



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Motion No. 19443

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

HEARING DATE: SEPTEMBER 3, 2015

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Case No.: 2008.0091E
Project Name: San Francisco Westside Recycled Water Project
Zoning: P (Public) Zoning District
OS (Open Space) Height and Bulk District
Block/Lot: 7281/007
Project Sponsor: San Francisco Public Utilities Commission
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ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, INCLUDING FINDINGS REJECTING ALTERNATIVES AS INFEASIBLE, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION, MONITORING, AND REPORTING PROGRAM, RELATING TO THE SAN FRANCISCO PUBLIC UTILITY'S PROPOSED PROJECT TO CONSTRUCT AND OPERATE ON THE WESTSIDE RECYCLED WATER PLANT PROJECT.

PREAMBLE

On January 17, 2008, the San Francisco Public Utilities Commission ("SFPUC") submitted an Environmental Evaluation Application to the Planning Department ("Department"), Case No. 2008.0091E, in connection with a project to construct and operate a recycled water facility on the west side of San Francisco. The San Francisco Westside Recycled Water Project ("SFRW Project" or "Project") would consist of a recycled water treatment plant at the SFPUC's Oceanside Water Pollution Control Plant ("WPCP") and within a portion of the adjacent California Army National Guard site, underground storage and distribution facilities. The plant would have an operational capacity to serve peak-day demands of up to 5 mgd (or 2 mgd annual average) to meet the current water demand in areas of western San Francisco that have substantial irrigation needs.

On June 5, 2008, and September 8, 2010, the Department issued a Notice of Preparation of an Environmental Impact Report ("NOP") for the Project, and, in response to comments received, revised the location of certain project elements and published a revised NOP on July 16, 2014.

materials and oral testimony presented on behalf of the SFPUC, the Planning Department staff, and other interested parties.

MOVED, that the Planning Commission hereby adopts findings under the California Environmental Quality Act, including rejecting alternatives as infeasible and adopting a Statement of Overriding Considerations, and adopts the MMRP attached as Exhibit A based on the following findings:

FINDINGS

Having reviewed the materials identified in the Preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

In determining to approve the San Francisco Westside Recycled Water Project ("SFRW Project" or "Project") described in Section I, Project Description, below, the San Francisco Planning Commission ("Planning Commission" or "Commission") makes and adopts the following findings of fact and decisions regarding mitigation measures and alternatives, and adopts the statement of overriding considerations, based on substantial evidence in the whole record of this proceeding and under the California Environmental Quality Act ("CEQA"), California Public Resources Code Sections 21000 et seq., particularly Sections 21081 and 21081.5, the Guidelines for Implementation of CEQA ("CEQA Guidelines"), 14 California Code of Regulations Sections 15000 et seq., particularly Sections 15091 through 15093, and Chapter 31 of the San Francisco Administrative Code.

This document is organized as follows:

Section I provides a description of the Project proposed for adoption, the environmental review process for the Project (San Francisco Westside Recycled Water Project Environmental Impact Report, Planning Department Case No., 2008.0091E, State Clearinghouse No. 2008052133) (the "Final EIR" or "EIR"), the approval actions to be taken and the location of records;

Section II identifies the impacts found not to be significant that do not require mitigation;

Section III identifies potentially significant impacts that can be avoided or reduced to less-than-significant levels through mitigation and describes the disposition of the mitigation measures;

Section IV identifies significant impacts that cannot be avoided or reduced to less-than-significant levels and describes any applicable mitigation measures as well as the disposition of the mitigation measures;

Section V evaluates the different Project alternatives and the economic, legal, social, technological and other considerations that support approval of the Project and the rejection of alternatives, or elements thereof, analyzed; and

Section VI presents a statement of overriding considerations setting forth specific reasons in support of the Commission's actions and rejection of the alternatives not incorporated into the Project.

- Develop a new water supply in San Francisco that is both reliable and drought resistant.
- Reduce the use of potable water and groundwater for irrigation and other nonpotable uses by supplying those demands with recycled water.

In addition, the Project is part of the SFPUC's adopted Water System Improvement Program ("WSIP") adopted by the SFPUC on October 30, 2008 (see Section C.1). The WSIP consists of over 70 local and regional facility improvement projects that would increase the ability of the SFPUC's water supply system to withstand major seismic events and prolonged droughts and to meet estimated water-purchase requests in the service areas. With the exception of the water supply goal, the overall WSIP goals and objectives are based on a planning horizon through 2030. The water supply goal to meet delivery needs in the SFPUC service area is based on a planning horizon through 2018. The overall goals of the WSIP for the regional water system are to:

- Maintain high-quality water.
- Reduce vulnerability to earthquakes.
- Increase water delivery reliability.
- Meet customer water supply needs.
- Enhance sustainability.
- Achieve a cost-effective, fully operational system.

