

1 [Resolution adopting Findings related to San Francisco Public Utilities Commission Water
2 System Improvement Program (WSIP)-funded Project No. CUW39101, Baden and San Pedro
3 Valve Lots Improvements Project.]

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5 **Resolution adopting findings under the California Environmental Quality Act ("CEQA"),**
6 **CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the**
7 **adoption of mitigation monitoring and reporting program related to the funding of the**
8 **Baden and San Pedro Valve Lots Improvements Project, CUW39101 and directing the**
9 **Clerk of the Board of Supervisors to notify the Controller of this action.**

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11 WHEREAS, The San Francisco Public Utilities Commission (SFPUC) developed
12 project descriptions for water infrastructure improvements as part of the SFPUC's Water
13 System Improvement Program (WSIP) for the Baden and San Pedro Valve Lots
14 Improvements Project – WSIP Funded Project No. CUW39101, (the "Project"), and

15 WHEREAS, The objectives of the Project are to complete seismic upgrades to ensure
16 that both the Baden and San Pedro Valve Lots remain operational during a major earthquake
17 and provide operational flexibility in the event of an emergency or a system failure.; and

18 WHEREAS, a draft Initial Study/Mitigated Negative Declaration (IS/MND) for the
19 Project was prepared and published for public review on May 2, 2008; and

20 WHEREAS, public comments on the Draft IS/MND were received between May 2,
21 2008 and June 5, 2008; and

22 WHEREAS, on September 25, 2008, the Planning Commission reviewed and
23 considered the Final IS/MND in Planning Department File No. 2006.1314E, consisting of the
24 Draft IS/MND and the Comments and Responses document, and found that the contents of
25 said report and the procedures through which the Final IS/MND was prepared, publicized and

1 reviewed complied with the provisions of the California Environmental Quality Act (CEQA), the
2 CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code ("Chapter 31")
3 and found further that the Final IS/MND reflected the independent judgment and analysis of
4 the City and County of San Francisco, was adequate, accurate and objective, and that the
5 Comments and Responses document contained no significant revisions to the Draft IS/MND,
6 and certified the completion of said Final IS/MND in compliance with CEQA, the CEQA
7 Guidelines and Chapter 31 in its Mitigated Negative Declaration, dated September 25 2008; a
8 copy of the motion is on file with the Clerk of the board in File No. 081586 and is incorporated
9 into this resolution by this reference; and

10 WHEREAS, the SFPUC reviewed and considered the information contained in the
11 Final IS/MND, all written and oral information provided by the Planning Department, the
12 public, relevant public agencies, SFPUC and other experts and the administrative files for the
13 WSIP and the Final IS/MND; and

14 WHEREAS, on October 14, 2008, at a public meeting of the SFPUC, the Commission
15 adopted Resolution No. 08- 0181, in which the SFPUC: (1) adopted CEQA Findings and the
16 Final IS/MND (Attachment A), adopted the Mitigation Monitoring and Reporting Program
17 (MMRP), (Attachment B) and, the Standard Construction Measures and Greenhouse Gas
18 Reduction Measures (Attachment C), which SFPUC Resolution and Attachments are
19 incorporated herein as part of this Resolution by this reference thereto, and (2) authorized a
20 request to the Board of Supervisors to adopt the same CEQA Findings, Statement and MMRP
21 (collectively referred to herein as "SFPUC CEQA Findings"); and (3) approved the Project and
22 authorized staff to proceed with actions necessary to implement the Project; and

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1 WHEREAS, The SFPUC CEQA Findings reflected the SFPUC's independent review
2 and consideration of the relevant environmental information contained in the Final IS/MND
3 and the administrative record; and

4 WHEREAS, The SFPUC CEQA Findings are on file with the Clerk of the Board of
5 Supervisors in File No. 081586 and are incorporated herein by reference. The Board of
6 Supervisors has had the opportunity to review and consider the Final IS/MND and the
7 administrative record, which is located at the Planning Department at 1650 Mission Street,
8 Suite 400, in File No. 2006.1314E. The Board of Supervisors has reviewed and considered
9 the SFPUC CEQA Findings made with respect to the construction and implementation of the
10 Project, and finds that there are no changed circumstances or other factors present that would
11 trigger the need or requirement for additional environmental review for this action; and

12 WHEREAS, The Board endorses the implementation of the mitigation measures
13 identified in the SFPUC CEQA Findings and recommends for adoption any mitigation
14 measures that are enforceable by agencies other than City agencies, all as set forth in the
15 SFPUC CEQA Findings, including the MMRP contained in the referenced SFPUC CEQA
16 Findings; and

17 WHEREAS, The Board of Supervisors finds that social, economic, technological and
18 other benefits warrant approval of the Project as described in the SFPUC CEQA Findings
19 (see Attachment A). The Project does not have any project-specific significant and
20 unavoidable impacts, however, because the Project is a component of the WSIP it will
21 contribute to such impacts caused by the Program; and

22 WHEREAS, this Board of Supervisors adopted Ordinance No. 311-08, approving a
23 supplemental appropriation of \$1,923,629,194 for the WSIP, and adopting related CEQA
24 Findings based on 1) the Water System Improvement Program Final Environmental Impact
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1 Report (WSIP Final EIR), certified by Planning Commission by its Motion No. 17734, and 2)
2 SFPUC Resolution Nos. 08-0200 and 08-0202 in which the SFPUC: (A) approved the Phased
3 Water System Improvement Program (Phased WSIP) and (B) authorized the request for the
4 Supplemental Appropriation; and

5 WHEREAS, Ordinance No. 311-08 placed the appropriated funds on Controller's
6 Appropriation Reserve, by project, making release of appropriation reserves by the Controller
7 subject to the prior occurrence of: 1) the SFPUC's and the Board's discretionary adoption of
8 CEQA Findings for projects, following review and consideration of completed project-related
9 environmental analysis, pursuant to CEQA, the State CEQA Guidelines, and Chapter 31 of
10 the San Francisco Administrative Code, where required, and 2) the Controller's certification of
11 funds availability, including proceeds of indebtedness. The associated costs covered for this
12 Project under that Ordinance are less than the \$100 million threshold that requires
13 subsequent release of reserves directly by the Board of Supervisors; now, therefore, be it

14 RESOLVED, That the Board of Supervisors has reviewed and considered SFPUC
15 Resolution No. 08-0181 authorizing the Project, and the SFPUC CEQA Findings attached
16 thereto, and hereby adopts said Findings as its own with respect to the Project, and the
17 MMRP, and directs the Clerk of the Board to forward this Resolution to the Controller.

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