

1 [CEQA Findings in Connection with the Trans Bay Cable Project]

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3 **Resolution of the Board of Supervisors, acting as responsible agency with respect to**
4 **the Trans Bay Cable Project Final Environmental Impact Report, adopting findings**
5 **pursuant to the California Environmental Quality Act (CEQA) and the State CEQA**
6 **Guidelines in connection with the proposed Trans Bay Cable Project, portions of which**
7 **would be located within submerged lands and a portion of 23rd Street that are in the**
8 **City and County of San Francisco and under the Port of San Francisco's jurisdiction.**
9

10 WHEREAS, The Trans Bay Cable Project ("Project") is a proposed energy
11 transmission project that would provide a dedicated connection between the East Bay, which
12 has excess electrical generation capacity, and electrical transmission and distribution facilities
13 serving San Francisco and Northern San Mateo County; and,

14 WHEREAS, The Project is intended to provide San Francisco with a highly reliable,
15 secure source of electricity to help meet San Francisco's electrical demand projected for 2010
16 and beyond; and,

17 WHEREAS, The Project consists of the following primary components: (i) installation
18 of approximately 53 miles of 400-kV HVDC transmission cable bundle (submarine and buried
19 onshore); (ii) construction of two new converter stations—one in San Francisco and one in
20 Pittsburg; (iii) installation of approximately 0.7 mile of new underground single-circuit 230
21 kilovolt (kV) alternating current (AC) transmission cable in Pittsburg; and (iv) installation of
22 approximately 0.2 mile of underground double-circuit 115-kV AC transmission cable in San
23 Francisco; and,

24 WHEREAS, The Project is proposed by Trans Bay Cable LLC, an affiliate of Babcock &
25 Brown, in cooperation with the City of Pittsburg and Pittsburg Power Company, a municipal

1 utility. A consortium of Siemens Power Transmission & Distribution, Inc. and Prysmian Avie
2 Sistemi Energia S.r.L would provide the converter station and cable technology; and,

3 WHEREAS, The San Francisco portion of the Project has the following components:

4 (i) construction of a converter station, proposed to be located at the "HWC (Mitigated) Site,"
5 located on 23rd Street south of the existing Mirant Power Plant and adjacent to San Francisco
6 Bay ("Converter Station"); (ii) installation of offshore, shoreline and onshore HVDC cable
7 bundle from the boundary of Port of San Francisco ("Port") jurisdiction in the Bay to the
8 Converter Station; (iii) installation of AC cable running from the Converter Station to the PG&E
9 Potrero Substation; and (iv) a construction laydown area; and,

10 WHEREAS, The actions listed in Attachment A (the "Actions"), which list is on file with
11 the Clerk of the Board of Supervisors in File No. 070314, which is hereby declared to be a
12 part of this resolution and incorporated by reference as though set forth fully herein, are part
13 of a series of considerations in connection with approval of the Project by the City and County
14 of San Francisco, including the Port, as more particularly defined in Attachment A; and,

15 WHEREAS, The City of Pittsburg ("Pittsburg"), which is the lead agency for the Project
16 under the California Environmental Quality Act ("CEQA"), published the Draft Environmental
17 Impact Report ("Draft EIR") in May 2005. The Draft EIR concluded that while many impacts
18 associated with the Project were potentially significant, with implementation of the proposed
19 mitigation measures only one remained significant: the cultural resources impact resulting
20 from demolition of two potentially historic warehouses on the original HWC site; and,

21 WHEREAS, The City of San Francisco, including the Port, is a responsible agency
22 under CEQA and as such is responsible for consulting with the lead agency during
23 preparation of the EIR and considering environmental effects of the Project that related to the
24 City's discretionary actions. To fulfill the first part of these obligations, City staff met with the
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1 Project sponsor and Pittsburg staff and provided Draft EIR comments on July 10, 2006. The
2 City submitted more than 80 comments that addressed many section of the Draft EIR; and,

3 WHEREAS, Pittsburg responded to the City's comments in its "Response to
4 Comments" document, issued as a part of the Project's Final EIR on October 16, 2006. The
5 Pittsburg response addressed many of the City's comments, including relocating the
6 Converter Station to the HWC (Mitigated) site, which eliminated the impact to historic
7 resources. The Final EIR concluded that with implementation of the proposed mitigation
8 measures and other revisions to the Project, the Project resulted in no potentially significant
9 impacts; and,

10 WHEREAS, On October 27, 2006, the City submitted a second letter to Pittsburg,
11 commenting on the Final EIR. In response to the City by letter dated November 6, 2006,
12 Pittsburg addressed the City's outstanding comments. Also on November 6, 2006, Pittsburg
13 certified the Final EIR and issued several Project approvals and, in doing so, made and
14 adopted CEQA findings and adopted mitigation measures and a mitigation monitoring and
15 reporting program, and filed a Notice of Determination. A copy of the Final EIR is on file with
16 the Clerk of the Board in Board File No. 070314; and,