The Project would help meet WSIP level-of-service goals and system performance objectives. These goals include providing a total of 10 mgd annual average of water supply from recycled water, groundwater, and conservation projects to meet retail demand in San Francisco. Of this amount, the WSIP project description indicated that approximately 4 mgd annual average would be derived from recycled water projects in San Francisco. This Project would provide up to 2 mgd of recycled water; currently identified customers are estimated to use 1.6 mgd. This Project would also enable implementation of the SFPUC's Groundwater Supply Project, approved by the SFPUC in December, 2013. The SFPUC's Groundwater Supply Project calls for installation of new groundwater wells to recover 2.5 to 3.0 mgd of groundwater in the first phase and conversion of existing irrigation wells in Golden Gate Park to potable use, providing 1.0 to 1.5 mgd of groundwater in the second phase. The second phase cannot occur until recycled water is available for Golden Gate Park landscaping or until another landscaping water source is identified. Thus the Project would also help meet the WSIP goal of providing approximately 4 mgd annual average of water supply from groundwater.

C. Environmental Review

1. Water System Improvement Program Environmental Impact Report

The Draft EIR was circulated for public comment from March 18, 2015 through May 4, 2015. The Planning Commission held a public hearing at San Francisco City Hall on April 23, 2015 to hear oral comments and accept written comments on the Draft EIR. During the public review period, EP received written comments sent through the mail, fax, or email. A court reporter was present at the public hearing, transcribed the public hearing verbatim, and prepared a written transcript.

EP then prepared the C&R document, which provided written responses to each comment received on the Draft EIR. The C&R document was published on August 20, 2015 and included copies of all of the comments received on the Draft EIR and individual responses to those comments. The C&R provided additional, updated information and clarification on issues raised by commenters, as well as SFPUC and Planning Department staff-initiated text changes to address Project updates. The Planning Commission reviewed and considered the Final EIR, which includes the Draft EIR and the C&R document, and all of the supporting information. The Final EIR provided augmented and updated information presented in the Draft EIR, on the following topics: Project description, cultural resources, transportation and circulation, air quality, hydrology and water quality, biological resources, and Project alternatives. This augmentation and update of information in the Draft EIR did not constitute new information or significance that altered any of the conclusions of the EIR.

In certifying the Final EIR by Motion No. 19442, the Planning Commission determined that none of the factors are present that would necessitate recirculation of the Final EIR under CEQA Guidelines Section 15088.5. The Final EIR contains no information revealing (1) any new significant environmental impact that would result from the Project or from a new mitigation measure proposed to be implemented, (2) any substantial increase in the severity of a previously identified environmental impact, (3) any feasible Project alternative or mitigation measure considerably different from others previously analyzed that would clearly lessen the environmental impacts of the Project; but that was rejected by the Project's proponents, or (4) that the Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

The Commission finds that the Project is within the scope of the Project analyzed in the Final EIR and the Final EIR fully analyzed the Project proposed for approval. No new impacts have been identified that were not analyzed in the Final EIR.

D. Approval Actions

1. San Francisco Planning Commission Actions

On August 13, 2015, the Planning Commission certified the Final EIR.

The Planning Commission is adopting these CEQA Findings in support of making General Plan consistency findings, and issuing a Coastal Development Permit.

2. San Francisco Public Utilities Commission Actions

The SFPUC will take the following actions and approvals to implement the Project:

To the extent that the identified mitigation measures require consultation or approval by these other agencies, this Commission urges these agencies to assist in implementing, coordinating, or approving the mitigation measures, as appropriate to the particular measure.

E. Contents and Location of Records

The record upon which all findings and determinations related to the Project are based (“Record of Proceedings”) includes the following:

- The Draft EIR and all documents referenced in or relied upon by the EIR. (The references in these findings to the EIR or Final EIR include both the Draft EIR and the Comments and Responses document.) The PEIR for the Phased WSIP Variant, which is incorporated by reference in the SFRW Project EIR.
- All information (including written evidence and testimony) provided by City staff to the SFPUC and Planning Commission relating to the EIR, the Project, and the alternatives set forth in the EIR.
- All information (including written evidence and testimony) presented to the SFPUC and the Planning Commission by the environmental consultant and sub-consultants who prepared the EIR or that was incorporated into reports presented to the Commission.
- All information presented at any public hearing or workshop related to the Project and the EIR.
- The Mitigation Monitoring and Reporting Program.
- All other documents available to the Commission and the public, comprising the administrative record pursuant to Public Resources Code Section 21167.6(e).

