



PUBLIC NOTICE

**U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT**

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**APPLICATION FOR PERMIT
North City Pure Water Project**

Public Notice/Application No.: SPL-2017-00649-CJA

Project: North City Pure Water Project City of San Diego Public Utilities

Comment Period: September 7, 2018 through October 7, 2018

Project Manager: Stephen Roethle; (760) 602-4835; Stephen.R.Roethle@usace.army.mil

Applicant

Keli Balo
City of San Diego Public Utilities Dept
9192 Topaz Way
San Diego, California 92123

Contact

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San Diego, California 92123

Location

The proposed project generally runs from Tecolote creek near Sea World Drive/Tecolote Road, north between Interstate 5 and Interstate 805 to the North City Water Reclamation Plant located at 4949 Eastgate Mall, in the city of San Diego, San Diego County, California. The pipeline will then continue from the North City Water Reclamation Plant running generally northeast to Miramar Reservoir. The project proposes to cross three areas consisting of waters of the U.S.; Tecolote Creek north of the intersection of West Morena Boulevard and Vega Street (32.771 -117.205), North City Pipeline within Miramar Reservoir (32.915, -117.100), and the North City Pure Water Facility south of Highway 52 between Convoy Street, and Magnetron Boulevard (32.837 -117.145).

Activity

The North City Project will expand the existing North City Water Reclamation Plant (NCWRP) and construct an adjacent North City Pure Water Facility and water pump station. Purified water will be conveyed to Miramar Reservoir and discharged via a new water pipeline, and outfall structure. Other project components include a new pump station and forcemain to deliver additional wastewater to the NCWRP for recycling, 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.

Interested parties are hereby notified an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). We invite you to review today's public notice and provide views on the proposed work. By providing substantive, site-specific comments to the Corps Regulatory Division, you provide information that supports the Corps' decision-making process. All comments received during the comment period become part of the record and will be considered in the decision.

This permit will be issued, issued with special conditions, or denied under Section 404 of the Clean Water Act. Comments should be mailed to:

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
ATTN: Stephen Roethle
5900 LA PLACE COURT, SUITE 100
CARLSBAD, CA 92008

Alternatively, comments can be sent electronically to: Stephen.R.Roethle@usace.army.mil

The mission of the U.S. Army Corps of Engineers Regulatory Program is to protect the Nation's aquatic resources, while allowing reasonable development through fair, flexible and balanced permit decisions. The Corps evaluates permit applications for essentially all construction activities that occur in the Nation's waters, including wetlands. The Regulatory Program in the Los Angeles District is executed to protect aquatic resources by developing and implementing short- and long-term initiatives to improve regulatory products, processes, program transparency, and customer feedback considering current staffing levels and historical funding trends.

Corps permits are necessary for any work, including construction and dredging, in the Nation's navigable water and their tributary waters. The Corps balances the reasonably foreseeable benefits and detriments of proposed projects, and makes permit decisions that recognize the essential values of the Nation's aquatic ecosystems to the general public, as well as the property rights of private citizens who want to use their land. The Corps strives to make its permit decisions in a timely manner that minimizes impacts to the regulated public.

During the permit process, the Corps considers the views of other Federal, state and local agencies, interest groups, and the general public. The results of this careful public interest review are fair and equitable decisions that allow reasonable use of private property, infrastructure development, and growth of the economy, while offsetting the authorized impacts to the waters of the United States. The permit review process serves to first avoid and then minimize adverse effects of projects on aquatic resources to the maximum practicable extent. Any remaining unavoidable adverse impacts to the aquatic environment are offset by compensatory mitigation requirements, which may include restoration, enhancement, establishment, and/or preservation of aquatic ecosystem system functions and services.

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material,

the evaluation of the activity will include application of the EPA Guidelines (40 CFR Part 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Preliminary Review of Selected Factors

EIS Determination- A final Environmental Impact Report/Environmental Impact Statement dated February 27, 2018 was submitted to the Corps. The City of San Diego and the U.S. Bureau of Reclamation as the lead federal agency were joint lead agencies in preparing of the EIR/EIS. The Corps will review the EIR/EIS to determine if it can be adopted for the Corps National Environmental Policy Act compliance.

