File No. 240956 **Committee Item No.** 5
Board Item No. 21

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee **Date** October 30, 2024
Board of Supervisors Meeting **Date** November 5, 2024

Cmte Board

Cmte	Board	
☐	☐	**Motion**
☒	☒	**Resolution**
☐	☐	**Ordinance**
☐	☐	**Legislative Digest**
☐	☐	**Budget and Legislative Analyst Report**
☐	☐	**Youth Commission Report**
☐	☐	**Introduction Form**
☒	☒	**Department/Agency Cover Letter and/or Report**
☐	☐	**MOU**
☐	☐	**Grant Information Form**
☐	☐	**Grant Budget**
☐	☐	**Subcontract Budget**
☒	☒	**Contract/Agreement**

- **Draft Easement Deed**
- **Draft Purchase and Sale Agreement**

☐	☐	**Form 126 – Ethics Commission**
☐	☐	**Award Letter**
☐	☐	**Application**
☐	☐	**Public Correspondence**

OTHER **(Click on the hyperlinks to view the entirety of voluminous files)**

☒	☒	Easement Acquisition Location Map
☒	☒	PLN General Plan Referral 7/29/2024
☒	☒	PLN Final Environmental Impact Report 9/20/2012
☒	☒	PLN EIR Addendum No. 1 10/25/2023
☒	☒	Sunol Pipeline MMRP Final 101323
☒	☒	PUC Resolution No. 08-0200 10/30/2008
☒	☒	PUC Resolution No. 12-0174 9/25/2012
☒	☒	PUC Resolution No. 12-0174 Attachment A - SABPL CEQA Findings
☒	☒	PUC Resolution No. 12-0174 Attachment B - SABPL MMRP
☒	☒	PUC Resolution No. 24-0192 9/10/2024
☒	☒	PUC Presentation 10/30/2024
☐	☐	

Completed by: Brent Jalipa **Date** October 24, 2024
Completed by: Brent Jalipa **Date** October 31, 2024

[Real Property Acquisition - Easement from Sunol Glen Unified School District - Not to Exceed $50,000]

Resolution approving the terms and conditions and authorizing the General Manager of the San Francisco Public Utilities Commission to execute a Purchase and Sale Agreement and Easement Deeds with Sunol Glen Unified School District for the acquisition of a 4,008-square-foot easement for an underground water pipeline and associated appurtenances and a 34,834-square-foot temporary construction easement on and across a portion of Alameda County Assessor's Parcel No. 096-0155-004-01, known as 11601 Main Street, Sunol, for $35,000 plus an administrative fee of $5,000 and up to $10,000 in closing costs, for a total amount not to exceed $50,000 pursuant to Charter, Section 9.118; the Agreement is effective on the date on which the Agreement is executed by both parties.

WHEREAS, The San Francisco Public Utilities Commission (SFPUC) seeks to replace and realign a section of the SFPUC's Town of Sunol pipeline system as part of Project No. 10033818, Town of Sunol Pipeline (Project); and

WHEREAS, The Town of Sunol pipeline feeds both the potable and fire suppression lines to the Town of Sunol; and

WHEREAS, The Project would install a 12-inch ductile iron water pipeline across Sunol Glen School, located at 11601 Main Street in Sunol, California, designated as a portion of Alameda County Assessor's Parcel No. 096-0155-004-01 (Property); and

WHEREAS, The SFPUC seeks to acquire an approximately 4,008-square-foot easement for the water pipeline and related appurtenances across the Property (Pipeline Easement); and

WHEREAS, The Project also requires the acquisition of an approximately 34,834-square-foot temporary construction easement (TCE) on the Property; and

WHEREAS, Sunol Glen Unified School District (District) has agreed to sell the Pipeline Easement and TCE to the City and County of San Francisco (City) and both parties desire to enter into a Purchase and Sale Agreement; and

WHEREAS, The SFPUC, through consultation with the Office of the City Attorney, has negotiated with the District the proposed terms and conditions of the City's acquisition of the easement and TCE for a purchase price of $35,000, plus an administrative fee of $5,000 and up to $10,000 in closing costs, as set forth in the form of an Agreement for Purchase and Sale of Real Estate (Agreement) and Easement Deeds to convey easement interests for the Pipeline Easement and TCE (Easement Deeds); and

WHEREAS, On October 30, 2008, the San Francisco Planning Commission certified the Final Program Environmental Impact Report (Program EIR) (Case Number 2005.0159E) for the Water System Improvement Program; and

WHEREAS, On October 30, 2008, by Resolution No. 08-0200, the SFPUC approved the Water System Improvement Program and adopted findings and a Mitigation Monitoring and Reporting Program, as required by the California Environmental Quality Act (CEQA); and

WHEREAS, On September 20, 2012, the Planning Commission certified the Final Environmental Impact Report (Final EIR) for the San Antonio Backup Pipeline Project (Case No. 2007.0039E), which is tiered from the Program EIR; and

WHEREAS, On September 25, 2012, by Resolution No. 12-0174, the SFPUC approved the San Antonio Backup Pipeline Project and adopted findings and a Mitigation Monitoring and Reporting Program, as required by the CEQA; and

WHEREAS, On October 25, 2023, the Planning Department issued an Addendum to the Final EIR evaluating the Project to replace an approximately 495-foot-long segment of the

existing water distribution pipeline that provides potable and firefighting water to the Town of Sunol and prepared a refined Mitigation Monitoring and Reporting Program for the Project; and

WHEREAS, The work under this action, including the easement acquisition, is within the scope of the Project authorized under the Final EIR and Addendum; and