The Commission has relied on all of the information listed above in reaching its decision on the Project, even if not every document was formally presented to the Commission. Without exception, these documents fall into one of two categories. Many documents reflect prior planning or legislative decisions that the Commission was aware of in approving the Project. Other documents influenced the expert advice provided to Planning Department staff or consultants, who then provided advice to the Commission. For these reasons, such documents form part of the underlying factual basis for the Commission’s decisions relating to the adoption of the Project.

The public hearing transcript, a copy of all letters regarding the Draft EIR received during the public review period, the administrative record, and background documentation for the Final EIR are available at the San Francisco Planning Department, 1650 Mission Street, San Francisco. **Jonas P. Ionin**, Commission Secretary, is the Custodian of Records for the Planning Department Materials concerning approval of the Project and adoption of these findings are contained in SFPUC files, SFPUC Project No. CUW30102 in the Bureau of Environmental Management, San Francisco Public Utilities Commission, 525 Golden Gate Avenue, San Francisco, California 94102. The Custodian of Records is **Scott**

In Sections II, III and IV below, the same findings are made for a category of environmental impacts and mitigation measures. Rather than repeat the identical finding dozens of times to address each and every significant effect and mitigation measure, the initial finding obviates the need for such repetition because in no instance is the Commission rejecting the conclusions of the Final EIR or the mitigation measures recommended in the Final EIR for the Project.

II. LESS-THAN-SIGNIFICANT IMPACTS THAT DO NOT REQUIRE MITIGATION

Under CEQA, no mitigation measures are required for impacts that are less than significant (Public Resources Code, Section 21002; CEQA Guidelines, Sections 15126.4, subdivision (a)(3), 15091). Based on the evidence in the whole record of this proceeding, the Commission finds that the implementation of the Project either does not apply or will result in no impacts in the following areas: (1) Population and Housing: displace existing housing units or people or require new housing; (2) Transportation and Circulation: change air traffic patterns; (3) Noise: expose people to airplane noise or be substantially affected by existing noise levels; (4) Air Quality: create objectionable odors; (5) Recreation: create a need for new facilities; (6) Utilities and Service Systems: conflict with solid waste regulations; (7) Public Services: create a need for new or altered facilities; (8) Biological Resources: conflict with local policies protecting biological resources, such as trees, or a habitat conservation plan or other similar plan; (9) Geology and Soils: change existing topography or unique geologic features of the site; (10) Hydrology and Water Quality: expose housing to flooding hazard, impede or redirect flood flows, or expose people or structures to harm from flooding, seiche, tsunami or mudflow; (11) Hazardous Materials: create a safety hazard from aircraft or fires; (12) Mineral and Energy Resources: result in loss of mineral resource or availability of a resource recovery site; and (13) Agricultural Resources: all issues. These subjects are not further discussed in these findings.

The Commission further finds that implementation of the Project will not result in any significant impacts in the following areas and that these impact areas therefore do not require mitigation:

Land Use

- **Impact LU-1:** The Project would not physically divide an established community.
- **Impact LU-2:** The Project would not conflict with any applicable land use plans, policies, or regulations of any agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect.
- **Impact LU-3:** The Project would not impact the existing character of the vicinity.
- **Impact C-LU:** The Project would not have a cumulative impact on land use.

Aesthetics

- **Impact AE-1:** The Project would not have an adverse effect on a scenic vista, scenic resource, or the existing visual character or quality of the site and its surroundings.

- **Impact C-TR:** The Project, in combination with past, present, and reasonably foreseeable future projects, would not substantially contribute to cumulative traffic increases on local and regional roads.

Noise and Vibration

- **Impact NO-1:** The Project would not result in substantial groundborne vibration or groundborne noise levels.
- **Impact NO-2:** Project operations would not result in the exposure of persons to, or generation of, noise levels in excess of standards or a substantial increase in ambient noise levels in the Project vicinity.
- **Impact NO-3:** Construction of the Project would not result in a substantial temporary increase in ambient noise levels at the closest residential receptors, and would not expose persons to substantial noise levels in excess of standards established in the Noise Ordinance (Article 29 of the Police Code).
- **Impact C-NO:** The Project would not have significant cumulative noise impacts.

