

1 [Resolution adopting findings related to San Francisco Public Utilities Commission Water
2 System Improvement Program (WSIP) Pulgas Balancing Reservoir Structural Rehabilitation
3 and Roof Replacement Project.]

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5 **Resolution adopting findings under the California Environmental Quality Act ("CEQA"),**
6 **CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the**
7 **adoption of mitigation monitoring and reporting program related to the funding of the**
8 **Pulgas Balancing Reservoir Structural Rehabilitation and Roof Replacement Project,**
9 **and directing the Clerk of the Board of Supervisors to notify the Controller of this action.**

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11 WHEREAS, The San Francisco Public Utilities Commission (SFPUC) developed
12 project descriptions for water infrastructure improvements as part of the SFPUC's Water
13 System Improvement Program (WSIP) for the Pulgas Balancing Reservoir Structural
14 Rehabilitation and Roof Replacement Project, WSIP Funded Project No. CUW36103, (the
15 "Project"), and

16 WHEREAS, The objectives of the Project are to improve water quality and increase the
17 water delivery reliability of the regional water system; and

18 WHEREAS, A draft Initial Study/Mitigated Negative Declaration (IS/MND) for the
19 Project was prepared and published for public review on April 24, 2009; and

20 WHEREAS, No public comments on the Draft IS/MND were received between April 24,
21 2009 and May 14, 2009; and

22 WHEREAS, On May 14, 2009, the Planning Department reviewed and considered the
23 IS/MND and found that the contents of said report and the procedures through which the
24 IS/MND was prepared, publicized and reviewed complied with the California Environmental
25 Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), 14 California

1 Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the
2 San Francisco Administrative Code ("Chapter 31"); the Planning Department found the
3 IS/MND was adequate, accurate and objective, reflected the independent analysis and
4 judgment of the Department, and that the summary of comments and responses contained no
5 significant revisions to the Draft IS/MND, adopted findings of no significant impacts associated
6 with the Project and adopted the IS/MND in Planning Department File No. 2006.1412E; and

7 WHEREAS, No appeals were filed with the City and County of San Francisco regarding
8 the Project's MND; the MND is final, complete, and in accordance with CEQA, the CEQA
9 Guidelines, and Chapter 31; and

10 WHEREAS, The SFPUC reviewed and considered the information contained in the
11 Final IS/MND, all written and oral information provided by the Planning Department, the
12 public, relevant public agencies, SFPUC and other experts and the administrative files for the
13 WSIP and the Final IS/MND; and

14 WHEREAS, On June 09, 2009, at a public meeting of the SFPUC, the Commission
15 adopted Resolution No.09-0097 ("SFPUC Approval Resolution"), in which the SFPUC: (1)
16 adopted CEQA Findings and the Final IS/MND (Attachment A) and, adopted the Mitigation
17 Monitoring and Reporting Program ("MMRP") (Attachment B) (collectively referred to herein
18 as "SFPUC CEQA Findings"), which SFPUC Resolution and Attachments are incorporated
19 herein by reference; and (2) approved the Project and authorized staff to proceed with actions
20 necessary to implement the Project; and

21 WHEREAS, The SFPUC CEQA Findings reflected the SFPUC's independent review
22 and consideration of the relevant environmental information contained in the Final IS/MND
23 and the administrative record; and

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1 WHEREAS, The SFPUC CEQA Findings are on file with the Clerk of the Board of
2 Supervisors in File No. _____ and are incorporated herein by reference. The Board
3 of Supervisors has had the opportunity to review and consider the Final IS/MND and the
4 administrative record, which is located at the Planning Department at 1650 Mission Street,
5 Suite 400, in File No. 2009.0134E. The Board of Supervisors has reviewed and considered
6 the SFPUC CEQA Findings made with respect to the Project, and finds that there are no
7 changed circumstances or other factors present that would trigger the need or requirement for
8 additional environmental review for this action; and

9 WHEREAS, The Project as approved herein is consistent with the project description
10 contained in the Final IS/MND; there is no new information of substantial importance that
11 would suggest that the Project would result in significant impacts not identified in the Final
12 MND or cause significant effects already identified in the mitigated negative declaration to be
13 substantially more severe; and

14 WHEREAS, The SFPUC Approval Resolution and the SFPUC CEQA Findings
15 included findings regarding the Project's potential environmental impacts, the sufficiency of
16 mitigation measures, and the responsibility for implementing mitigation measures as set forth
17 in the MMRP; and

18 WHEREAS, The SFPUC has adopted the mitigation measures identified in the SFPUC
19 CEQA Findings, including implementation and monitoring thereof; and

20 WHEREAS, The Board of Supervisors has reviewed and considered the SFPUC
21 CEQA Findings made with respect to the approval of the Project, and the record as a whole in
22 exercising its independent analysis and judgment with respect to the use of appropriated
23 funds for this Project; and

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1 WHEREAS, This Board of Supervisors adopted Ordinance No. _____, approving
2 a supplemental appropriation of \$1,923,629,194 for the WSIP, and adopting related CEQA
3 Findings based on 1) the Water System Improvement Program Final Environmental Impact
4 Report (WSIP Final EIR), certified by Planning Commission by its Motion No. 17734, and 2)
5 SFPUC Resolution Nos. 08-0200 and 08-0202 in which the SFPUC: (A) approved the Phased
6 Water System Improvement Program (Phased WSIP) and (B) authorized the request for the
7 Supplemental Appropriation; and

8 WHEREAS, Ordinance No. _____ placed the appropriated funds on Controller's
9 Appropriation Reserve, by project, making release of appropriation reserves by the Controller
10 subject to the prior occurrence of: 1) the SFPUC's and the Board's discretionary adoption of
11 CEQA Findings for projects, following review and consideration of completed project-related
12 environmental analysis, pursuant to CEQA, the State CEQA Guidelines, and Chapter 31,
13 where required, and 2) the Controller's certification of funds availability, including proceeds of
14 indebtedness. The associated costs covered for this Project under that Ordinance are less
15 than the \$100 million threshold that requires subsequent release of reserves directly by the
16 Board of Supervisors; now, therefore, be it

17 RESOLVED, That the Board of Supervisors has reviewed and considered SFPUC
18 Resolution No.09-0097 authorizing the Project, and the SFPUC CEQA Findings attached
19 thereto, and hereby adopts the Final IS/MND and the SFPUC CEQA Findings as its own with
20 respect to the Project, including the MMRP, and directs the Clerk of the Board to forward this
21 Resolution to the Controller.

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