17 WHEREAS, After certification of the Final EIR, Pittsburg issued an Addendum to the
18 EIR in December 2006, to describe proposed changes to the Project due to the commercial
19 availability of new technology for the converter facilities in both Pittsburg and San Francisco.
20 The proposed changes to the Converter Station design would decrease its footprint and
21 height, among other changes, and would lead to further reductions in the Project's already
22 less-than-significant impacts to visual quality, noise and construction-related air quality. The
23 Addendum concluded that the proposed changes did not trigger CEQA's requirements for a
24 supplemental or subsequent environmental impact report (CEQA Guidelines Section 15162),
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1 and would further educe the Project's less than significant impacts. A copy of the Addendum
2 is on file with the Clerk of the Board in File No. 070314; and,

3 WHEREAS, in connection with the Actions on the Project, the Port Commission on
4 March 13, 2007, acting as responsible agency under CEQA, considered the environmental
5 effects of the Project, as identified by the Final EIR and Addendum, that relate to the Port's
6 discretionary Actions. The Port made and adopted CEQA findings with respect to the
7 approval of the proposed Project and its Alternatives, and adopted a mitigation monitoring and
8 reporting program, by Port Commission Resolution No. 07-22. The letter from the Port
9 transmitting the proposed Actions, the Final EIR and Addendum, the CEQA Findings adopted
10 by the Port Commission with respect to the approval of the Project, including a mitigation
11 monitoring and reporting program, and the Resolution approving the proposed Project are on
12 file with the Clerk of the Board in File No. 070314. These and any and all other documents
13 referenced in this Resolution have been made available to, and have been reviewed by, the
14 Board of Supervisors, and may be found in either the files of the City Planning Department, as
15 the custodian of records, at 1600 Mission Street in San Francisco, or in File No. 070314 with
16 the Clerk of the Board of Supervisors at 1 Dr. Carlton B. Goodlett Place, San Francisco, and
17 are incorporated herein by reference; now therefore be it

18 RESOLVED, That the Board of Supervisors finds on the basis of substantial evidence
19 in light of the whole record that: (1) modifications incorporated into the Project and reflected
20 in the Actions will not require important revisions to the Final EIR due to the involvement of
21 new significant environmental impacts or substantial increase in the severity of previously
22 identified significant effects; (2) no substantial changes have occurred with respect to the
23 circumstances under which the Project or the Actions were undertaken which would require
24 major revisions to the Final EIR due to the involvement of new significant environmental
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1 effects, or a substantial increase in the severity of effects identified in the Final EIR; and (3) no
2 new information of substantial importance to the Project or the Actions has become available
3 which would indicate (a) the Project or the Actions will have significant effects not discussed in
4 the Final EIR; (b) significant environmental impacts will be substantially more severe; (c)
5 mitigation measures or alternatives found not feasible which would reduce one or more
6 significant effects have become feasible; or (d) mitigation measures or alternatives which are
7 considerably different from those in the Final EIR would substantially reduce one or more
8 significant effects on the environment; and, be it

9 FURTHER RESOLVED, that the Board of Supervisors has reviewed and considered
10 the Final EIR and the Addendum. The Board of Supervisors has reviewed and considered
11 the CEQA Findings adopted by the Port Commission in support of the approval of the
12 proposed Project, including the mitigation monitoring and reporting program, and hereby
13 adopts the Project CEQA Findings Attachment A, including its Exhibits 1 (Final EIR Mitigation
14 Measures) and 2 (Trans Bay Cable Project Mitigation Monitoring and Reporting Program), on
15 file with the Clerk of the Board of Supervisors in File No. 070314, which is hereby declared to
16 be part of this resolution and incorporated by reference as though set forth fully herein, and,
17 be it

18 FURTHER RESOLVED, That the Board of Supervisors endorses the implementation of
19 the mitigation measures identified in the Project CEQA Findings (Attachment A) for
20 implementation by other City Departments and recommends for adopting those mitigation
21 measures that are enforceable by agencies other than City agencies, all as set forth in the
22 CEQA Findings, including the mitigation monitoring and reporting program contained in the
23 referenced CEQA Findings.



City and County of San Francisco

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

Tails

Resolution

File Number: 070314

Date Passed:

Resolution of the Board of Supervisors, acting as responsible agency with respect to the Trans Bay Cable Project Final Environmental Impact Report, adopting findings pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines in connection with the proposed Trans Bay Cable Project, portions of which would be located within submerged lands and a portion of 23rd Street that are in the City and County of San Francisco and under the Port of San Francisco's jurisdiction.

March 20, 2007 Board of Supervisors — SUBSTITUTED

August 7, 2007 Board of Supervisors — ADOPTED

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick,
Peskin, Sandoval

Noes: 2 - Daly, Mirkarimi

File No. 070314

I hereby certify that the foregoing Resolution was ADOPTED on August 7, 2007 by the Board of Supervisors of the City and County of San Francisco.

8/7/07

Date Approved

Angela Calvillo

Angela Calvillo
Clerk of the Board

Mayor Gavin Newsom