

1 [California Environmental Quality Act Findings and Mitigation Agreements - Various
2 Cemeteries and the California Golf Club - Regional Groundwater Storage and Recovery
3 Project]

4 **Resolution adopting findings under the California Environmental Quality Act, including**
5 **the adoption of a mitigation monitoring and reporting program and a statement of**
6 **overriding considerations related to funding for the Regional Groundwater Storage and**
7 **Recovery Project; and authorizing the General Manager of the Public Utilities**
8 **Commission to enter into mitigation agreements with Cypress Lawn Memorial Park**
9 **Cemetery, Eternal Home Cemetery, Hills of Eternity/Home of Peace/Salem Cemeteries,**
10 **Holy Cross Catholic Cemetery, Italian Cemetery, Olivet Cemetery, Woodlawn Cemetery,**
11 **and the California Golf Club for an indefinite term beginning upon execution of the**
12 **agreements.**

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14 WHEREAS, The San Francisco Public Utilities Commission (SFPUC) has developed
15 and approved a project description for the Regional Groundwater Storage and Recovery
16 Project (Project), Project No. CUW30103, which is a water infrastructure project included as
17 part of the Water System Improvement Program (WSIP); and

18 WHEREAS, The Project is located in the County of San Mateo and its completion
19 would help the SFPUC achieve the WSIP Level of Service goal for Water Supply adopted by
20 the SFPUC in Resolution No. 08-200; and

21 WHEREAS, The objectives of the Project are to conjunctively manage the South
22 Westside Groundwater Basin through the coordinated use of SFPUC surface water and
23 groundwater pumped by the City of Daly City, City of San Bruno, and California Water Service
24 Company ("Participating Pumpers"); provide supplemental SFPUC surface water to the
25 Participating Pumpers in normal and wet years, resulting in a corresponding reduction of

1 groundwater pumping, which then allows for in-lieu recharge of the South Westside
2 Groundwater Basin; increase the dry-year and emergency pumping capacity of the South
3 Westside Groundwater Basin by up to an average annual volume of 7.2 million gallons per
4 day; and provide a new dry-year groundwater supply for SFPUC customers and increase
5 water supply reliability during the 8.5-year design drought cycle; and

6 WHEREAS, An Environmental Impact Report (EIR) as required by the California
7 Environmental Quality Act (CEQA) was prepared for the Project by the San Francisco
8 Planning Department, File No. 2008.139E; and

9 WHEREAS, The Project is a capital improvement project approved by the SFPUC as
10 part of the WSIP; and

11 WHEREAS, The San Francisco Planning Commission on August 7, 2014, certified the
12 Final Environmental Impact Report (FEIR) for the Project, adopted CEQA Findings including a
13 statement of overriding considerations and a Mitigation Monitoring and Reporting Program,
14 and found the Project consistent with the General Plan by Motion No. M-19209; and

15 WHEREAS, The Project FEIR is tiered from the WSIP Program Environmental Impact
16 Report (PEIR) certified by the Planning Commission on October 30, 2008, by Motion No.
17 17734; and

18 WHEREAS, Thereafter, the SFPUC approved the WSIP and adopted findings and a
19 Mitigation Monitoring and Reporting Program (PEIR MMRP) as required by CEQA on October
20 30, 2008, by Resolution No. 08-200; and

21 WHEREAS, The SFPUC, by Resolution No. 14-0127, a copy of which is included in
22 Board of Supervisors File No. 140945 and which is incorporated herein by this reference: 1)
23 approved the Project; and 2) adopted findings (CEQA Findings), including a Statement of
24 Overriding Considerations, and a Mitigation Monitoring and Reporting Program (MMRP) as
25 required by CEQA; and

1 WHEREAS, The Project files, including the FEIR, PEIR, and SFPUC Resolution No.
2 14-0127 have been made available for review by the Board and the public, and those files are
3 considered part of the record before this Board; and

4 WHEREAS, The Board of Supervisors has reviewed and considered the information
5 and findings contained in the FEIR, PEIR, and SFPUC Resolution No. 14-0127, and all written
6 and oral information provided by the Planning Department, the public, relevant public
7 agencies, SFPUC and other experts and the administrative files for the Project; and

