

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Harlan Kelly, Jr., General Manager, Public Utilities Commission
John Rahaim, Director, Planning Department

FROM: ^{ADW} Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

DATE: March 26, 2018

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Cohen on March 20, 2018:

File No. 180272

Resolution adopting findings under the California Environmental Quality Act (CEQA), the CEQA Guidelines, and San Francisco Administrative Code, Chapter 31, including the adoption of a Statement of Overriding Considerations and a Mitigation and Monitoring Reporting Program, related to the funding of the Biosolids Digester Facilities Project; and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: alisa.somera@sfgov.org.

c: Juliet Ellis, Public Utilities Commission
Donna Hood, Public Utilities Commission
John Scarpulla, Public Utilities Commission
Scott Sanchez, Planning Department
Lisa Gibson, Planning Department
AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department
Joy Navarrete, Planning Department
Laura Lynch, Planning Department

1 [California Environmental Quality Act Findings - San Francisco Public Utilities Commission
2 Sewer System Improvement Program - Biosolids Digester Facilities Project]

3 **Resolution adopting findings under the California Environmental Quality Act (CEQA), the**
4 **CEQA Guidelines, and San Francisco Administrative Code, Chapter 31, including the**
5 **adoption of a Statement of Overriding Considerations and a Mitigation and Monitoring**
6 **Reporting Program, related to the funding of the Biosolids Digester Facilities Project; and**
7 **directing the Clerk of the Board of Supervisors to notify the Controller of this action.**

8
9 WHEREAS, The San Francisco Public Utilities Commission (SFPUC) developed
10 project descriptions for wastewater infrastructure improvements as part of the SFPUC's
11 Sewer System Improvement Program (SSIP), including a project description for the Biosolids
12 Digester Facilities Project, SSIP-Funded Project No. CWWSIPDP (the "Project"); and

13 WHEREAS, The objectives of the Project are to replace the existing biosolids digester
14 facilities at the SFPUC's Southeast Water Pollution Control Plant (SEP) with new
15 infrastructure with modern and more efficient treatment technologies to protect public health
16 and safety and provide continued regulatory compliance; to maximize the efficiency of the
17 current treatment process and maintenance, staffing resources, and the use of existing
18 SFPUC infrastructure; to reliably meet treatment capacity for projected 2045 flows and loads
19 associated with projected population growth; to beneficially use 100% of the biosolids and the
20 digester gas generated; to build critical processes with redundant infrastructure to provide
21 reliability and operational flexibility; to improve seismic reliability; to limit noticeable odors from
22 the Project to the SEP property boundary; to provide visual improvements; to design and site
23 the new facilities to accommodate or adapt to expected sea level rise over their expected life;
24 to allow for the timely construction of the Project; and to maintain ratepayer affordability; and
25

1 WHEREAS, The Planning Department prepared an Environmental Impact Report (EIR)
2 as required by the California Environmental Quality Act (CEQA), Public Resources Code
3 Section 21000 et seq., the CEQA Guidelines, Cal. Code of Regulations, Title 14, Section
4 15000 et seq., and Chapter 31 of the Administrative Code; and

5 WHEREAS, The Draft EIR was prepared and published for public review for the project
6 in Planning Department File No. 2015-000644ENV on May 3, 2017; and

7 WHEREAS, The Draft EIR was available for public review and comment for 45 days,
8 during which time the Planning Commission held a duly-advertised public hearing to receive
9 comments on the document; and

10 WHEREAS, The Planning Department prepared a Responses to Comments document
11 (RTC), published on February 23, 2018, with responses to comments on environmental
12 issues received at the public hearing and in writing during the 45 day public review period for
13 the Draft EIR, and prepared revisions to the text of the Draft EIR in response to comments
14 received or based on additional information that became available during the public review
15 period; and

16 WHEREAS, The Draft EIR and the RTC together constitute the Final EIR for the
17 Project; and

18 WHEREAS, The San Francisco Planning Commission on March 8, 2018, at a duly-
19 advertised public hearing certified the Final EIR by Motion No. M-20129 a copy of which is
20 included in Board of Supervisors File No. _____ and which is incorporated herein by this
21 reference; and

22 WHEREAS, The Planning Department found the Project consistent with the General
23 Plan and issued a document entitled "General Plan Referral", dated March 12, 2018, a copy of
24
25

1 which is included in Board of Supervisors File No. _____ and which is incorporated
2 herein by this reference; and

3 WHEREAS, On March 13, 2018, the SFPUC, by Resolution 18-0042, a copy of which
4 is included in Board of Supervisors File No. _____ and which is incorporated herein by
5 this reference: (1) adopted CEQA Findings, including a Statement of Overriding
6 Considerations and a Mitigation Monitoring and Reporting Program as required by CEQA; and
7 (2) approved the Project and authorized staff to proceed with actions necessary to implement
8 it; and

9 WHEREAS, The Project files, including the Final EIR, Planning Commission Motion
10 No. M-20129, Planning Department document entitled "General Plan Referral", and SFPUC
11 Resolution No. 18-0042 have been made available for review by the Board and the public,
12 and those files are considered part of the record before this Board; and

13 WHEREAS, This Board of Supervisors has reviewed and considered the information
14 and findings contained in the Final EIR, Planning Commission Motion No. M-20129, Planning
15 Department document entitled "General Plan Referral", and SFPUC Resolution No. 18-0042,
16 and all written and oral information provided by the Planning Department, the public, relevant
17 public agencies, SFPUC, and other experts and the administrative files for the Project; and

18 WHEREAS, This Board of Supervisors adopted Ordinance No. 109-16, approving a
19 supplemental appropriation of \$1,215,201,280 for the SSIP for FY2016-2017 and FY2017-
20 2018, including a total of \$347,528,000 for the Project; and

21 WHEREAS, Sections 4 and 10 of Ordinance No. 109-16 placed the appropriated funds
22 for 2016-17 and 2017-18 on Controller's Appropriation Reserve, by project, making release of
23 appropriation reserves by the Controller subject to the prior occurrence of: 1) the SFPUC's
24 and the Board's discretionary adoption of CEQA Findings for projects, following review and
25

1 consideration of completed project-related environmental analysis, pursuant to CEQA, the
2 State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, where
3 required, and 2) the Controller's certification of funds availability, including proceeds of
4 indebtedness; now, therefore, be it

5 RESOLVED, That the Board of Supervisors makes and adopts the CEQA findings
6 adopted by the SFPUC in Resolution No. 18-0042, including the Statement of Overriding
7 Considerations and Mitigation Monitoring and Reporting Program; and be it

8 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board
9 to forward this Resolution to the Controller to release from reserve the appropriated funds for
10 the Project, pursuant to Ordinance No. 109-16.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25