WHEREAS, The SFPUC has reviewed and considered the information contained in the Program EIR, Final EIR, the CEQA findings contained in SFPUC Resolution No. 12-0174, the Addendum to the Final EIR, and all written and oral information provided by the Planning Department, the public, relevant public agencies, SFPUC and other experts and the administrative files for the Project; and made findings that the Final EIR and Addendum to the Final EIR are adequate for its use as the decision–making body for the Project and the SFPUC made findings that since the Program EIR and Final EIR as modified by the Addendum were finalized, there have been no substantial project changes and no substantial changes in project circumstances that would require major revisions to them due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in them; and

WHEREAS, By General Plan Referral, dated July 29, 2024, for Case No. 2007.0039GPR, the San Francisco Planning Department found this action consistent with the General Plan, and eight priority policies of Planning Code, Section 101.1 ("General Plan Findings"), a copy of which is on file with the Clerk of the Board under File No. 240956, which is incorporated herein by this reference; and

WHEREAS, On September 10, 2024, by Resolution No. 24-0192, the SFPUC authorized the General Manager to execute the Agreement and Easement Deeds with the District for the acquisition of a 4,008-square-foot easement for an underground water pipeline

and associated appurtenances and a 34,834-square-foot temporary construction easement on and across a portion of Alameda County Assessor's Parcel No. 096-0155-004-01, known as 11601 Main Street, Sunol, California for $35,000 plus an administrative fee of $3,500 and up to $10,000 in closing costs, for a total amount not to exceed $50,000 pursuant to Charter, Section 9.118; and

WHEREAS, The Agreement is effective on the date on which the Agreement is executed by both parties; now, therefore, be it

RESOLVED, That this Board of Supervisors hereby approves the terms and conditions, and authorizes the General Manager of the San Francisco Public Utilities Commission to execute a Purchase and Sale Agreement and Easement Deeds with Sunol Glen Unified School District for the acquisition of the Pipeline Easement and TCE for $35,000 plus an administrative fee of $5,000 and up to $10,000 in closing costs, for a total amount not to exceed $50,000 pursuant to Charter, Section 9.118; and, be it

FURTHER RESOLVED, That within thirty (30) days of the Purchase and Sale Agreement and Easement Deeds being fully executed by all parties, the General Manager of the SFPUC shall provide the final agreement and deeds to the Clerk of the Board for inclusion in the official file.

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

Director of Property
Real Estate Division
City and County of San Francisco
25 Van Ness Avenue, Suite 400
San Francisco, California 94102

With a copy to:

San Francisco Public Utilities Commission
Real Estate Services Division
525 Golden Gate Avenue, 10th Floor
San Francisco, California 94102
Attn: Real Estate Director

And to:

Sunol Glen School
11601 Main Street
Sunol, California 94568
Attn: Superintendent

The undersigned hereby declares this instrument to be exempt from Recording Fees (CA Govt. Code § 27383) and Documentary Transfer Tax (CA Rev. & Tax Code § 11922 and S.F. Bus. & Tax Reg. Code § 1105)

(Space above this line reserved for Recorder's use only)

EASEMENT DEED
(Water Utility Easement)

(Portion of Assessor's Parcel 096-0155-004-01)

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, SUNOL GLEN UNIFIED SCHOOL DISTRICT, a California Unified School District ("**Grantor**"), hereby grants to the CITY AND COUNTY OF SAN FRANCISCO, a California municipal corporation ("**Grantee**"), an easement for water pipes or pipelines and related appurtenances thereto (the "**Easement**") in, under, upon, along, and/or across a portion of Grantor's real property located in the Town of Sunol, County of Alameda, State of California, more particularly described on the attached **Exhibit A** and depicted on the attached **Exhibit B** (the "**Easement Area**"). The Easement Area is appurtenant to Grantee's adjoining real property.

Grantor will retain such rights and privileges to use the Easement Area as are not inconsistent with this Easement, subject to the conditions, covenants, and restrictions in this Deed. Grantor will not do or allow anything in, on, under, or about the Easement Area that could damage or interfere with Grantee's Facilities (as defined in Section 1 [Nature of Easement]).

1. Nature of Easement. The Easement is a perpetual, nonexclusive easement in gross for purposes of accessing, constructing, reconstructing, removing, replacing, enlarging, decreasing, maintaining, repairing, operating, inspecting, and using one or more water pipes or pipelines, with all necessary braces, footings, connections, valves, fastenings, foundation sites, and other appliances and fixtures (collectively, "**Grantee's Facilities**") in, on, under, upon, along, and across the Easement Area. The Easement includes the right of ingress and egress, and emergency access to the Easement

Area over and across adjacent lands of Grantor, over any available roadways, or such routes as may be agreed upon by Grantor and Grantee, to the extent Grantor has rights to grant such rights, and to the extent necessary for the convenience of Grantee in the enjoyment of its rights under this easement deed ("**Deed**"). Grantee is also granted the right to clear obstructions and vegetation from the Easement Area as may be required for the proper use of the other rights granted under this Deed. Grantee's rights under this Deed may be exercised by Grantee's agents, contractors, subcontractors, suppliers, consultants, employees, licensees, invitees, or representatives, or by other authorized persons acting for or on behalf of Grantee (collectively, "**Agents**").

2. Subject to Superior and Prior and Existing Rights.

(a) The rights granted by this Deed are subject to any prior and existing recorded property rights of third parties, if any. Grantee will be solely liable for the interference with any prior and existing third-party rights. Grantor reserves the right to grant, at its sole and absolute discretion, nonexclusive rights to other third parties within the Easement Area, provided that any such grants will not require Grantee to relocate or remove Grantee's Facilities or unreasonably restrict or interfere with Grantee's rights to access, construct, reconstruct, remove, replace, maintain, repair, operate, inspect, and use Grantee's Facilities.