8 WHEREAS, The FEIR and MMRP adopted by the SFPUC require mitigation actions
9 related to Project operation to mitigate well interference impacts to Cypress Lawn Memorial
10 Park Cemetery; Eternal Home Cemetery; Hills of Eternity/Home of Peace/Salem Cemeteries;
11 Holy Cross Catholic Cemetery; Italian Cemetery; Olivet Cemetery; Woodlawn Cemetery, and
12 the California Golf Club through the negotiation and execution of Mitigation Agreements
13 between the SFPUC and each of these entities; and

14 WHEREAS, The term of the proposed Mitigation Agreements exceeds 10 years,
15 requiring the approval of the Board of Supervisors under Charter, Section 9.118 (b); and

16 WHEREAS, Copies of the proposed Mitigation Agreements have been placed in Board
17 File No. 140945; and

18 WHEREAS, This Board of Supervisors adopted Ordinance No. 0092-10 that placed
19 WSIP appropriated funds on Controller's Appropriation Reserve, by project, making release of
20 appropriation reserves by the Controller subject to the prior occurrence of: 1) the SFPUC's
21 and the Board's discretionary adoption of CEQA Findings for each project, following review
22 and consideration of completed project-related environmental analysis, pursuant to CEQA, the
23 State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, where
24 required, and 2) the Controller's certification of funds availability, including proceeds of
25 indebtedness. The Ordinance also placed any project with construction costs in excess of

1 \$100,000,000 on Budget and Finance Committee reserve pending review and reserve release
2 by that Committee; however, Project costs are below that threshold; now, therefore, be it

3 RESOLVED, That the Board of Supervisors has reviewed and considered the Project
4 FEIR and record as a whole, finds that the FEIR is adequate for its use as the decision-
5 making body for the action taken herein including, but not limited to, approval of the Project
6 and adopts and incorporates by reference as though fully set forth herein the CEQA Findings,
7 including the Statement of Overriding Considerations, and the MMRP contained in SFPUC
8 Resolution No. 14-0127; and, be it

9 FURTHER RESOLVED, That the Board adopts the City Planning Commission's
10 General Plan consistency findings for the Project in Motion No. M-19209, and, be it

11 FURTHER RESOLVED, That the Board finds that the Project mitigation measures set
12 forth in the Project FEIR and the MMRP, and adopted by the SFPUC and herein by this Board
13 will be implemented as reflected in and in accordance with the MMRP and the Mitigation
14 Agreements where applicable; and, be it

15 FURTHER RESOLVED, That the Board finds that since the FEIR was finalized, there
16 have been no substantial project changes and no substantial changes in Project
17 circumstances that would require major revisions to the FEIR due to the involvement of new
18 significant environmental effects or an increase in the severity of previously identified
19 significant impacts, and there is no new information of substantial importance that would
20 change the conclusions set forth in the FEIR; and, be it

21 FURTHER RESOLVED, That the Board directs the Clerk of the Board to forward this
22 Resolution to the Controller; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors authorizes the General
24 Manager of the PUC to enter into the Mitigation Agreements with Cypress Lawn Memorial
25 Park Cemetery; Eternal Home Cemetery; Hills of Eternity/Home of Peace/Salem Cemeteries;

1 Holy Cross Catholic Cemetery; Italian Cemetery; Olivet Cemetery; Woodlawn Cemetery, and
2 the California Golf Club, substantially in the form of the Agreements on file with the Clerk of
3 the Board of Supervisors in File No. 140945, with such changes or modifications, including
4 modifications to the exhibits, as may be acceptable to the General Manager and the City
5 Attorney and which do not materially increase the obligations and liabilities of the City; and, be
6 it

7 FURTHER RESOLVED, That upon execution of the Mitigation Agreements, the
8 General Manager of the PUC shall transmit copies of the Mitigation Agreements with Cypress
9 Lawn Memorial Park Cemetery, Eternal Home Cemetery, Hills of Eternity/Home of
10 Peace/Salem Cemeteries, Holy Cross Catholic Cemetery, Italian Cemetery, Olivet Cemetery,
11 Woodlawn Cemetery, and the California Golf Club to the Clerk of the Board of Supervisors for
12 inclusion in File No. 140945.

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