

1 [CEQA Findings for SFPUC Water System Improvement Program San Joaquin Pipeline
2 System Project.]

3 **Resolution adopting findings under the California Environmental Quality Act ("CEQA"),**
4 **including the adoption of a mitigation monitoring and reporting program and the**
5 **statement of overriding considerations related to the San Joaquin Pipeline System**
6 **Project, Project No. CUW37301; and directing the Clerk of the Board of Supervisors to**
7 **notify the Controller of this action.**
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10 WHEREAS, The San Francisco Public Utilities Commission (SFPUC) has developed a
11 project description for the San Joaquin Pipeline System Project, (also commonly referred to
12 as the SJPL System Project, Project No. CUW37301, and herein as the "Project"), a water
13 infrastructure project included as part of the Water System Improvement Program (WSIP).
14 The Project is located in Tuolumne, Stanislaus, and San Joaquin Counties, beginning at the
15 Oakdale Portal in Tuolumne County, and ending at the Tesla Portal in San Joaquin County.
16 The Project includes, among other related features, the construction of two new facility
17 crossovers (Emery and Pelican), two new throttling stations (MP 50.57 Northeast of Willms
18 Road and MP 55.32), Oakdale Portal improvements including a new valve house, upgrading
19 the discharge valves at Cashman Creek and a new discharge valve at the California
20 Aqueduct, construction of a fourth pipeline segment (Eastern Segment approximately 6.5
21 miles from Oakdale Portal (MP 49.84) to near Fogarty Road (MP 56.50) and a tie-in vault),
22 construction of a fourth pipeline segment (Western Segment approximately 11 miles from
23 west of the San Joaquin River to Tesla Portal), a new truss bridge aerial structure to carry
24 SJPL No. 4 over the California Aqueduct, and a discharge structure at the Pelican Crossover
25 involving intermittent drainage to the San Joaquin River, and discharge of water to U.S. Fish

1 and Wildlife Service San Joaquin River National Wildlife Refuge, to irrigate a managed
2 wetland area; and

3 WHEREAS, The objectives of the Project are to improve delivery reliability and provide
4 operational flexibility during maintenance activities or unplanned outages, as well as to
5 replenish local reservoirs after such events; and

6 WHEREAS, An environmental impact report ("EIR") as required by the California
7 Environmental Quality Act ("CEQA") was prepared for the Project in Planning Department File
8 No. 2007.01 18E; and

9 WHEREAS, The Final EIR ("FEIR") was certified by the San Francisco Planning
10 Commission on July 9, 2009 by Motion No. 17917; and

11 WHEREAS, The FEIR prepared for the Project is tiered from the WSIP Program
12 Environmental Impact Report ("PEIR") adopted by the San Francisco Public Utilities
13 Commission in Resolution No. 08-200 dated October 30, 2008, as authorized by and in
14 accordance with CEQA and the CEQA Guidelines; and

15 WHEREAS, On July 14, 2009, the San Francisco Public Utilities Commission
16 (SFPUC), by Resolution No. 09-0119, a copy of which is included in Board of Supervisors File
17 No. 090980 and which is incorporated herein by this reference: (1) approved the Project;
18 (2) adopted findings (CEQA Findings), including the statement of overriding considerations,
19 and a Mitigation Monitoring and Reporting Program (MMRP) required by CEQA; and (3)
20 authorized the General Manager to seek the Board of Supervisors' approval of and, if
21 approved, to execute certain necessary agreements and deeds, which the SFPUC staff will
22 pursue and submit to the Board of Supervisors at a later date; and

23 WHEREAS, The Project files, including the FEIR, PEIR and SFPUC Resolution No. 09-
24 0119 have been made available for review by the Board and the public, and those files are
25 considered part of the record before this Board; and

1 WHEREAS, The Board of Supervisors has reviewed and considered the information
2 and findings contained in the FEIR, PEIR and SFPUC Resolution No. 09-0119, and all written
3 and oral information provided by the Planning Department, the public, relevant public
4 agencies, SFPUC and other experts and the administrative files for the Project; and

5 WHEREAS, This Board of Supervisors adopted Ordinance No. 311-08 that placed
6 WSIP appropriated funds on Controller's Appropriation Reserve, by project, making release of
7 appropriation reserves by the Controller subject to the prior occurrence of: (1) the SFPUC's
8 and the Board's discretionary adoption of CEQA Findings for each project, following review
9 and consideration of completed project-related environmental analysis, pursuant to CEQA, the
10 State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, where
11 required, and (2) the Controller's certification of funds availability, including proceeds of
12 indebtedness. The ordinance also placed any project with costs in excess of \$100 million on
13 Budget and Finance Committee reserve pending review and reserve release by that
14 Committee. Therefore, the SFPUC will request the Budget and Finance Committee to review
15 and release funds as necessary for the San Joaquin Pipeline System Project; now, therefore,
16 be it

17 RESOLVED, That the Board of Supervisors has reviewed and considered the FEIR
18 and record as a whole, finds that the FEIR is adequate for its use as the decision-making
19 body for the action taken herein including, but not limited to, approval of the Project and
20 adopts and incorporates by reference as though fully set forth herein the CEQA Findings,
21 including the statement of overriding considerations, and the MMRP contained in Resolution
22 No. 09-0119; and be it

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

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

7 FURTHER RESOLVED, That the Board directs the Clerk of the Board to forward this
8 Resolution to the Controller.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Resolution

File Number: 090980

Date Passed:

Resolution adopting findings under the California Environmental Quality Act ("CEQA"), including the adoption of a mitigation monitoring and reporting program and the statement of overriding considerations related to the San Joaquin Pipeline System Project, Project No. CUW37301; and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

September 22, 2009 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Avalos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell,
Mirkarimi

Excused: 1 - Campos

File No. 090980

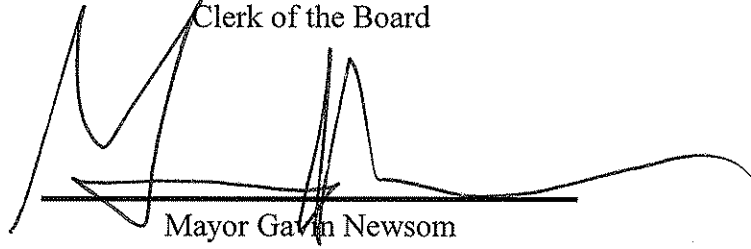
I hereby certify that the foregoing Resolution was ADOPTED on September 22, 2009 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

9/29/09

Date Approved



Mayor Gavin Newsom