for consistency with and is adequately addressed in the Final Program Environmental Impact Report (PEIR) for the Morena Corridor Specific Plan (Project No. 582608/SCH No. 2016101021) which was certified on August 7, 2019, by San Diego Resolution R-312607 and the Final PEIR for the Bicycle Master Plan Update (Project No. 290781/ SCH No. 2012061075) which was certified on December 26, 2013, by San Diego Resolution R-308596.

I. No exception to the application of a categorical exemption set forth in CEQA Guidelines section 15300.2 applies to the Morena Improv 3, Morena Improv 3A or the Morena BI Median portions of the Project.

J. The Office of the City Attorney prepared this Resolution based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete and accurate.

#### ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

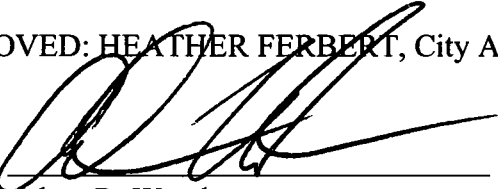
1. The Morena Improv 3 and Morena Improv 3A portions of the Project are categorically exempt from the provisions of CEQA under CEQA Guidelines sections 15301, 15302, and 15304.

2. The Morena BI Median portion of the Project is categorically exempt from the provisions of CEQA under CEQA Guidelines sections 15301 and 15302.

3. No exception to the application of a categorical exemption set forth in CEQA Guidelines section 15300.2 applies to the Morena Improv 3, Morena Improv 3A, or the Morena BI Median portions of the Project.

APPROVED: HEATHER FERBERT, City Attorney

By



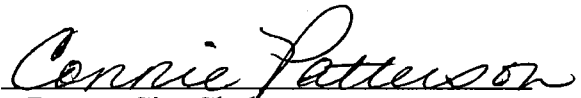
Adam R. Wander  
Deputy City Attorney

ARW:amt  
March 19, 2025  
Or.Dept: E&CP  
Doc. No. 3999152

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on  
MAR 25 2025.

DIANA J.S. FUENTES  
City Clerk

By




Deputy City Clerk

Approved: \_\_\_\_\_

4/1/25

(date)



TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_

(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAR 25 2025, 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"/>
Henry L. Foster III	<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 APR 03 2025.

**(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)

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By Krystle Medina, Deputy  
for Annie Patterson

Office of the City Clerk, San Diego, California

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