

1 [California Environmental Quality Act Findings - Calaveras Dam Replacement Project]

2

3 **Resolution adopting findings under the California Environmental Quality Act related to**
4 **modifications to the San Francisco Public Utilities Commission Water System**
5 **Improvement Program Calaveras Dam Replacement Project, located in Alameda and**
6 **Santa Clara Counties, including the adoption of a mitigation monitoring and reporting**
7 **program and a statement of overriding considerations; and directing the Clerk of the**
8 **Board of Supervisors to notify the Controller of this action.**

9

10 WHEREAS, The San Francisco Public Utilities Commission (SFPUC) developed,
11 approved and awarded a contract to construct the Calaveras Dam Replacement Project
12 (CDRP), which is a water infrastructure project located in Alameda and Santa Clara Counties
13 included as part of the Water System Improvement Program (WSIP) as Project No.
14 CUW37401; and

15 WHEREAS, The CDRP was undertaken in response to concerns of the California
16 Department of Water Resources, Division of Safety of Dams (DSOD). The CDRP entails
17 replacing the existing dam with a new dam to meet current seismic safety design
18 requirements and accommodate a public water supply reservoir of the same nominal size as
19 the original plans (96,850 AF). When the proposed replacement dam is completed, DSOD
20 water level restrictions would be lifted and the original reservoir and pool would be restored.
21 Completion of the proposed project would help the SFPUC achieve the WSIP Level of Service
22 goals and objectives adopted by the SFPUC. Replacing Calaveras Dam and re-establishing
23 the reservoir pool to its pre-DSOD restricted level would restore the facility's role within the
24 SFPUC regional water system with respect to delivery reliability and water supply during

25

1 planned and unplanned interruptions of the SFPUC's regional water system and during
2 periods of drought, as well as enhance seismic safety, reliability, and water quality; and

3 WHEREAS, An environmental impact report (EIR) was prepared for the CDRP as
4 required by the California Environmental Quality Act (CEQA), in Planning Department File No.
5 File No. 2005.0161E, and the Final CDRP EIR (CDRP EIR) was certified by the San
6 Francisco Planning Commission on January 27, 2011 by Motion No. M-18261; and

7 WHEREAS, The CDRP EIR prepared for the project is tiered from the WSIP Program
8 Environmental Impact Report (PEIR) certified by the Planning Commission on October 30,
9 2008 by Motion No. 17734, and, thereafter, the SFPUC approved the WSIP and adopted
10 findings and a Mitigation Monitoring and Reporting Program (PEIR MMRP) as required by
11 CEQA on October 30, 2008 by Resolution No. 08-200; and

12 WHEREAS, On January 27, 2011, the San Francisco Public Utilities Commission, by
13 Resolution No. 11-0015, a copy of which is included in Board of Supervisors File No. 110187
14 and is incorporated herein by this reference: (1) approved the Project; (2) adopted findings
15 (CEQA Findings), including a statement of overriding considerations, and a Mitigation
16 Monitoring and Reporting Program (MMRP) required by CEQA; and

17 WHEREAS, On March 15, 2011, by Resolution 131-11, this Board of Supervisors
18 adopted CEQA Findings for the CDRP and the habitat mitigation actions at various sites,
19 including a statement of overriding considerations, and a MMRP, a copy of which is included
20 in Board of Supervisors File No. 110187 and is incorporated herein by this reference; and

21 WHEREAS, On May 24, 2011, per Resolution No. 11-0077, the SFPUC approved
22 award of Contract No. WD-2551, Calaveras Dam Replacement Project to Dragados-USA,
23 Inc./Flatiron West, Inc./Sukut Construction, Inc., Joint Venture; and

1 WHEREAS, The construction contract Notice-To-Proceed date was Aug 15, 2011, the
2 original contract amount was for \$259,571,850, and the original contract duration was 1,460
3 consecutive calendar days; and

4 WHEREAS, As a result of the unexpected geologic conditions encountered during
5 excavation to the slope on the left side of the valley (when looking downstream from the
6 existing dam) that could potentially contribute to instability of the left abutment and spillway
7 area of the new dam as designed, revisions are required to the design and construction of the
8 CDRP that will increase the cost and extend the schedule for completion of the CDRP; and