Air Quality

- **Impact AQ-1:** The Project would not create objectionable odors that would affect a substantial number of people.
- **Impact AQ-3:** The Project's construction activities would generate TACs, including DPM, but would not expose sensitive receptors to substantial pollutant concentrations.
- **Impact C-AQ:** The Project could result in cumulative air quality impacts associated with criteria pollutant and precursor emissions and health risks, but the Project's contribution would not be cumulatively considerable.

Greenhouse Gas Emissions

- **Impact C-GG-1:** The Project would generate greenhouse gas emissions during Project construction and operation, but not at levels that would result in a significant impact on the environment or conflict with any policy, plan, or regulation adopted for the purpose of reducing greenhouse gas emissions.

Wind and Shadow

- **Impact WS-1:** The Project would not alter wind in a manner that substantially affects public areas.
- **Impact WS-2:** The Project would not create new shadow in a manner that could substantially affect outdoor recreation facilities or other public areas.

- **Impact GE-1:** The Project would not expose people or structures to substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic groundshaking, or seismically induced ground failure.
- **Impact GE-2:** The Project would not result in substantial soil erosion or the loss of topsoil.
- **Impact GE-3:** The Project is not located on a geologic unit or soil that is unstable, or that could become unstable as a result of the Project.
- **Impact C-GE:** The Project would not have a significant cumulative impact related to geologic hazards.

Hydrology and Water Quality

- **Impact HY-1:** Project construction would not violate any water quality standards or waste discharge requirements or otherwise degrade water quality.
- **Impact HY-2:** Project operation would not contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems, provide substantial an additional sources of polluted runoff, or, with the exception of potentially violating water quality standards, otherwise substantially degrade water quality.
- **Impact HY-3:** The Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.
- **Impact HY-4:** The Project would not alter the existing drainage pattern of the area in a manner that would result in substantial erosion, siltation, or flooding on or off the site.
- **Impact C-HY-1:** The Project would not have a significant cumulative hydrology and water quality impact.

Hazards and Hazardous Materials

- **Impact HZ-1:** Project construction would not result in a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- **Impact HZ-2:** The Project would be constructed on a site identified on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 but excavation activities would not expose workers and the public to adverse effects from release of hazardous materials.
- **Impact HZ-3:** Reconfiguration of the chemical building interior would not expose workers and the public to hazardous building materials including asbestos-containing materials, lead-

Based on the results of the background research, geoarchaeological assessment, and survey results, there is generally, throughout the CEQA Area of Potential Effect, a low potential for uncovering archaeological resources during Project construction. However, it is possible that previously unrecorded and buried (or otherwise obscured) archaeological deposits could be discovered during Project construction. Excavation, grading, and the movement of heavy construction vehicles and equipment could expose and cause impacts on unknown archaeological resources, which would be a *significant* impact. The impact would be reduced to a less-than-significant level through mitigation measure M-CP-2, which requires avoidance measures or appropriate treatment of cultural resources if accidentally discovered.

- *Mitigation Measure M-CP-2, Accidental Discovery of Archaeological Resources*

Impact CP-3: The Project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. (Less than Significant with Mitigation)

Ground-disturbing activities associated with the construction of the recycled water treatment plant would extend about 23 feet into the Colma Formation, a geologic unit with a high paleontological sensitivity. Vertebrate fossils, including parts of mammoths and bison, have been found in the Colma Formation in San Francisco. Given the sensitivity of the Colma Formation and the depth of excavation, the Project could adversely impact paleontological resources at the water treatment plant site, a *significant* impact. The impact would be reduced to a less-than-significant level through mitigation measure M-CP-3, which requires the contractor to stop all ground disturbance within 50 feet if a paleontological resource is encountered and to implement actions to investigate the discovery and recover fossil remains by a qualified professional before ground-disturbing activities can resume.

- *Mitigation Measure M-CP-3, Accidental Discovery of Paleontological Resources*

Impact CP-4: The proposed Project could accidentally disturb human remains, including those interred outside of formal cemeteries. (Less than Significant with Mitigation)

Based on the background research, geological assessment, and survey results, there is a low potential for Project construction to uncover human remains, except for the Project area adjacent to the Golden Gate Cemetery (see Impact CP-5). Although no known human burials have been identified within the Project site, the possibility of encountering human remains cannot be entirely discounted. Earthmoving activities associated with Project construction could result in direct impacts on previously undiscovered human remains. Therefore, the disturbance to human remains could be a *significant* impact. The impact would be reduced to a less-than-significant level through mitigation measure M-CP-4, which requires avoidance measures or the appropriate treatment of human remains if accidentally discovered.