(b) If Grantor or any of its agents propose or permit excavation or the installation or placement of any improvements by or on behalf of Grantor in, under, across, or above the surface of the Easement Area, prior to any such excavation, installation or placement: **(i)** Grantor will provide, or cause to be provided, to Grantee such plans and other pertinent documents related to such proposed excavation or improvements as are reasonably requested by Grantee, at the address for Grantee set forth in Section 9 [Notices] below, to provide Grantee an opportunity to review and comment on the proposed excavation or improvements; **(ii)** Grantor will obtain Grantee's written approval of the plans and specifications for any such proposed excavation, installation or placement, which approval may be reasonably conditioned but will not be unreasonably withheld or delayed; **(iii)** Grantor will contact Underground Service Alert, ensure that the utilities are physically marked in the field, and provide that information to the Grantee prior to commencing any work in the Easement Area; and **(iv)** such excavation, installation or placement will be performed in a manner that does not endanger or damage any then-existing Grantee's Facilities within the Easement Area.

3. Maintenance of Improvements. Grantee shall be solely responsible for repairing and maintaining all of Grantee's facilities placed in, on, or under the Easement Area in good, safe, and secure condition, and Grantor shall have no duty whatsoever for any repair or maintenance of Grantee's facilities. Grantor shall maintain the surface of the Easement Area, provided that any damage, subsidence, or other injury to the Easement Area to the extent resulting from the presence of Grantee's facilities or Agents shall be remedied or repaired by Grantee.

4. Indemnification. Grantee will indemnify, defend, and hold Grantor harmless from and against any direct injury, loss, damage, or liability, costs, or expenses (including reasonable attorneys' fees and court costs) resulting from Grantee's use of the Easement Area, except to the extent attributable to the negligent or intentional act or omission of Grantor or its Agents.

5. Notification. Grantor and Grantee, and their respective agents and contractors, will not perform, nor permit any person or entity to perform, any excavation work on or about the Easement Area without giving at least thirty (30) days' written notice to the other party in the manner

required by Section 9 [Notices] of this Deed (except in emergencies, where each will give prompt written notice).

6. No Dumping or Hazardous Materials. Grantor will not cause or permit the dumping or other disposal on or about the Easement Area of refuse, hazardous materials, or other materials that are unsightly or could pose a danger to human health or safety or to the environment.

7. No Structures. Grantor will not do or allow anything in, on, under, or about the Easement Area that could cause damage or interference to Grantee's Facilities. Without limiting the foregoing, Grantor agrees that, without Grantee's prior, written consent: **(a)** except as permitted by Section 2 [Subject to Superior and Prior and Existing Rights] above, no structures of any kind or character will be constructed or placed on the Easement Area; **(b)** except as permitted by Section 2 above, no excavation will occur on the Easement Area; and **(c)** no trees or other vegetation that fails to comply with the San Francisco Public Utilities Commission's Vegetation Management Policy (as it may be amended from time to time) will be planted or maintained on the Easement Area.

8. Run with the Land. The provisions, covenants, conditions, and restrictions provided in this Deed will be covenants running with the land pursuant to California Civil Code Sections 1468 and 1471 and will burden and benefit every person having an interest in the Easement Area. Any reference to Grantor in this Deed will include Grantor's agents and all successor owners of all or any part of the Easement Area.

9. Notices. Notices and other deliveries pursuant to this Deed may be delivered by private messenger service, mail, overnight courier, or delivery service. Any notice or document required or permitted to be delivered by either party will be in writing and will be deemed to be given on the date received by, or on the date receipt was refused by the party; provided, however, that all notices and documents: **(a)** mailed to a party in the United States Mail, postage prepaid, certified mail, return receipt requested, will be deemed to have been received five (5) postal days after mailing; or **(b)** delivered by a nationally recognized overnight courier or delivery service will be deemed received the next business day after deposit with a nationally recognized overnight courier or delivery service for overnight delivery. For all purposes the address of the parties will be the following, unless otherwise changed by the party by notice to the other as provided in this Section:

To GRANTOR:	Sunol Glen School 11601 Main Street Sunol, California 94568 Attn: Superintendent
To GRANTEE:	General Manager San Francisco Public Utilities Commission 525 Golden Gate Avenue, 13th Floor San Francisco, California 94102
With a copy to:	Real Estate Director Real Estate Services Division San Francisco Public Utilities Commission 525 Golden Gate Avenue, 10th Floor San Francisco, California 94102 Email: RES@sfwater.org

And to: Attn: Real Estate /Finance
Office of the City Attorney
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102

A properly addressed notice transmitted by one of the foregoing methods will be deemed received upon the confirmed date of delivery, attempted delivery, or rejected delivery, whichever occurs first. Any e-mail addresses, telephone numbers, or facsimile numbers provided by one party to the other will be for convenience of communication only; neither party may give official or binding notice orally or by e-mail or facsimile. The effective time of a notice will not be affected by the receipt, prior to receipt of the original, of an oral notice or an e-mail or telefacsimile copy of the notice.

10. Abandonment of Easement. Grantee may, at its sole option, abandon all or part of the Easement by recording a quitclaim deed. Except as otherwise provided in this Deed, on recording such quitclaim deed, the affected Easement Area and all rights, duties, and liabilities under this Deed with respect to such Easement Area shall be terminated and of no further force or effect. No temporary non-use of the Easement Area or other conduct, except for recordation of the quitclaim deed as provided in this paragraph, shall be deemed abandonment of the Easement.

