

1 [Lower Crystal Springs Dam Improvements Project Findings]

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3 **Resolution adopting findings under the California Environmental Quality Act, including**
4 **the adoption of a mitigation monitoring and reporting program and a statement of**
5 **overriding considerations related to the Lower Crystal Springs Dam Improvements**
6 **Project No. CUW35401, including the Mitigation Habitat Actions at ten sites mostly in San**
7 **Mateo County; and directing the Clerk of the Board of Supervisors to notify the Controller**
8 **of this action.**
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10 WHEREAS, The San Francisco Public Utilities Commission (SFPUC) has developed a project
11 description for the Lower Crystal Springs Dam Improvements Project Variant, Project No
12 CUW35401, (the "Project") which is a water infrastructure project included as part of the Water
13 System Improvement Program (WSIP). The Project is located in unincorporated San Mateo
14 County. The Project would modify various features of the Lower Crystal Springs Dam
15 ("LCSD") to comply with requirements of the California Department of Water Resources,
16 Division of Safety of Dams ("DSOD"). The Project seeks to addresses DSOD requirements
17 through hydraulic improvements that will enable floodwater associated with the Probable
18 Maximum Flood ("PMF") and other very large and infrequent floods to pass safely over the
19 LCSD without compromising the integrity of the dam. Satisfaction of DSOD requirements will
20 allow the SFPUC to restore the reservoir's historical storage capacity. The increase in local
21 storage on the Peninsula would help the SFPUC in achieving regional Water System
22 Improvement Program ("WSIP") level-of-service goals including, but not limited to, seismic
23 reliability, delivery reliability, and water supply reliability goals for continued system operation
24 in the event of an emergency or during major water system maintenance events. In addition,
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1 to comply with anticipated permit requirements of the National Marine Fisheries Service
2 (“NMFS”) and the California Department of Fish and Game (“CDFG”), the Project includes
3 authorization for the SFPUC General Manager to agree to a minimum water release schedule
4 for flow releases from Crystal Springs Reservoir to San Mateo Creek below LCSD to enhance
5 habitat for native fish as part of the long term operations under the Project; and

6 WHEREAS, The objectives of the Project are to complete modification to the existing
7 LCSD facilities in compliance with DSOD directive, restore historical storage capacity of
8 Crystal Springs Reservoir, improve the SFPUC’s water supply delivery capability, help meet
9 the SFPUC’s dry-year delivery needs, facilitate planned shutdown of individual facilities for
10 regular maintenance without interrupting customer service, maximize capture of local runoff
11 from the Peninsula watershed and to increase water storage on the Peninsula; and

12 WHEREAS, An environmental impact report (“EIR”) as required by the California
13 Environmental Quality Act ("CEQA") was prepared for the Project in Planning Department File
14 No. File No. 2006.0536E; and

15 WHEREAS, The Final EIR ("FEIR") was certified by the San Francisco Planning
16 Commission on October 7, 2010 by Motion 18189; and

17 WHEREAS, The FEIR prepared for the Project is tiered from the WSIP Program
18 Environmental Impact Report ("PEIR") certified by the Planning Commission on October 30,
19 2008 by Motion No. 17734; and

20 WHEREAS, Thereafter, the SFPUC approved the WSIP and adopted findings and a
21 Mitigation Monitoring and Reporting Program (PEIR MMRP) as required by CEQA on October
22 30, 2008 by Resolution No. 08-200; and

23 WHEREAS, On October 15, 2010, the San Francisco Public Utilities Commission
24 (SFPUC), by Resolution No. 10-0175, a copy of which is included in Board of Supervisors File
25 No. 101305 and which is incorporated herein by this reference: (1) approved the Project; (2)

1 adopted findings (CEQA Findings), including a statement of overriding considerations, and a
2 Mitigation Monitoring and Reporting Program (MMRP) required by CEQA; and

3 WHEREAS, The Project files, including the FEIR, PEIR and SFPUC Resolution No. 10-
4 0175 have been made available for review by the Board and the public, and those files are
5 considered part of the record before this Board; and