- *Mitigation Measure M-CP-4, Accidental Discovery of Human Remains*

Impact CP-5: Construction of the Project along Clement Street from 36th Avenue to 39th Avenue on the south side of Lincoln Park could disturb human remains associated with the historic-period Golden Gate Cemetery. (Less than Significant with Mitigation)

behavior during the breeding season, including mortality of individual birds, such as red-shouldered hawk, red-tailed hawk, Cooper's hawk, or American kestrel, a *significant* impact. Implementation of mitigation measure M-BI-1a would reduce potential impacts on special-status birds to a less-than-significant level by requiring surveys of the Project site to identify nests and protection of nesting birds.

Vegetation clearing (including tree removal) at the Oceanside WPCP and the Central Pump Station could result in direct mortality of special-status bats. Direct mortality of special-status bats would be a *significant* impact. Mitigation measure BI-1b would require surveys of the Project site within two weeks of tree removal. With implementation of M-BI-1b, the impact on roosting bats would be reduced to less than significant.

Due to the proximity of aquatic habitats to the Lake Merced, North Lake, and Central Pump Station well facility sites, western pond turtle and California red-legged frog could utilize upland habitat where the Project construction activities will occur. If California red-legged frog or western pond turtle are present, they could be injured or killed, a *significant* impact. Mitigation measure M-BI-1c would mitigate the effect by requiring pre-construction surveys within 14 days of the construction activity. With implementation of mitigation measure M-BI-1c, the impact would be less than significant.

- *Mitigation Measure M-BI-1a, Nesting Bird Protection Measures*
- *Mitigation Measure M-BI-1b, Avoidance and Minimization Measures for Special-Status Bats*
- *Mitigation Measure M-BI-1c, Avoidance and Minimization Measures for California Red-Legged Frog and Western Pond Turtle*

Cumulative Impacts

Cultural Resources

Impact C-CP: The Project could result in cumulatively considerable impacts related to historical, archaeological, paleontological resources or human remains. (Less than Significant with Mitigation)

Cumulative projects in the Project vicinity could adversely affect the same cultural resources affected by the Project and the Project could make a considerable contribution to a cumulative cultural resource impact, a *significant* impact. The Project's impacts, however, are site specific and implementation of site-specific mitigation measures M-CP-2, M-CP-3, M-CP-4 and M-CP-5 would reduce Project impacts such that the Project's contribution to this cumulative impact would be less than significant.

- *Mitigation Measure M-CP-2, Accidental Discovery of Archaeological Resources*
- *Mitigation Measure M-CP-3, Accidental Discovery of Paleontological Resources*
- *Mitigation Measure M-CP-4, Accidental Discovery of Human Remains*
- *Mitigation Measure M-CP-5, Archeological Monitoring Program*

overriding considerations described in Section VI below. This finding is supported by substantial evidence in the record of this proceeding.

The WSIP PEIR and the SFPUC's Resolution No. 08-0200 related to the WSIP water supply decision identified three significant and unavoidable impacts of the WSIP: *Impact 5.4.1-2- Stream Flow: Effects on flow along Alameda Creek below the Alameda Creek Division Dam*; *Impact 5.5.5-1-Fisheries: Effects on fishery resources in Crystal Springs reservoir (Upper and Lower)*; and *Impact 7-1-Indirect growth inducing impacts in the SFPUC service area*. Mitigation measures that were proposed in the PEIR were adopted by this Commission for these impacts; however, the mitigation measures could not reduce all the impacts to a less than significant level, and these impacts were determined to be significant and unavoidable. The SFPUC has already adopted the mitigation measures proposed in the PEIR to reduce these impacts when it approved the WSIP in its Resolution No. 08-0200. The SFPUC also adopted a Mitigation Monitoring and Reporting Program as part of that approval. The findings regarding the three impacts and mitigation measures for these impacts set forth in Resolution No. 08-0200 are incorporated into these findings by this reference, as though fully set forth in these CEQA Findings.

Subsequent to the certification of the PEIR, the Planning Department has conducted more detailed, site-specific review of two of the significant and unavoidable water supply impacts identified in the PEIR. In the case of *Impact 5.5.5-1*, the Project-level fisheries analysis in the Lower Crystal Springs Dam Improvement Project Final EIR modifies the PEIR impact determination based on more detailed site-specific data and analysis and determined that impacts on fishery resources due to inundation effects would be less than significant. Project-level conclusions supersede any contrary impact conclusions in the PEIR. The SFPUC adopted CEQA Findings with respect to the approval of the Lower Crystal Springs Dam Improvement Project in Resolution No. 10-0175. The CEQA Findings in Resolution No. 10-0175 related to the impacts on fishery resources due to inundation effects are incorporated into these findings by this reference, as though fully set forth in these CEQA Findings.