11. Restoration. Upon Abandonment of the Easement as set forth above, at its sole cost and expense, Grantee shall restore, as nearly as reasonably possible, the Easement Area to its condition immediately prior to the commencement of the Work.

12. Miscellaneous.

(a) Entire Agreement. This Deed is the final expression of and contains the entire agreement between the parties with respect to the matters addressed in this Deed and supersedes all prior understandings with respect to such matters. This Deed may not be modified, changed, supplemented, or terminated, nor may any obligations under this Deed be waived, except by written instrument signed by the party to be charged or by its agent duly authorized in writing or as otherwise expressly permitted in this Deed. The parties do not intend to confer any benefit under this Deed on any person, firm, or corporation other than the parties to this Deed.

(b) Partial Invalidity. If any term or provision of this Deed, or the application thereof, to any person or circumstance will be invalid or unenforceable, to any extent, the remainder of this Deed, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, will not be affected thereby, and each such term and provision of this Deed will be valid and enforced to the fullest extent permitted by law.

(c) Waivers. No waiver of any breach of any covenant or provision of this Deed will be deemed a waiver of any preceding or succeeding breach thereof, or of any other covenant or provision of this Deed. No extension of time for performance of any obligation or act will be deemed an extension of the time for performance of any other obligation or act.

(d) Governing Law; Consent to Jurisdiction. The parties to this Deed acknowledge that this Deed has been negotiated and entered into in the State of California and expressly agree that this Deed will be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of California. Any legal action or proceeding brought by either

party and arising from or in connection with this Deed or any breach of this Deed will be brought in the California Superior Court for the County of Alameda.

[SIGNATURES ON FOLLOWING PAGE]

Executed as of this _____ day of _____, 202_.

GRANTOR:

SUNOL GLEN UNIFIED SCHOOL DISTRICT,
a California Unified School District

By: _____
[NAME]

Its: _____

Date: _____

ACCEPTED AND AGREED

GRANTEE:

CITY AND COUNTY OF SAN FRANCISCO,
a municipal corporation

By: _____
DENNIS J. HERRERA
General Manager
San Francisco Public Utilities Commission

Date: _____

Authorized by SFPUC Resolution No. _____
and Board of Supervisors Resolution No. _____

APPROVED AS TO FORM:

DAVID CHIU, City Attorney

By: _____
Anna Parlato Gunderson
Deputy City Attorney

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
) ss
County of _____)

On _____, before me, _____,
(insert name and title of the officer)

personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

CERTIFICATE OF ACCEPTANCE

As required under Government Code Section 27281, this is to certify that the interest in real property conveyed by the Easement Deed dated _____, from Sunol Glen Unified School District, a California Unified School District, to the City and County of San Francisco, a municipal corporation ("Grantee"), is hereby accepted by order of its Board of Supervisors' Resolution No. 18110 (Series of 1939), adopted on August 5, 1957, and approved by the Mayor on August 10, 1957, and its Board of Supervisors' Resolution No. _____, adopted on _____, and Grantee consents to recordation thereof by its duly authorized officer.

Dated _____, 202__.

By: _____
Andrico Q. Penick
Director of Property

EXHIBIT A

Legal Description of Easement Area

[see attached]

December 19, 2022

Exhibit A
Easement Description

All that real property situate in the Town of Sunol, County of Alameda, State of California, as described in the Exchange Deed from the City and County of San Francisco to the Sunol Glen School District of Alameda County, recorded January 30, 1964 in Book 1110 of Official Records, at Page 14, in the office of the Recorder of the County of Alameda, State of California, more particularly described as follows:

Beginning at the northerly end of that certain line cited as South 28°10'20" West, 121.30 feet in said Exchange Deed between said City and County of San Francisco and said Sunol Glen School District;

thence South 29º55'22" West, 54.69 feet (along said line cited in said deed recorded in said Book 1110 of Official Records, at Page 14 as South 28°10'20" West, 121.30 feet), to the **TRUE POINT OF BEGINNING**;

thence continuing on said line South 29º55'22" West, 12.85 feet;
thence North 70º12'38" West, 157.26 feet;
thence North 75º37'38" West, 153.07 feet;
thence North 59º58'22" East, 15.33 feet;
thence South 75º01'38" East, 180.38 feet;
thence North 63°47'52" East, 30.80 feet;
thence South 71°12'08" East, 71.94 feet;
thence South 26°12'08" East, 33.32 feet;
thence South 70°03'05" East, 4.97 feet to the **TRUE POINT OF BEGINNING**.

Containing 4,008 square feet more or less.

A plat titled Exhibit B showing the above-described parcels is attached herein and made a part hereof.

This description was prepared by or under my direction in conformance with the Professional Land Surveyor's Act.

