

1 [CEQA Findings for Public Utilities Commission Calaveras Dam Replacement Project]

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3 **Resolution adopting findings under the California Environmental Quality Act (CEQA),**
4 **including the adoption of a mitigation monitoring and reporting program and a statement**
5 **of overriding considerations related to the Water System Improvement Program**
6 **Calaveras Dam Replacement Project, in Alameda and Santa Clara Counties, including the**
7 **Mitigation Habitat Actions at various sites; and directing the Clerk of the Board of**
8 **Supervisors to notify the Controller of this action.**

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

15 WHEREAS, The Project was developed in response to concerns of the California
16 Department of Water Resources, Division of Safety of Dams (DSOD) direction, the Project
17 entails rebuilding the dam in order to eliminate the seismic safety concerns associated with
18 the original dam. The Project would replace the existing dam with a new dam to
19 accommodate a public water supply reservoir of the same size as the original plans (96,850
20 AF) and meet current seismic safety design requirements. When the proposed replacement
21 dam is completed, DSOD water level restrictions would be lifted and the original reservoir and
22 pool would be restored. Completion of the proposed project would help the SFPUC achieve
23 the WSIP Level of Service goals and objectives adopted by the SFPUC in Resolution No. 08-
24 200. Replacing Calaveras Dam and re-establishing the reservoir pool to its pre-DSOD
25 restricted level would restore the facility's role within the SFPUC regional water system with

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

4 WHEREAS, SFPUC staff has developed and approved additional design refinements
5 and fisheries enhancements subsequent to the publication of the Draft Environmental Impact
6 Report ("EIR") that are described as the CDRP Variant (the "Project") in the Comments and
7 Responses document, included in the Final EIR; and

8 WHEREAS, The objectives of the Project are to re-establish water delivery reliability, to
9 restore water supply and the capacity of the reservoir to its pre-2001 restriction level of 96,850
10 AF using water from the Alameda Creek watershed, thereby restoring 7 million gallons per
11 day (mgd) of water supply during the 8.5-year design drought (the SFPUC's drought planning
12 scenario), to improve seismic reliability through construction of a replacement dam designed
13 to safely retain 96,850 AF of water and withstand the maximum credible earthquake (7.25
14 moment magnitude) on the Calaveras fault, to construct a new dam with a robust design (wide
15 centrally-located clay core, wide filters, and internal drainage) that could accommodate
16 potential enlargement by future generations, continue reservoir and outer works operation, to
17 the extent possible, during construction, and to maintain high water quality, re-creating a
18 deeper pool that would keep water temperatures cooler to limit algal growth in the reservoir;
19 and

20 WHEREAS, An environmental impact report as required by the California
21 Environmental Quality Act (CEQA) was prepared for the Project in Planning Department File
22 No. File No. 2005.0161E; and

23 WHEREAS, The Project is a capital improvement project approved by the SFPUC as
24 part of the WSIP; and

1 WHEREAS, The Final EIR (FEIR) was certified by the San Francisco Planning
2 Commission on January 27, 2011 by Motion No. M-18261; and

3 WHEREAS, The 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

6 WHEREAS, Thereafter, the SFPUC approved the WSIP and adopted findings and a
7 Mitigation Monitoring and Reporting Program (PEIR MMRP) as required by CEQA on October
8 30, 2008 by Resolution No. 08-200; and

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

14 WHEREAS, The Project files, including the FEIR, PEIR and SFPUC Resolution No. 11-
15 0015 have been made available for review by the Board and the public, and those files are
16 considered part of the record before this Board; and

17 WHEREAS, At the time of Project approval, SFPUC staff anticipates that
18 implementation of the Project may include, but may not be limited to, Mitigation Habitat
19 Actions at five identified sites: (1) South Calaveras, (2) San Antonio, (3) Sage Canyon, (4)
20 Goat Rock, and (5) Koopmann Road, and/or other sites developed in consultation with certain
21 state and federal regulatory agencies. These sites were selected and designed using the
22 conservation principles required by the PEIR and subsequent SFPUC adoption of the PEIR
23 MMRP, which prescribe a coordinated approach in developing mitigation for biological
24 resource impacts of individual WSIP facility projects in order to avoid habitat fragmentation,
25 preserve wildlife movement corridors and allow for plants and wildlife to disperse over large

1 contiguous habitat areas. Therefore, it is necessary and appropriate for the SFPUC to
2 implement compensatory mitigation habitat improvements at these sites to minimize overall
3 environmental impacts, and to achieve the overall habitat preservation and creation functions
4 of the site(s), notwithstanding that mitigation at these sites may be in excess of resource
5 agency requirements for the Project or other future SFPUC projects. By authorizing
6 implementation of the full mitigation site(s) in connection with the Project, once approved by
7 the resource agencies, neither the SFPUC nor this Board make any commitment to approve
8 any other WSIP project or mitigation, nor do the SFPUC and this Board make any
9 determination as to the adequacy of the five compensation sites as mitigation for any other
10 WSIP project, and both the SFPUC and this Board retain full discretion to consider the
11 environmental documents for other WSIP projects, including but not limited to mitigation
12 measures therein, and to approve or disapprove the project and the compensatory mitigation
13 habitat proposed for impacts resulting from those projects; and

14 WHEREAS, The Board of Supervisors has reviewed and considered the information
15 and findings contained in the FEIR, PEIR and SFPUC Resolution No. 11-0015, and all written
16 and oral information provided by the Planning Department, the public, relevant public
17 agencies, SFPUC and other experts and the administrative files for the Project; and

18 WHEREAS, This Board of Supervisors adopted Ordinance No. 0092-10 that placed
19 WSIP appropriated funds on Controller's Appropriation Reserve, by project, making release of
20 appropriation reserves by the Controller subject to the prior occurrence of: (1) the SFPUC's
21 and the Board's discretionary adoption of CEQA Findings for each project, following review
22 and consideration of completed project-related environmental analysis, pursuant to CEQA, the
23 State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, where
24 required, and (2) the Controller's certification of funds availability, including proceeds of
25 indebtedness. The ordinance also placed any project with construction costs in excess of

1 \$100 million on Budget and Finance Committee reserve pending review and reserve release
2 by that Committee, and Project costs are above that threshold. Funding for the Project will be
3 provided from Calaveras Dam Replacement Project No. CUW37401, together with funding for
4 the Mitigation Habitat Actions that will be provided, in part, from Project No. CUW3880100,
5 referred to as the Habitat Reserve Program in the Supplemental Appropriation Ordinance
6 0092-10; now, therefore, be it

7 RESOLVED, That the Board of Supervisors has reviewed and considered the FEIR
8 and record as a whole, finds that the FEIR is adequate for its use as the decision-making
9 body for the action taken herein including, but not limited to, approval of the Project and
10 adopts and incorporates by reference as though fully set forth herein the CEQA Findings,
11 including the statement of overriding considerations, and the MMRP contained in Resolution
12 No. 11-0015; and be it

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

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

23 FURTHER RESOLVED, That the Board directs the Clerk of the Board to forward this
24 Resolution to the Controller for the release of the reserved funds.

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