9 WHEREAS, On December 13, 2012, the San Francisco Planning Department issued
10 Addendum No. 1 to the CDRP EIR, which concluded that proposed modifications to the
11 CDRP (CDRP Modifications) necessitated by the discovery of unexpected geologic features
12 encountered during excavation of the left dam abutment are within the scope of the project
13 analyzed in the CDRP EIR and will not result in any new significant impacts or a substantial
14 increase in the severity of previously identified significant impacts that alter the conclusions
15 reached in the CDRP EIR; a copy of Addendum No. 1 is included in Board of Supervisors File
16 No. _____ and is incorporated in this resolution by this reference; and

17 WHEREAS, The PEIR and SFPUC Resolution No. 08-0200, the CDRP EIR and
18 Resolution No. 11-0015, Board of Supervisors Resolution No. 131-11 and Addendum No.1 to
19 the CDRP EIR have been made available for review by this Board and the public, and those
20 files are part of the record before this Board; and

21 WHEREAS, This Board has reviewed and considered the information contained in the
22 PEIR, CDRP EIR and Addendum No. 1, the findings contained in SFPUC Resolutions No. 08-
23 0200, No. 11-0015, and No. 13-0020 , and the findings contained in Board of Supervisors
24 Resolution No. 131-11, and all written and oral information provided by the Planning
25

1 Department, the public, relevant public agencies, SFPUC and other experts and the
2 administrative files for the CDRP and the CDRP Modifications; and

3 WHEREAS, This Board of Supervisors adopted Ordinance No. 0092-10, appropriating
4 funds for the CDRP, and Ordinance No. 230-11, placing certain WSIP appropriated funds on
5 Finance Committee reserve, with release of construction funds subject to the SFPUC and this
6 Board's prior adoption of CEQA Findings for each project; and

7 WHEREAS, The Board's Finance Committee will consider the request for the release
8 of reserve on the funds necessary for the CDRP; now, therefore, be it

9 RESOLVED, That the Board of Supervisors has reviewed and considered the
10 information contained in the PEIR, CDRP EIR, the findings contained in SFPUC Resolutions
11 No. 08-0200, No. 11-0015, and the findings contained in Board of Supervisors Resolution No.
12 131-11, including the statement of overriding considerations that this Board previously
13 adopted for the WSIP and the CDRP, and has reviewed and considered the CEQA Findings
14 contained in SFPUC Resolution No. 13-0020 and in Addendum No. 1, related to the CDRP
15 Modifications, and hereby adopts these additional CEQA Findings as its own. This Board
16 additionally finds that the CDRP EIR and Addendum No. 1 are adequate for its use as the
17 decision-making body for the action taken herein, and adopts and incorporates by reference
18 as though fully set forth herein the CEQA Findings, including the statement of overriding
19 considerations, and the MMRP contained in Board Resolution No. 131-11, SFPUC Resolution
20 No. 13-0020, and Addendum No. 1; and, be it

21 FURTHER RESOLVED, That this Board of Supervisors additionally finds that (1)
22 implementation of the CDRP Modifications does not require major revisions in the CDRP EIR
23 due to the involvement of new significant environmental effects or a substantial increase in the
24 severity of previously identified significant effects; (2) no substantial changes have occurred
25 with respect to the circumstances under which the project analyzed in the CDRP EIR will be

1 undertaken, which would require major revisions to the CDRP EIR due to the involvement of
2 new significant environmental effects, or a substantial increase in the severity of effects
3 identified in the CDRP EIR; and (3) no new information of substantial importance to the
4 project analyzed in the CDRP EIR has become available that would indicate that (i) the CDRP
5 Modifications will have significant effects not discussed in the CDRP EIR; (ii) significant
6 environmental effects will be substantially more severe; (iii) mitigation measures or
7 alternatives found not feasible, which would reduce one or more significant effects, have
8 become feasible; or (iv) mitigation measures or alternatives, which are considerably different
9 from those in the CDRP EIR will substantially reduce one or more significant effects on the
10 environment; and, be it

11 FURTHER RESOLVED, That the Board directs the Clerk of the Board to forward this
12 Resolution to the Controller.

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