Tony E Durkee
Tony E. Durkee, PLS 5773

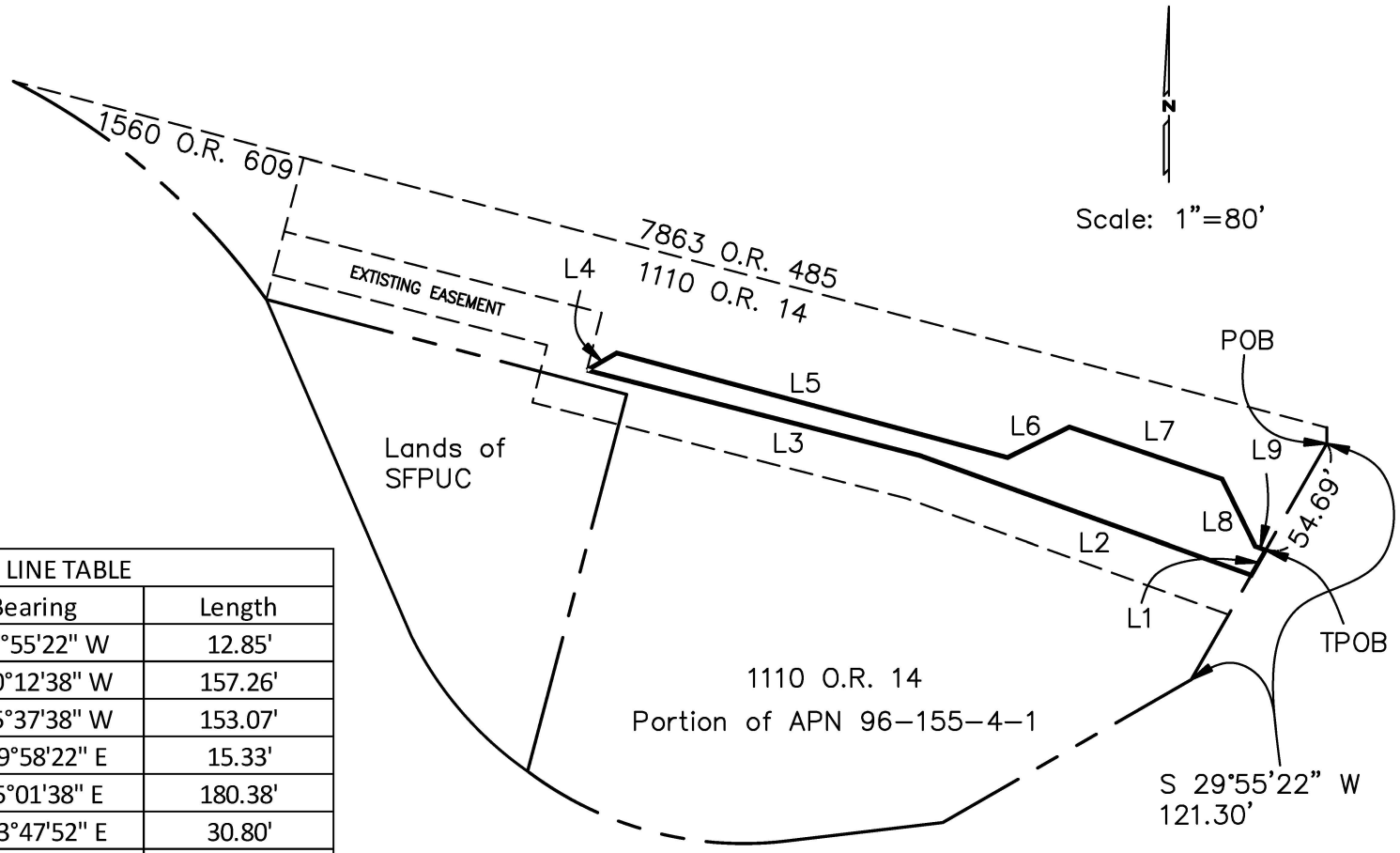
End of Description

EXHIBIT B

Depiction of Easement Area

[see attached]

Exhibit "B"



LINE TABLE		
Line	Bearing	Length
L1	S 29°55'22" W	12.85'
L2	N 70°12'38" W	157.26'
L3	N 75°37'38" W	153.07'
L4	N 59°58'22" E	15.33'
L5	S 75°01'38" E	180.38'
L6	N 63°47'52" E	30.80'
L7	S 71°12'08" E	71.94'
L8	S 26°12'08" E	33.32'
L9	S 70°03'05" E	4.97'

legend
POB Point of Beginnning
TPOB True Point of Beginning
APN Assessor's Parcel Number

City and County of San Francisco
Public Utilities Commission
Real Estate Services

Plat for New Easement

20' wide Ease Plat.dwg

Town of Sunol
County of Alameda

12/19/2022

LICENSED LAND SURVEYOR
TONY E. DURKEE
No. 5773
STATE OF CALIFORNIA

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

Director of Property
Real Estate Division
City and County of San Francisco
25 Van Ness Avenue, Suite 400
San Francisco, California 94102

With a conformed copy to:

San Francisco Public Utilities Commission
Real Estate Services Division
525 Golden Gate Avenue, 10th Floor
San Francisco, California 94102
Attn: Real Estate Director

And to:

Sunol Glen School
11601 Main Street
Sunol, California 94568
Attn: Superintendent

The undersigned hereby declares this instrument to be exempt from Recording Fees (CA Govt. Code § 27383) and Documentary Transfer Tax (CA Rev. & Tax Code § 11922 and S.F. Bus. & Tax Reg. Code § 1105)

(Space above this line reserved for Recorder's use only)

EASEMENT DEED
(Temporary Construction Easement)

(Portion of Assessor's Parcel 096-0155-004-01)

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the SUNOL GLEN UNIFIED SCHOOL DISTRICT, a California Unified School District ("**Grantor**"), hereby grants to the CITY AND COUNTY OF SAN FRANCISCO, a California municipal corporation ("**Grantee**"), a temporary surface easement for construction and access purposes (the "**Easement**") in, on, over, under, upon, along, and/or across certain portions of Grantor's real property located in the Town of Sunol, County of Alameda, State of California, more particularly described on the attached **Exhibit A** and depicted on the attached **Exhibit B** (the "**Easement Area**").