6 WHEREAS, At the time of Project approval, SFPUC staff anticipates that
7 implementation of the Project is likely to include, but may not be limited to, Mitigation Habitat
8 Actions at ten identified sites: (1) Skyline Boulevard, (2) San Andreas Reservoir, (3) Upper
9 San Mateo Creek, (4) Skyline Quarry, (5) Adobe Gulch Creek South, (6) Boat Ramp North, (7)
10 Adobe Gulch, (8) Boat Ramp North, (9) Half Moon Bay/Pilarcitos, and (10) Sherwood Point.
11 These sites were selected and designed using the conservation principles required by the
12 PEIR and subsequent SFPUC adoption of the PEIR MMRP, which prescribe a coordinated
13 approach in developing mitigation for biological resource impacts of individual WSIP facility
14 projects in order to avoid habitat fragmentation, preserve wildlife movement corridors and
15 allow for plants and wildlife to disperse over large contiguous habitat areas. Therefore, it is
16 necessary and appropriate for the SFPUC to implement compensatory mitigation habitat
17 improvements at these sites to minimize overall environmental impacts, and to achieve the
18 overall habitat preservation and creation functions of the site(s), notwithstanding that
19 mitigation at these sites may be in excess of resource agency requirements for the Project or
20 other future SFPUC projects. By authorizing implementation of the full mitigation site(s) in
21 connection with the Project, once approved by the resource agencies, neither the SFPUC nor
22 this Board make any commitment to approve any other WSIP project or mitigation, nor do the
23 SFPUC and this Board make any determination as to the adequacy of the ten compensation
24 sites as mitigation for any other WSIP project, and both the SFPUC and this Board retain full
25 discretion to consider the environmental documents for other WSIP projects, including but not

1 limited to mitigation measures therein, and to approve or disapprove the project and the
2 compensatory mitigation habitat proposed for impacts resulting from those projects. Funding
3 for the Mitigation Habitat Actions will be provided, in part, from Project No. CUW3880100,
4 referred to as the Habitat Reserve Program in the Supplemental Appropriation Ordinance
5 0092-10; and

6 WHEREAS, The Board of Supervisors has reviewed and considered the information
7 and findings contained in the FEIR, PEIR and SFPUC Resolution No. 10-0175, and all written
8 and oral information provided by the Planning Department, the public, relevant public
9 agencies, SFPUC and other experts and the administrative files for the Project; and

10 WHEREAS, This Board of Supervisors adopted Ordinance No. 0092-10 that placed
11 WSIP appropriated funds on Controller's Appropriation Reserve, by project, making release of
12 appropriation reserves by the Controller subject to the prior occurrence of: (1) the SFPUC's
13 and the Board's discretionary adoption of CEQA Findings for each project, following review
14 and consideration of completed project-related environmental analysis, pursuant to CEQA, the
15 State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, where
16 required, and (2) the Controller's certification of funds availability, including proceeds of
17 indebtedness. The ordinance also placed any project with construction costs in excess of
18 \$100 million on Budget and Finance Committee reserve pending review and reserve release
19 by that Committee, however, Project costs are below that threshold; now, therefore, be it

20 RESOLVED, That the Board of Supervisors has reviewed and considered the FEIR
21 and record as a whole, finds that the FEIR is adequate for its use as the decision-making
22 body for the action taken herein including, but not limited to, approval of the Project and
23 adopts and incorporates by reference as though fully set forth herein the CEQA Findings,
24 including the statement of overriding considerations, and the MMRP contained in Resolution
25 No. 10-0175; and, be it

1 FURTHER RESOLVED, That the Board finds that the Project mitigation measures set
2 forth in the FEIR and the MMRP, including but not limited to the Mitigation Habitat Actions,
3 and adopted by the SFPUC and herein by this Board will be implemented as reflected in and
4 in accordance with the MMRP; and, be it

5 FURTHER RESOLVED, The Board finds that since the FEIR was finalized, there have
6 been no substantial project changes and no substantial changes in Project circumstances that
7 would require major revisions to the FEIR due to the involvement of new significant
8 environmental effects or an increase in the severity of previously identified significant impacts,
9 and there is no new information of substantial importance that would change the conclusions
10 set forth in the FEIR; and, be it

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