Water Quality- The applicant is required to obtain water quality certification, under Section 401 of the Clean Water Act, from the California Regional Water Quality Control Board. Section 401 requires any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance.

Coastal Zone Management-This project is located outside the coastal zone and preliminary review indicates it would not affect coastal zone resources. After a review of the comments received on this public notice and in consultation with the California Coastal Commission, the Corps will make a final determination of whether this project affects coastal zone resources after review of the comments received on this Public Notice.

Essential Fish Habitat- No Essential Fish Habitat (EFH), as defined by the Magnuson-Stevens Fishery Conservation and Management Act, occurs within the project area and no EFH is affected by the proposed project.

Cultural Resources-The Bureau of Reclamation (BOR) is the Lead Federal Agency for the North City Pure Water Project. Pursuant to section 106 of the National Historic Preservation Act (NHPA). On February 22, 2018, the BOR initiated consultation with the California State Historic Preservation Officer (SHPO) with a finding of "no adverse effect to historic properties." The SHPO concurred with BOR in a letter dated March 27, 2018.

Endangered Species- Preliminary determinations indicate the proposed activity may potentially affect federally-listed endangered species San Diego fairy shrimp (*Branchinecta sandiegonensis*), or its critical habitat. The United States Bureau of Reclamation been identified as the lead agency for complying with Section 7 of the ESA. Consultation is currently ongoing.

Public Hearing- Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

Proposed Activity for Which a Permit is Required

Basic Project Purpose- The basic project purpose comprises the fundamental, essential, or irreducible purpose of the proposed project, and is used by the Corps to determine whether the applicant's project is water dependent (i.e., requires access or proximity to or siting within the special aquatic site to fulfill its basic purpose). Establishment of the basic project purpose is necessary only when the proposed activity would discharge dredged or fill material into a special aquatic site (e.g., wetlands, pool and riffle complex, mudflats, coral reefs). The basic project purpose for the proposed project is to provide potable water. The project is water dependent.

Overall Project Purpose- The overall project purpose serves as the basis for the Corps' 404(b)(1) alternatives analysis and is determined by further defining the basic project purpose in a manner that more specifically describes the applicant's goals for the project, and which allows a reasonable range of alternatives to be analyzed. The overall project purpose for the proposed project of the North City Project is to

1. Construct the treatment and conveyance facilities necessary to produce approximately 30 million gallons a day of purified water in order to meet projected water demands within the City's service area.
2. Reduce flows to the Point Loma Wastewater Treatment Plant which would reduce total suspended solids that is currently discharged to the Pacific Ocean.

Additional Project Information

Baseline information- The proposed project is broken down into three jurisdictional components.

1. Tecolote Creek, new pipelines would be installed below grade.
2. At the Pure Water Facility Site, wetland basins will be graded to fully develop the site as a treatment facility.
3. At Miramar Reservoir the installation of the underwater pipeline be placed in the reservoir to facilitate discharge of purified water in multiple underwater locations for proper mixing within the lake.

Project description- Discharge of materials is required to construct the North City Project. At Tecolote Creek, new pipelines would be installed below grade. To install pipes, temporary impacts to Tecolote Creek would occur. A trench will be saw cut and dug across the concrete channel and restored to pre-impact conditions (0.03 acre). Temporary fill for an aqua barrier, dewatering hoses and pumps, sand bag berms (water quality protection) and a fill to create a temporary access ramp into the creek will result in 0.02 acre of fill. At the Pure Water Facility Site, wetland basins will be graded to fully develop the site as a treatment facility resulting in a permanent loss of 0.031 acre of Corps jurisdictional Vernal Pools. At Miramar Reservoir the installation of the underwater pipeline will result in excavation and discharge of fill permanently impacting 0.017 acre of jurisdiction non-wetland waters for a receiving pit and 0.371 acre of non-wetland waters that will be occupied by the pipeline in the reservoir. The pipeline must be placed in the reservoir to facilitate discharge of purified water in multiple underwater locations for proper mixing within the lake. At the SANDER mitigation site 0.57 acre of existing vernal pools will be positively impacted for the purpose of implementing activities to

restore, enhance, and preserve vernal pools and upland habitat to satisfy the vernal pool and upland habitat mitigation requirements for the North City Project.