1. Nature of Easement. The Easement is an exclusive surface easement that shall be used for construction staging and general construction-related activities. Grantee's rights to use any portion of the Easement Area shall include **(a)** the right to store, use, and stage equipment, vehicles, machinery, tools, materials, supplies, and excavated soils in connection with the construction of Grantee's Regional Groundwater Storage and Recovery Project (the "**Project**"); **(b)** the right to improve, repair, and maintain the Easement Area, including grading, installation of paving and/or crushed rock, fencing, management of vegetation impinging on the Easement Area; and **(c)** such other rights as are reasonably necessary for the full enjoyment and accomplishment of the purposes of the Easement. The Easement includes the right of ingress and egress to the

Easement Area across adjacent lands of Grantor to the extent Grantor has rights to grant such rights, and to the extent necessary for the convenience of Grantee in the enjoyment of its rights under this Deed. Grantee's rights under this Deed may be exercised by Grantee's agents, utility operators, contractors, subcontractors, suppliers, consultants, employees, licensees, invitees, or representatives, or by other authorized persons acting for or on behalf of Grantee (collectively, "**Agents**").

2. Term of Easement. The term of the Easement shall commence on the date (the "**Commencement Date**") on which Grantee's contractor first enters the Easement Area to commence staging in connection with the Work after Grantee's issuance of a Notice to Proceed to the contractor. Grantee shall provide, or cause its contractor to provide, at least thirty (30) days' advance written notice to Grantor of the Commencement Date. At the request of either party, Grantor and Grantee shall confirm in writing the Commencement Date. The Easement shall expire on the last day of the eighteenth (18th) full calendar month after the Commencement Date; however, Grantee shall have the option to extend the term on a month-to-month basis not to exceed an additional six (6) months beyond the original expiration term of the easement. Thirty (30) days' written notice will be given to Grantor if Grantee elects to exercise its option for any such extension. Upon expiration of the extended term, Grantee shall pay Grantor an additional sum for any such extensions at the same rate paid for the initial term (prorated on a monthly basis).

3. Restoration. Upon the earlier of expiration of the term of the Easement or Grantee's completion of Project construction, at its sole cost and expense, Grantee shall restore, as nearly as reasonably possible, the surface of the Easement Area to its condition immediately prior to the commencement of the Work.

4. Indemnification. Grantee will indemnify, defend, and hold Grantor harmless from and against any direct injury, loss, damage, or liability, costs, or expenses (including reasonable attorneys' fees and court costs) resulting from Grantee's use of the Easement Area, except to the extent attributable to the negligent or intentional act or omission of Grantor or its Agents.

5. No Dumping or Hazardous Materials. Grantor will not cause or permit the dumping or other disposal on or about the Easement Area of refuse, hazardous materials, or other materials that are unsightly or could pose a danger to human health or safety or to the environment.

6. Run with the Land. The provisions, covenants, conditions, and restrictions provided in this Deed will be covenants running with the land pursuant to California Civil Code Sections 1468 and 1471 and will burden and benefit every person having an interest in the Easement Area. Any reference to Grantor in this Deed will include Grantor's agents and all successor owners of all or any part of the Easement Area.

7. Notices. Notices and other deliveries pursuant to this Deed may be delivered by private messenger service, mail, overnight courier, or delivery service. Any notice or document required or permitted to be delivered by either party will be in writing and will be deemed to be given on the date received by, or on the date receipt was refused by the party; provided, however, that all notices and documents: **(a)** mailed to a party in the United States Mail, postage prepaid, certified mail, return receipt requested, will be deemed to have been received five (5) postal days after mailing; or **(b)** delivered by a nationally recognized overnight courier or delivery service will be deemed received the next business day after deposit with a nationally recognized overnight courier or delivery service for overnight delivery. For all purposes the address of the parties will

be the following, unless otherwise changed by the party by notice to the other as provided in this subparagraph:

To GRANTOR:	Sunol Glen School 11601 Main Street Sunol, California 94568 Attn: Superintendent
To GRANTEE:	General Manager San Francisco Public Utilities Commission 525 Golden Gate Avenue, 13th Floor San Francisco, California 94102
With a copy to:	Real Estate Director Real Estate Services Division San Francisco Public Utilities Commission 525 Golden Gate Avenue, 10th Floor San Francisco, California 94102 Email: RES@sfwater.org
And to:	Attn: Real Estate /Finance Office of the City Attorney City Hall, Room 234 1 Dr. Carlton B. Goodlett Place San Francisco, California 94102

A properly addressed notice transmitted by one of the foregoing methods will be deemed received upon the confirmed date of delivery, attempted delivery, or rejected delivery, whichever occurs first. Any e-mail addresses, telephone numbers, or facsimile numbers provided by one party to the other will be for convenience of communication only; neither party may give official or binding notice orally or by email or facsimile. The effective time of a notice will not be affected by the receipt, prior to receipt of the original, of an oral notice or an email or telefacsimile copy of the notice.

8. Miscellaneous.

(a) Entire Agreement. This Deed is the final expression of and contains the entire agreement between the parties with respect to the matters addressed in this Deed and supersedes all prior understandings with respect to such matters. This Deed may not be modified, changed, supplemented, or terminated, nor may any obligations under this Deed be waived, except by written instrument signed by the party to be charged or by its agent duly authorized in writing or as otherwise expressly permitted in this Deed. The parties do not intend to confer any benefit under this Deed on any person, firm, or corporation other than the parties to this Deed.

(b) Partial Invalidity. If any term or provision of this Deed, or the application thereof, to any person or circumstance will be invalid or unenforceable, to any extent, the remainder of this Deed, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, will not be affected thereby, and each such term and provision of this Deed will be valid and enforced to the fullest extent permitted by law.

