

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## MEMORANDUM

TO: Ben Rosenfield, City Controller, Office of the Controller

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: July 14, 2017

SUBJECT: LEGISLATION INTRODUCED

---

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by the Public Utilities Commission on July 11, 2017:

**File No. 170802**

**Resolution adopting findings under the California Environmental Quality Act related to modifications to the San Francisco Public Utilities Commission Water System Improvement Program, Alameda Creek Recapture Project, located in Sunol Valley in Alameda County, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and directing the Clerk of the Board of Supervisors to notify the Controller of this action.**

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [erica.major@sfgov.org](mailto:erica.major@sfgov.org).

c: Todd Rydstrom, Office of the Controller

1 [California Environmental Quality Act Findings - San Francisco Public Utilities Commission  
2 Water System Improvement Program, Alameda Creek Recapture Project]

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, Alameda Creek Recapture Project, located in the Sunol Valley**  
6 **in Alameda County, 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 a  
11 project description, approved and advertised for bids for the construction of the Alameda  
12 Creek Recapture Project (ACRP Project), which is a water infrastructure project located in the  
13 Sunol Valley in Alameda County included as part of the Water System Improvement Program  
14 (WSIP) as Project No. CUW35201; and

15 WHEREAS, The objectives of the ACRP Project are to recapture the water that would  
16 have otherwise been stored in Calaveras Reservoir due to the release and bypass of flows  
17 from Calaveras Dam and the Alameda Creek Diversion Dam, respectively, to meet instream  
18 flow requirements, thereby maintaining the historical annual transfers from the Alameda  
19 Watershed system to the SFPUC regional water system; minimize impacts on water supply  
20 during drought, system maintenance, and in the event of water supply problems or  
21 transmission disruptions in the Hetch Hetchy system; maximize local watershed supplies; and  
22 maximize the use of existing SFPUC facilities and infrastructure; and,

23 WHEREAS, An environmental impact report (EIR) as required by the California  
24 Environmental Quality Act (CEQA) was prepared for the ACRP Project, in Planning  
25 Department File No. 2015-004827ENV, and the Final ACRP Project EIR (ACRP FEIR) was

1 certified by the San Francisco Planning Commission on June 22, 2017 by Motion No. M-  
2 19952; and

3 WHEREAS, The ACRP FEIR prepared for the project is tiered from the WSIP Program  
4 Environmental Impact Report (PEIR) certified by the Planning Commission on October 30,  
5 2008 by Motion No. 17734, and, thereafter, the SFPUC approved the WSIP and adopted  
6 findings and a Mitigation Monitoring and Reporting Program as required by CEQA on October  
7 30, 2008 by Resolution No. 08-0200; and

8 WHEREAS, On June 23, 2017, the SFPUC, by Resolution No. 17-0146, a copy of  
9 which is included in Board of Supervisors File No. 170802 and is incorporated herein by this  
10 reference: (1) approved the ACRP Project; (2) adopted findings (CEQA Findings), including a  
11 statement of overriding considerations, and a Mitigation Monitoring and Reporting Program  
12 (MMRP) required by CEQA; and authorized advertising for construction bids for the ACRP  
13 Project at a maximum estimated cost of \$15,500,000; and

14 WHEREAS, The PEIR and SFPUC Resolution No. 08-0200, the ACRP FEIR and  
15 SFPUC Resolution No. 17-0146 have been made available for review by this Board and the  
16 public, and those files are part of the record before this Board; and

17 WHEREAS, This Board has reviewed and considered the information contained in the  
18 PEIR, the ACRP FEIR, the findings contained in SFPUC Resolutions No. 08-0200 and  
19 No. 17-0146, and all written and oral information provided by the Planning Department, the  
20 public, relevant public agencies, SFPUC and other experts and the administrative files for the  
21 ACRP Project; and

22 WHEREAS, This Board of Supervisors adopted Ordinance Nos. 92-10 and 311-08  
23 appropriating funds for the ACRP Project, placing certain appropriated funds on Controller's  
24 Appropriation reserve, with release of construction funds subject to the SFPUC and this  
25 Board's prior adoption of CEQA Findings for the ACRP Project, and Ordinance 113-13,

1 Section 5, releasing funds on reserve for ACRP as part of the WSIP project budget re-  
2 appropriation; now, therefore, be it

3 RESOLVED, That the Board of Supervisors has reviewed and considered the  
4 information contained in the PEIR, ACRP FEIR, the findings contained in SFPUC Resolutions  
5 No. 08-0200 and No. 17-0146, including the statement of overriding considerations adopted  
6 by the SFPUC in Resolution No. 17-0146, and hereby adopts these additional CEQA Findings  
7 as its own; and, be it

8 RESOLVED, This Board additionally finds that the ACRP FEIR are adequate for its use  
9 as the decision-making body for the action taken herein, and adopts and incorporates by  
10 reference as though fully set forth herein the CEQA Findings, including the statement of  
11 overriding considerations, and the MMRP contained in SFPUC Resolution No. 17-0146; and,  
12 be it

13 FURTHER RESOLVED, That the Board directs the Clerk of the Board to forward this  
14 Resolution to the Controller.

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25