Proposed Mitigation– The proposed mitigation may change as a result of comments received in response to this public notice, the applicant's response to those comments, and/or the need for the project to comply with the 404(b)(1) Guidelines. In consideration of the above, the proposed mitigation sequence (avoidance/minimization/compensation), as applied to the proposed project is summarized below:

Avoidance: Trenchless technologies are being used to cross waterways along the pipeline alignment to avoid direct impacts. No wetlands will be impacted or displaced at Miramar Reservoir as result of sinking pipeline to the bottom of reservoir.

Minimization: The North City Project was designed to avoid impacts to aquatic resources to the extent feasible. Pipeline launch and receiving pits were redesigned to a sunken sub-aqueous concept to avoid additional fill material. The diameter of the pipeline in Miramar Reservoir was reduced in diameter from its original design in order to minimize impact. The crossing a Tecolote Creek was redesigned to only have temporary environmental impacts by installing the pipeline below grade.

Compensation: The Applicant is proposing to mitigate loss of jurisdictional resources through permittee responsible mitigation. The construction of the North City Project will result in unavoidable impacts to vernal pool resources and upland habitats. Mitigation for impacts is required pursuant to City, State, and Federal guidelines. The applicant has submitted a Vernal Pool and Upland Mitigation Plan for the North City Project. The mitigation plan includes a description of the process for implementing activities to restore, enhance, and preserve vernal pools and upland habitat to satisfy the vernal pool and upland habitat mitigation requirements for the North City Project.

Proposed Special Conditions

Special conditions providing for the avoidance, minimization and mitigation of impacts to waters of the U.S., threatened and endangered species, and cultural resources would likely be incorporated into the Corps permit, if issued. No specific conditions are proposed at this time.

For additional information please call Stephen Roethle of my staff at (760) 602-4835 or via e-mail at Stephen.R.Roethle@usace.army.mil. This public notice is issued by the Chief, Regulatory Division.