(c) Waivers. No waiver of any breach of any covenant or provision of this Deed will be deemed a waiver of any preceding or succeeding breach thereof, or of any other covenant or provision of this Deed. No extension of time for performance of any obligation or act will be deemed an extension of the time for performance of any other obligation or act.

(d) Governing Law; Consent to Jurisdiction. The parties to this Deed acknowledge that this Deed has been negotiated and entered into in the State of California and expressly agree that this Deed will be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of California. Any legal action or proceeding brought by either party and arising from or in connection with this Deed or any breach of this Deed will be brought in the California Superior Court for the County of Alameda.

[SIGNATURES ON FOLLOWING PAGE]

Executed as of this _____ day of _____, 202_.

GRANTOR:

SUNOL GLEN UNIFIED SCHOOL DISTRICT,
a California Unified School District

By: _____
[NAME]

Its: _____

Date: _____

ACCEPTED AND AGREED

GRANTEE:

CITY AND COUNTY OF SAN FRANCISCO,
a municipal corporation

By: _____
DENNIS J. HERRERA
General Manager
San Francisco Public Utilities Commission

Date: _____

Authorized by SFPUC Resolution No. _____
and Board of Supervisors Resolution No. _____

APPROVED AS TO FORM:

DAVID CHIU, City Attorney

By: _____
Anna Parlato Gunderson
Deputy City Attorney

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
) ss
County of _____)

On _____, before me, _____,
(insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT A

Legal Description of Easement Area

[see attached]

February 08, 2024

Exhibit A
Easement Description

All that real property situate in Town of Sunol, County of Alameda, State of California, being Assessor's Parcel Number 96-155-4-1, being three adjoining parcels described in the following three documents,

1. The Exchange Deed from the City and County of San Francisco to the Sunol Glen School District of Alameda County, Recorded January 30, 1964 in Book 1110 of Official Records, at Page 14,
2. The Final Order of Condemnation, Recorded December 01, 1955 in Book 7863 of Official Records, at Page 465,
3. That certain document Recorded July 27, 1965 in Book 1560 of Official Records, at Page 609,

Said documents being filed in Official Records in the Office of the Recorder, County of Alameda, State of California, and more particularly described as follows:

Beginning at the intersection of the northerly line of Main Street and the easterly line of Bond Street;
thence South 75º14'58" East (along said line cited in said deed recorded in Book 1110 of Official Records, at Page 14 as South 77° East), 380.08 feet;
thence North 15º25'23" East, 168.34 feet;
thence North 23º59'22" West, 82.82 feet;
thence North 76º12'36" West, 329.64 feet to the easterly line of Bond Street;
thence northerly along said easterly line of Bond Street North 14º54'37" East, 15.04 feet;
thence South 76º12'36" East, 342.27 feet;
thence South 26°09'39" East, 163.93 feet to the beginning of a non-tangent curve to the right;
thence along said curve having a radius of 116.00 feet, through a central angle of 25º50'47", radial to a line bearing North 03º26'18" East from the radius point of said curve to the point of curve, a distance of 52.33 feet;
thence South 54°27'51" West, 22.59 feet to the beginning of a non-tangent curve to the left;
thence along said curve having a radius of 96.01 feet, through a central angle of 12°42'42", radial to a line bearing North 23°24'26" East from the radius point of said curve to the point of curve, a distance of 21.30 feet to the beginning of a non-tangent curve to the left;
thence along said curve having a radius of 78.07 feet, though a central angle of 58°32'16", radial to a line bearing North 15°57'13" East from the radius of said curve to the point of curve, a distance of 79.76 feet;
thence South 15°11'22" West, 76.26 feet;
thence South 74°02'07" East, 77.00 feet;
thence South 45°14'32" East, 40.06 feet;
thence North 89°23'34" East , 72.35 feet to the beginning of a non-tangent curve to the right;
thence along said curve having a radius of 241.43 feet, radial to a line bearing South 75°26'59" East from the radius point of said curve to the point of curve, through a central angle of 05°57'37", a distance of 25.11 feet;

thence South 12°07’27” East, 7.49 feet;
thence South 67°54’13” East, 15.99 feet;
thence South 29°55’22” West, 18.16 feet;
thence North 70°04’17” West, 4.97’ feet;
thence North 26°12’08” West, 33.32 feet;
thence North 71°12’08” West, 71.94 feet;
thence South 63°47’52” West, 30.80 feet;
thence North 75°01’38” West, 180.38 feet;
thence South 59°59’38” West, 15.34 feet;
thence North 14°22’22” East, 26.40 feet;
thence North 75°37’38” West, 146.12 feet;
thence South 14°45’02” West, 20.00 feet;
thence South 75°37’38” East, 126.25 feet;
thence South 14°22’22 West, 12.20 feet;
thence North 75°14’58” West, 126.33 feet to the beginning of a curve to the left;
thence along said curve having a radius of 316.52 feet, through a central angle of 27°12’09”, radial to a line bearing North 54°19’35” East from the radius point of said curve to the point of curve, a distance of 150.27 feet to the **POINT OF BEGINNG.**

Containing 34,834 square feet, or 0.8 acres, more or less.
A plat titled Exhibit B showing the above-described parcel is attached herein and made a part hereof.

This description was prepared by or under my direction in conformance with the Professional Land Surveyor’s Act.

