

1 [CEQA Findings - San Antonio Backup Pipeline Project in Alameda County]

2

3 **Resolution adopting findings under the California Environmental Quality Act (CEQA),**
4 **including the adoption of a mitigation monitoring and reporting program and a statement**
5 **of overriding considerations related to the San Antonio Backup Pipeline Project and**
6 **directing the Clerk of the Board of Supervisors to notify the Controller of this action.**

7

8 WHEREAS, The San Francisco Public Utilities Commission (SFPUC) has developed
9 and approved a project description for the San Antonio Backup Pipeline Project (SABPL),
10 Project No CUW37403, which is a water infrastructure project included as part of the Water
11 System Improvement Program (WSIP); and

12 WHEREAS, SFPUC staff has developed and approved additional design refinements
13 subsequent to the publication of the Draft Environmental Impact Report (EIR) that are part of
14 the SABPL project, including Pumping Variant 1 (the Project) as described in the Comments
15 and Responses document, included in the Final EIR; and

16 WHEREAS, The Project is located in Alameda County and its completion would help
17 the SFPUC achieve the WSIP Level of Service goals for Water Quality and Delivery Reliability
18 adopted by the SFPUC in Resolution No. 08-200; and

19 WHEREAS, The objectives of the Project are to provide reliable conveyance capacity
20 for emergency discharges of Hetch Hetchy water supplies during events that impair water
21 quality or during facility outages, and to increase operational flexibility and delivery reliability
22 during emergencies and planned maintenance; and

23 WHEREAS, An environmental impact report (EIR) as required by the California
24 Environmental Quality Act (CEQA) was prepared for the Project in Planning Department File
25 No. File No. 2007.0039.E; and

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

3 WHEREAS, The Final EIR (FEIR) was certified by the San Francisco Planning
4 Commission on September 20, 2012 by Motion M-18705; and

5 WHEREAS, The FEIR prepared for the Project is tiered from the WSIP Program
6 Environmental Impact Report (PEIR) certified by the Planning Commission on October 30,
7 2008 by Motion 17734; and

8 WHEREAS, Thereafter, the SFPUC approved the WSIP and adopted findings and a
9 Mitigation Monitoring and Reporting Program (PEIR MMRP) as required by CEQA on October
10 30, 2008 by Resolution No. 08-200; and

11 WHEREAS, On September 25, 2012, the San Francisco Public Utilities Commission
12 (SFPUC), by Resolution No. 12-0174, a copy of which is included in Board of Supervisors File
13 No. 120985 and which is incorporated herein by this reference: (1) approved the Project; (2)
14 adopted findings (CEQA Findings), including a statement of overriding considerations, and a
15 Mitigation Monitoring and Reporting Program (MMRP) required by CEQA; and

16 WHEREAS, The Project files, including the FEIR, PEIR and SFPUC Resolution No. 12-
17 0174 have been made available for review by the Board and the public, and those files are
18 considered part of the record before this Board; and

19 WHEREAS, The Board of Supervisors has reviewed and considered the information
20 and findings contained in the FEIR, PEIR and SFPUC Resolution No. 12-0174, and all written
21 and oral information provided by the Planning Department, the public, relevant public
22 agencies, SFPUC and other experts and the administrative files for the Project; and

23 WHEREAS, This Board of Supervisors adopted Ordinance No. 0092-10 that placed
24 WSIP appropriated funds on Controller's Appropriation Reserve, by project, making release of
25 appropriation reserves by the Controller subject to the prior occurrence of: (1) the SFPUC's

1 and the Board's discretionary adoption of CEQA Findings for each project, following review
2 and consideration of completed project-related environmental analysis, pursuant to CEQA, the
3 State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, where
4 required, and (2) the Controller's certification of funds availability, including proceeds of
5 indebtedness. The ordinance also placed any project with construction costs in excess of
6 \$100 million on Budget and Finance Committee reserve pending review and reserve release
7 by that Committee; however, Project costs are below that threshold; now, therefore, be it

8 RESOLVED, That the Board of Supervisors has reviewed and considered the FEIR
9 and record as a whole, finds that the FEIR is adequate for its use as the decision-making
10 body for the action taken herein including, but not limited to, approval of the Project and
11 adopts and incorporates by reference as though fully set forth herein the CEQA Findings,
12 including the statement of overriding considerations, and the MMRP contained in Resolution
13 No. 12-0174; and be it

14 FURTHER RESOLVED, That the Board finds that the Project mitigation measures set
15 forth in the FEIR and the MMRP, and adopted by the SFPUC and herein by this Board will be
16 implemented as reflected in and in accordance with the MMRP; and be it

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

23 FURTHER RESOLVED, That the Board directs the Clerk of the Board to forward this
24 Resolution to the Controller.