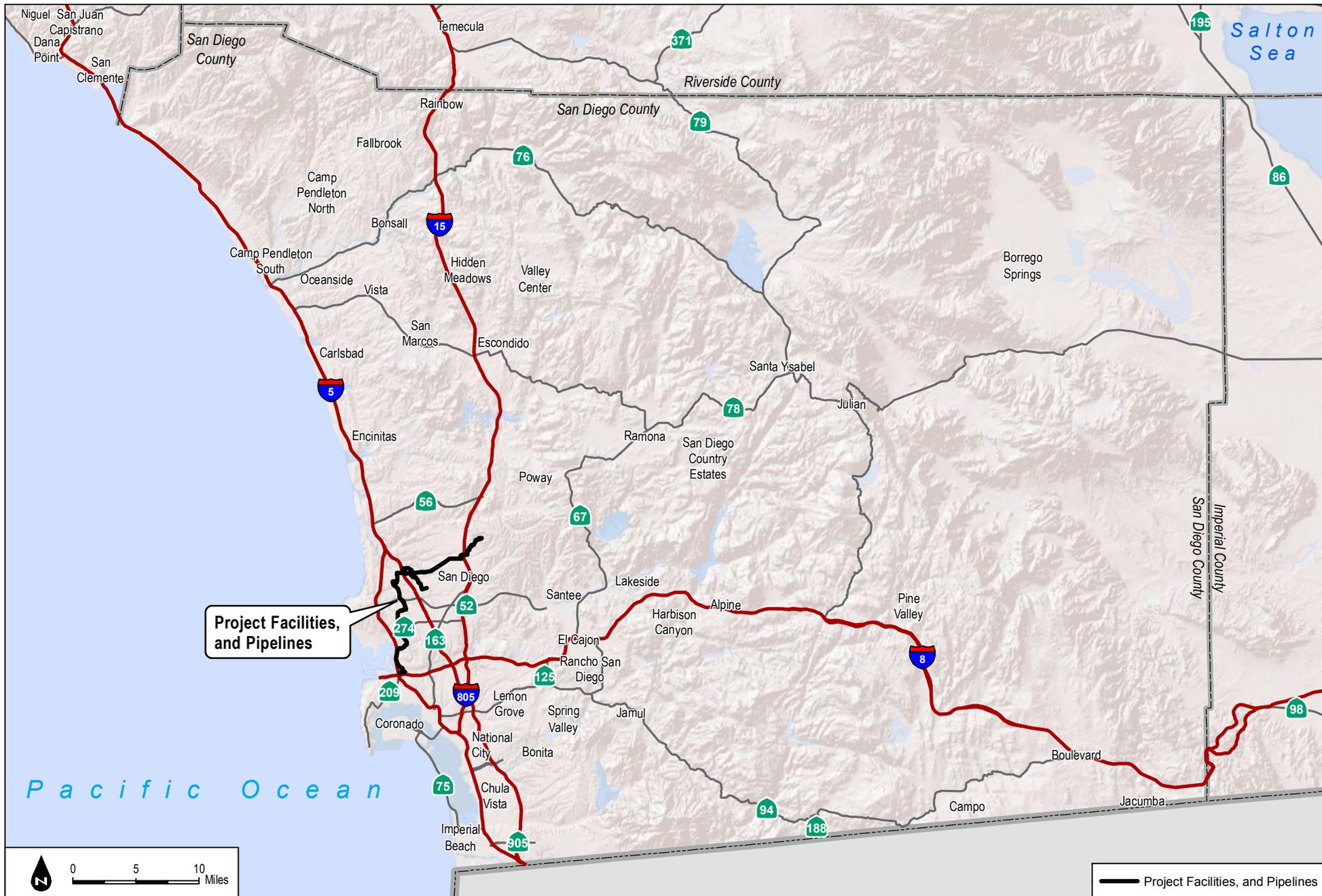
Regulatory Program Goals:

- To provide strong protection of the nation's aquatic environment, including wetlands.
- To ensure the Corps provides the regulated public with fair and reasonable decisions.
- To enhance the efficiency of the Corps' administration of its regulatory program.

**DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS**

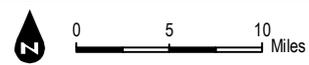
Carlsbad Field Office
5900 La Place Ct., Suite 100
Carlsbad, CA 92008

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**Project Facilities,
and Pipelines**

— Project Facilities, and Pipelines



SOURCE: City San Diego 2016; ESRI 2016

FIGURE 1
Regional Map

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Application for Nationwide Permit for the Pure Water North City Project - Supplemental Information