In the case of *Impact 5.4.1-2*, the project level analysis in the Calaveras Dam Replacement project Final EIR modifies the PEIR determination and concludes that the impact related to stream flow along Alameda Creek between the diversion dam and the confluence with Calaveras Creek (PEIR Impact 5.4.1-2) will be less than significant based on more detailed, site-specific modeling and data. Project-level conclusions supersede any contrary impact conclusions in the PEIR. The SFPUC adopted CEQA Findings with respect to the approval of the Calaveras Dam Improvement Project in Resolution No. 11-0015. The CEQA Findings in Resolution No. 11-0015 related to the impacts on fishery resources due to inundation effects are incorporated into these findings by this reference, as though fully set forth in these CEQA Findings.

The remaining significant and unavoidable water supply impact listed in Resolution No. 08-0200 is as follows, relating to *Impact 7-1*:

Potentially Significant and Unavoidable WSIP Water Supply and System Operation Impact

- **Growth:** Indirect growth-inducement impacts in the SFPUC service area.

The WSIP aims to provide a total of 10 mgd annual average of water supply from recycled water, groundwater, and conservation projects to meet retail demand in San Francisco. Of this amount, the WSIP project description indicated that approximately 4 mgd annual average would be derived from recycled water projects in San Francisco. This Project would provide up to 2 mgd of recycled water; currently identified customers are estimated to use 1.6 mgd. Also, this Project would enable implementation of the SFPUC's Groundwater Supply Project, approved by the SFPUC in December, 2013. The SFPUC's Groundwater Supply Project calls for installation of new groundwater wells to recover 2.5 to 3.0 mgd of groundwater in the first phase and conversion of existing irrigation wells in Golden Gate Park to potable use, providing 1.0 to 1.5 mgd of groundwater in the second phase. The second phase cannot occur until recycled water is available for Golden Gate Park landscaping or until another landscaping water source is identified. Thus the Project would also help meet the WSIP goal of providing approximately 4 mgd annual average of water supply from groundwater.

This increase in water supply would improve the SFPUC's ability to deliver water to its customers in San Francisco during both drought and non-drought periods. The Project will help the SFPUC to diversify its water supply portfolio, which largely consists of imported surface water. It would add up to 2 mgd from recycled water to the SFPUC water supply, and enable implementation of the second phase the SFPUC's Groundwater Supply Project, which would provide 1.0 to 1.5 mgd of groundwater to the SFPUC's potable water supply. The proposed Project is a fundamental component of the SFPUC's WSIP and is needed to fully meet WSIP goals and objectives, in particular those for seismic reliability, delivery reliability, and water supply reliability.

B. Alternatives Rejected and Reasons for Rejection

The Commission rejects the alternatives set forth in the Final EIR and listed below because the Commission finds that there is substantial evidence, including evidence of economic, legal, social, technological, and other considerations described in this section in addition to those described in Section VI below under CEQA Guidelines 15091(a)(3), that make such Alternatives infeasible. In making these infeasibility determinations, the Commission is aware that CEQA defines "feasibility" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors." The Commission is also aware that under CEQA case law the concept of "feasibility" encompasses (i) the question of whether a particular alternative promotes the underlying goals and objectives of a project, and (ii) the question of whether an alternative is "desirable" from a policy standpoint to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.

Under the No Project Alternative, the SFRW Project would not be constructed or operated. The proposed recycled water treatment, storage, and distribution facilities would not be constructed and 1.6 mgd of recycled water would not be produced or delivered to customers to offset potable demand. Existing irrigation demand at Golden Gate Park, Lincoln Park, and the Presidio, as well as lake refill would continue to be met with existing potable sources and groundwater. The two existing irrigation wells in Golden Gate Park that are part of the second phase of the SFPUC's Groundwater Supply Project would

at Harding Road and Herbst Road. Other aspects of the Project would remain unchanged and the Project would be able to produce the same 5 mgd peak flow amount, or 2 mgd annual average amount of recycled water.

This Alternative reduces impacts on cultural resources in several ways. As a result of decreasing the area of construction activities slightly by consolidating the treatment and storage facilities to one area at the San Francisco Zoo overflow parking lot instead of at the Oceanside WPCP and Central Reservoir sites, the impacts on unknown archaeological resources and human remains would be reduced. This Alternative would eliminate the potential impacts to paleontological resources because it would avoid construction in the Colma Formation below the Oceanside WPCP site. As a result of reducing impacts on cultural resources, the Alternative would make less of a contribution to cumulative impacts on cultural resources.

