

1 [Memorandum of Agreement Modification - United States Department of the Interior, National
2 Park Service - Not to Exceed \$34,073,384]

3 **Resolution authorizing the General Manager of the San Francisco Public Utilities**
4 **Commission to negotiate and execute a modification to the Memorandum of Agreement**
5 **with the United States Department of the Interior, National Park Service, Yosemite**
6 **National Park, to provide additional funding in the amount of \$6,586,880 for a total**
7 **revised agreement not to exceed amount of \$34,073,384 with an extension of one year,**
8 **for a total duration of six years through July 1, 2016, pursuant to Charter, Section**
9 **9.118.**

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11 WHEREAS, On August 10, 2010, the San Francisco Public Utilities Commission
12 (SFPUC) approved Resolution No. 10-0139, authorizing the General Manager to execute a
13 Memorandum of Agreement (MOA) with the Department of the Interior, National Park Service,
14 Yosemite National Park, for an amount not to exceed \$30,000,000, and a total duration of five
15 (5) years for watershed protection, environmental stewardship and security; and

16 WHEREAS, On October 19, 2010, the Board of Supervisors approved Resolution No.
17 500-10, approving the MOA with the National Park Service for the Comprehensive
18 Management of Yosemite National Park Watersheds that supply water to the San Francisco
19 Regional Water System for an amount not to exceed \$27,486,504; and

20 WHEREAS, On January 13, 2015, the SFPUC approved Resolution No. 15-0007,
21 authorizing the General Manager to execute Modification No. 1, which increases the
22 agreement to a total not to exceed amount of \$34,073,394, and extends the MOA from July 1,
23 2015, to July 1, 2016, for a total of six (6) years, and allow the MOA to coincide with the City
24 and County of San Francisco's two year budget cycle; and

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1 WHEREAS, The SFPUC Bureau of Environmental Management has determined
2 adoption of this Resolution does not constitute a “project” under California Environmental
3 Quality Act (CEQA) Guidelines, Section 15378 subsection (b) (2) which includes continuing
4 administrative or maintenance activities and subsection (b) (4) which includes creation of a
5 government funding mechanism or other government fiscal activities which do not involve any
6 commitment to any specific project which may result in a potentially significant physical impact
7 on the environment; and

8 WHEREAS, Should funding authorized under the subject MOA involve activities other
9 than personnel-related functions, approval, and implementation of those activities by the
10 National Park Service, Yosemite National Park would be subject to compliance with the
11 National Environmental Policy Act (NEPA); and

12 WHEREAS, The San Francisco Planning Department Environmental Review Officer
13 concurred with a statutory exemption determination by the Bureau of Environmental
14 Management under CEQA Guidelines, Section 15269(a) (Emergency Projects) for
15 Restoration and Maintenance of SFPUC Property Damaged by the 2013 Rim Fire; and

16 WHEREAS, Funds for this agreement are available from the Hetch Hetchy Water and
17 Power Operating budget and Rim Fire Project budget for FY2015-2016; now, therefore, be it

18 RESOLVED, that the Board of Supervisors hereby authorizes the General Manager of
19 the SFPUC to negotiate and execute a modification to the MOA with the Department of the
20 Interior, National Park Service, Yosemite National Park to extend the agreement for one year
21 with an increased amount of \$6,586,800, for a not-to-exceed amount of \$34,073,384, and a
22 total duration of six (6) years, pursuant to Charter, Section 9.118; and, be it

23 FURTHER RESOLVED, That within thirty (30) days of the agreement modification
24 being fully executed by all parties, the General Manager of the SFPUC shall provide the final
25 agreement to the Clerk of the Board for inclusion into the official file.