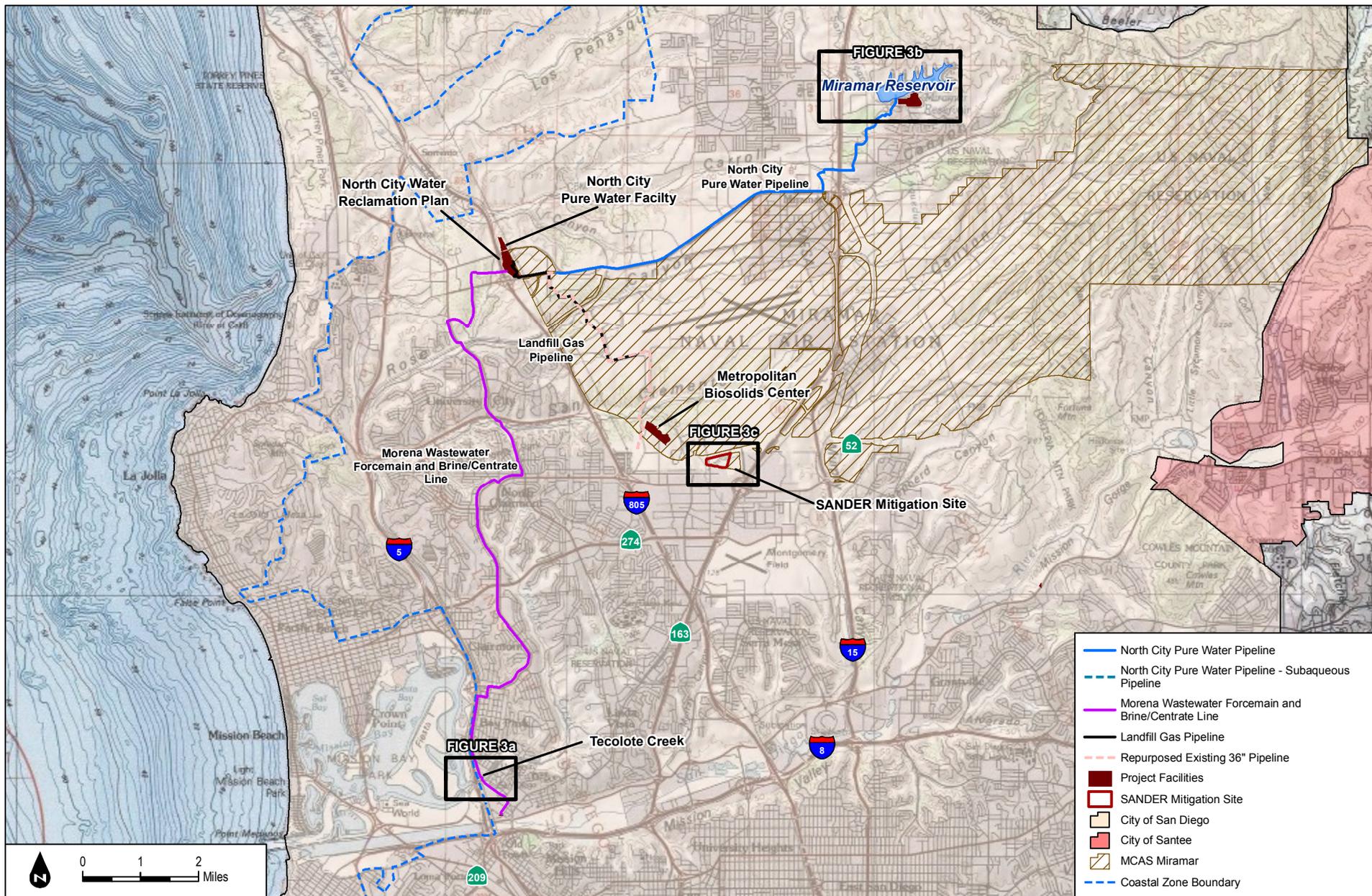
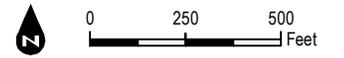