The daily impact on air quality would be less under Alternative B than the Project. By construction sequencing and staggering construction activities, Alternative B would reduce the amount of fugitive dust and criteria pollutants emitted at one time, thereby reducing the potential to exceed regulatory thresholds based on emissions per day. However, the total amount of construction would not be reduced and the total amount of air pollution would be the same as for the Project.

Alternative B would reduce impacts on biological resources. Fewer impacts could occur to nesting birds because trees would not need to be removed between the Oceanside WPCP and the California National Guard property. Also, vegetation clearing at the Central Reservoir site would be avoided as would disturbance of trees on Route 35/Skyline Boulevard and Sunset Avenue. Pipeline construction that would instead occur on Wawona Street and 34th Avenue would disturb few trees. Alternative B also would reduce impacts on roosting bats by reducing construction near trees in the vicinity of the Oceanside WPCP, Lake Merced, and the Central Pump Station site where bats are thought most likely to roost. Finally, the elimination of construction near Lake Merced, along Route 35/Skyline Boulevard, and near Harding and Herbst Roads, and elimination of most construction around the Central Reservoir site, would reduce impacts on the Western Pond turtle and California red-legged frog, which may be found in upland habitat in these areas. The only remaining areas where these species may be found, at Metson and Lloyd Lakes in Golden Gate Park would have minimal construction nearby, limited to installation of pipeline distribution lines. As a result of reduced impacts on biological resources under Alternative B, the contribution to cumulative impacts to biological resources also would be reduced as compared to the Project.

This Alternative also would increase certain impacts as compared to the Project and result in different impacts than the Project in the areas of noise, traffic, and energy use. Alternative B would increase construction and operational noise levels in the vicinity of the San Francisco Zoo by moving the construction activities and facilities approximately 900 feet closer to Zoo facilities as compared to the Project. Increased noise could negatively impact Zoo animals. Operational noise impacts might be reduced through noise reduction berms.

Shifting the location of construction of the recycled water treatment plant could increase truck traffic along the Great Highway and potentially require lane detours. Also, relocating distribution pipelines from

implementing the Project. Finally, the Project Design Alternative would result in minimal to no benefit to the environment. All Project impacts, with the exception of the WSIP-related impact to growth are mitigable. On the other hand, the Project Design Alternative would cause energy waste and it would have the same WSIP-related impact to growth. For all of these reasons, the Commission rejects the Project Design Alternative as infeasible.

Alternative C: Reduced Project Alternative

The Reduced Project Alternative would eliminate recycled water supply to Lincoln Park and the Presidio. Under the Reduced Project Alternative, a new underground storage reservoir and pump station would not be constructed at the Central Reservoir site and distribution pipelines north of the Central Reservoir would be eliminated. The size of the recycled water treatment plant and storage at the Oceanside WPCP would be reduced somewhat and the construction duration would be shorter. As a result of these changes from the Project, the recycled water treatment plant would have a reduced peak-day capacity of 3.8 mgd instead of 5 mgd and an annual average capacity of 1.7 mgd instead of 2.0 mgd.

This Alternative reduces impacts on cultural resources in several ways. First, as a result of eliminating recycled water supply to Lincoln Park, significant potential impacts on human remains that may be associated with the former Golden Gate Cemetery site (e.g. Lincoln Park) would be avoided. Second, construction of a smaller recycled water supply treatment plant, eliminating new storage and pumping facilities at the Central Reservoir site, and eliminating distribution pipelines north of the Central Reservoir reduces the area of excavation, reducing potential exposure to unknown archeological resources and unknown human remains. Third, constructing a smaller recycled water treatment plant reduces potential impacts to paleontological resources that may be found in the Colma Formation as less excavation in that area would be required. Finally, by reducing cultural resource impacts, the contribution to cumulative impacts on cultural resources also would be reduced.

Alternative C would not reduce the daily impact on air quality, but because total construction activities are reduced, the total volume of air pollution emitted during construction is less under Alternative C than the Project.

Alternative C would reduce impacts on biological resources. Fewer impacts could occur to nesting birds, California red-legged frog and western pond turtle as a result of reduced construction activities at the Central Reservoir site where these species could be impacted. As a result of reduced impacts on biological resources under Alternative C, this alternative would make less of a contribution to cumulative impacts to biological resources as compared to the Project.