FIGURE 2
Vicinity Map

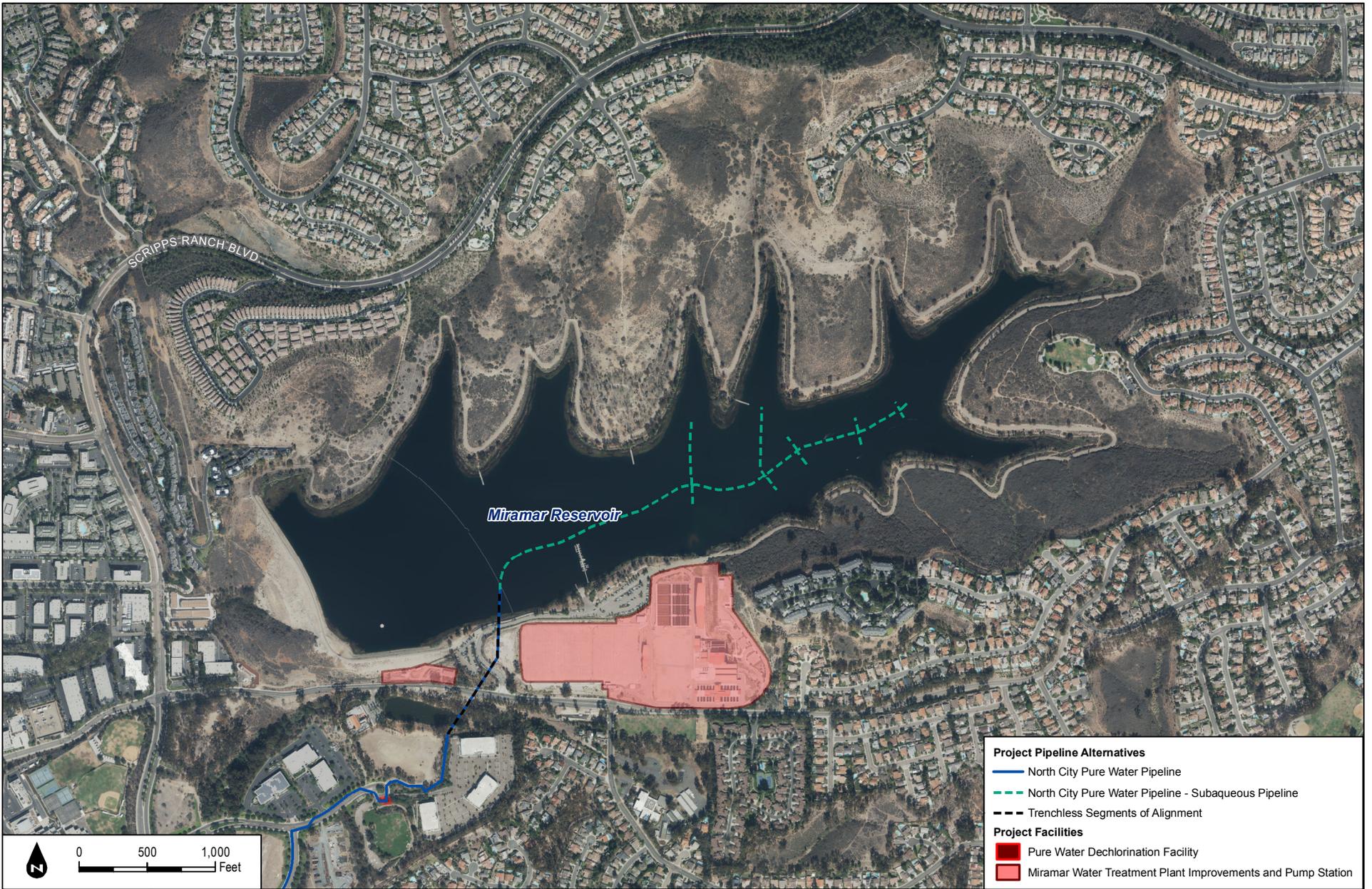


SOURCE: City of San Diego, 2016, 2017; SANDAG 2014; USGS NHD

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Application for Nationwide Permit for the Pure Water North City Project - Supplemental Information

FIGURE 3a
Tecolote Creek



SOURCE: City of San Diego 2016, 2017; SANDAG

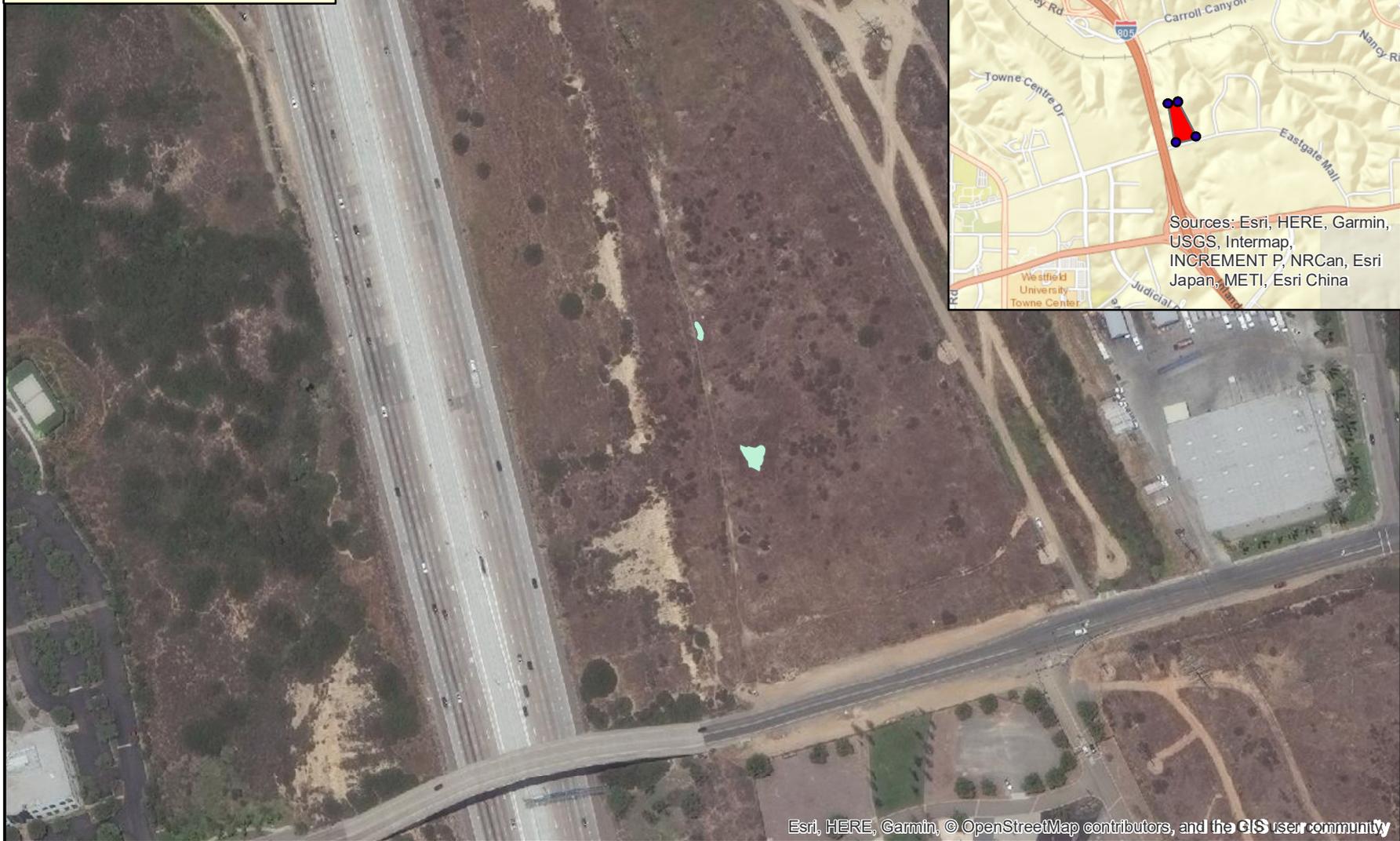
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Application for Nationwide Permit for the Pure Water North City Project - Supplemental Information

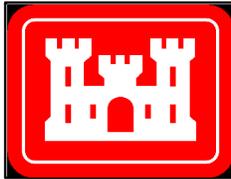
FIGURE 3b

Miramar Reservoir

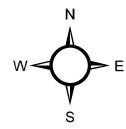
Legend
Jurisdictional Vernal Pools



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Pure Water Facility



0 0.0125 0.025 0.05 0.075 0.1 Miles
Coordinate System: Lambert Conformal Conic
Central Meridian: 116°15'0"W
1st Std Parallel: 32°47'0"N
2nd Std Parallel: 33°53'0"N
Latitude of Origin: 32°10'0"N