Alternative C also would reduce energy usage as compared to the Project because it would eliminate the need to pump recycled water to Lincoln Park and the Presidio from the Central Reservoir site. Alternative C would also reduce the contribution to the WSIP's indirect growth inducing impact by reducing the amount of water that could be supplied to a growing population.

Alternative C: Reduced Project Alternative would meet the Project objectives, which are to diversify the SFPUC's water supplies by developing recycled water, develop a new water supply in San Francisco that

the WSIP goals and objectives, which rely directly on the up to 2 mgd of local recycled water supply on the west side of San Francisco that the Project would provide to fulfill systemwide level of service objectives. The total average yield under normal operations for the Reduced Project Alternative would be 1.7 mgd, causing the SFPUC to fall short of the 2 mgd annual water supply designed for the Project and the WSIP identified supply need of 4 mgd from local recycled water supply by 2018. Although the SFPUC originally envisioned that the 4 mgd of recycled water would supply customers on the west side of San Francisco and now the SFPUC expects the west side recycled water demand to be somewhat reduced, the SFPUC has not revised its originally WSIP goal of obtaining 4 mgd from recycled water and is exploring recycled water supply options on the east side of the City. Thus, if the Project were sized below the Project size of 2 mgd annual average, and designed not to serve Lincoln Park and the Presidio, some viable recycled water supply customers on the west side of San Francisco would not be able to make use of recycled water and instead would need to continue to use groundwater or imported surface water for irrigation and other nonpotable uses. Such a situation would be contrary to the WSIP goal of diversifying water supply options and improving use of new water resources, such as recycled water. For these reasons, the Commission rejects the Reduced Yield Alternative as infeasible.

VI. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to CEQA Section 21081 and CEQA Guidelines Section 15093, the Commission hereby finds, after consideration of the Final EIR and the evidence in the record, that each of the specific overriding economic, legal, social, technological and other benefits of the Project as set forth below, independently and collectively outweighs the significant and unavoidable impacts and is an overriding consideration warranting approval of the Project. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the Commission will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the Record of Proceedings, as defined in Section I.

On the basis of the above findings and the substantial evidence in the whole record of this proceeding, the Commission specifically finds that there are significant benefits of the Project in spite of the unavoidable significant impacts, and therefore makes this Statement of Overriding Considerations. The Commission further finds that, as part of the process of obtaining Project approval, all significant effects on the environment from implementation of the Project have been eliminated or substantially lessened where feasible. All mitigation measures proposed in the Final EIR for the Project are adopted as part of this approval action. Furthermore, the Commission has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the following specific overriding economic, technical, legal, social, and other considerations.

The Project will have the following benefits:

- The Project will expand and diversify the SFPUC's water supply portfolio to increase system reliability, particularly for retail customers in San Francisco. The Project provides an additional 2

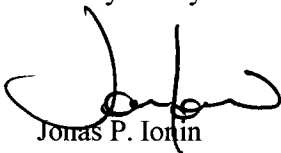
- The WSIP will substantially improve use of new water sources and drought management, including use of groundwater, recycled water, conservation, and transfers. A critical part of the WSIP is to provide water from new sources other than from imported surface water from the Hetch Hetchy Valley or watersheds in Alameda County and the Peninsula. This Project is important to meeting the WSIP goal of providing local recycled water in San Francisco.
- The WSIP projects are designed to meet applicable federal and state water quality requirements. This Project, which will produce recycled water by treating sanitary sewage with microfiltration/ultrafiltration, reverse osmosis, and ultraviolet light disinfection, will provide recycled water that meets or exceeds the California Department of Public Health requirements for disinfected tertiary recycled water.
- The WSIP will diversify water supply options during non-drought and drought periods. The Project supports this WSIP objective by providing up to 2 mgd of local recycled water during both drought and non-drought periods.

Having considered these benefits, including the benefits discussed in Section I above, the Commission finds that the benefits of the Project and the Project's furtherance of the WSIP goals and objectives outweigh the unavoidable adverse environmental effects, and that the adverse environmental effects are therefore acceptable.

DECISION

That based upon the Record, the submissions of the SFPUC, the Department and SFPUC staff, and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **ADOPTS** findings under the California Environmental Quality Act, including rejecting alternatives as infeasible, adopting a Statement of Overriding Considerations, and **ADOPTS** a Mitigation Monitoring and Reporting Program, attached as **Exhibit A**.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on September 3, 2015.


Jonas P. Iortin
Commission Secretary

AYES: Fong, Wu, Antonini, Hillis, Johnson, Moore, Richards

NAYS:

ABSENT:

ADOPTED: September 3, 2015