Tony E Durkee
Tony E. Durkee, PLS 5773

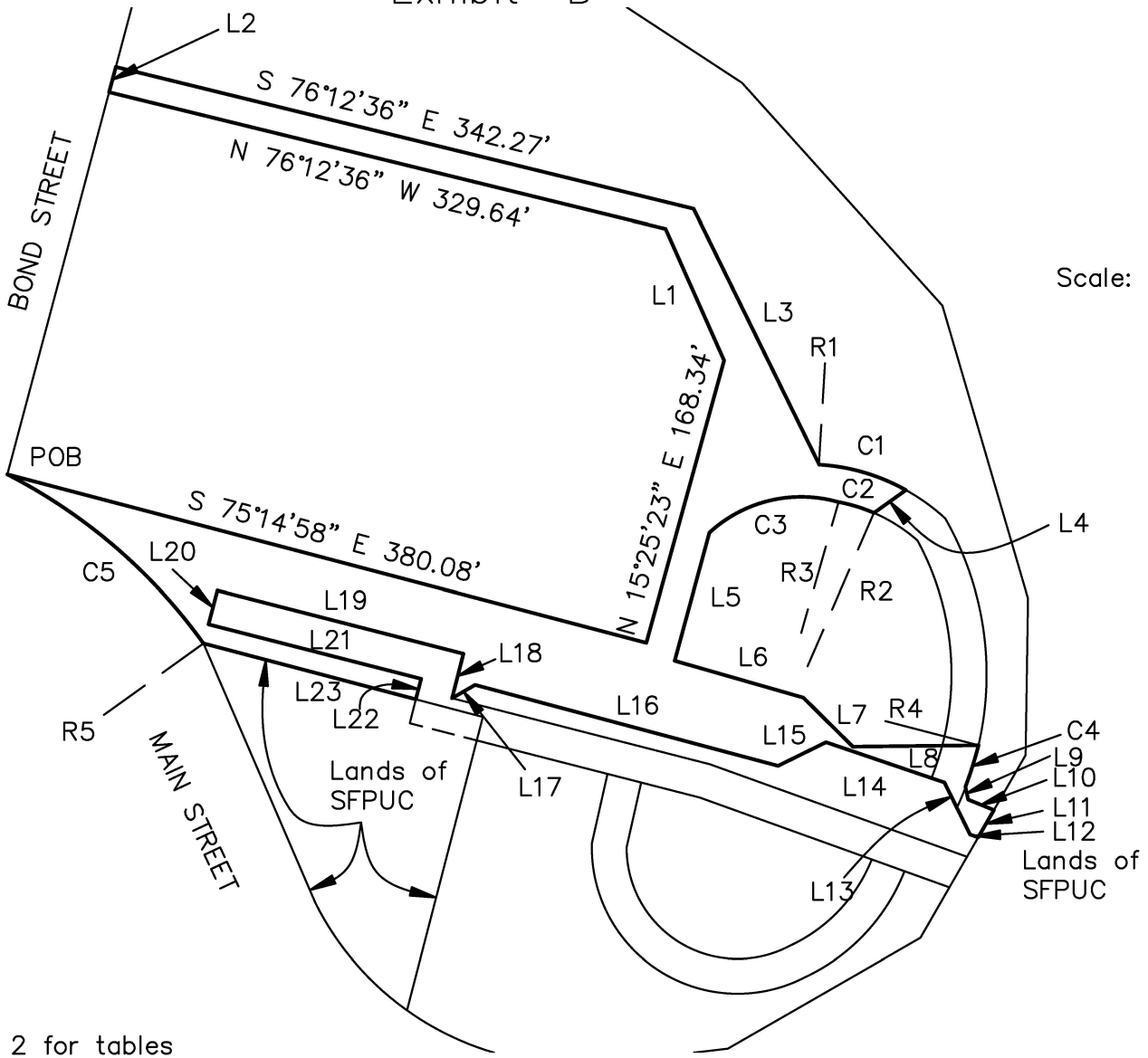
End of Description

EXHIBIT B

Depiction of Easement Area

[see attached]

Exhibit "B"



LEGEND
POB Point of Begininng

Sheet 1 of 2 See sheet 2 for tables

City and County of San Francisco Public Utilities Commission Real Estate Services	Plat for Temporary Easement Sunol School TCE Plat.dwg	Town of Sunol County of Alameda 02/06/2024	LICENSED LAND SURVEYOR TONY E. DURKEE No. 5773 STATE OF CALIFORNIA

Exhibit "B"

LINE TABLE		
Line	Bearing	Length
L1	N 23°59'22" W	82.82'
L2	N 14°54'37" E	15.04'
L3	S 26°09'39" E	163.93'
L4	S 54°27'51" W	22.59'
L5	S 15°11'22" W	76.26'
L6	S 74°02'07" E	77.00'
L7	S 45°14'32" E	40.06'
L8	N 89°23'34" E	72.35'
L9	S 12°07'27" E	7.49'
L10	S 67°54'13" E	15.99'
L11	S 29°55'22" W	18.16'
L12	N 70°04'17" W	4.97'
L13	N 26°12'08" W	33.32'
L14	N 71°12'08" W	71.94'
L15	S 63°47'52" W	30.80'
L16	N 75°01'38"W	180.38'
L17	S 59°59'38" W	15.34'
L18	N 14°22'22" E	26.40'
L19	N 75°37'38" W	146.12'
L20	S 14°45'02" W	20.00'
L21	S 75°37'38" E	126.25'
L22	S 14°22'22" W	12.20'
L23	N 75°14'58" W	126.33'

CURVE TABLE			
	Radius	Length	Delta
C1	116.00'	52.33'	25°50'47"
C2	96.01'	21.30'	12°42'42"
C3	78.07'	79.76'	58°32'16"
C4	241.43'	25.11'	05°57'37"
C5	316.52'	150.27'	27°12'09"

RADIAL LINE TABLE	
Bearing from Radius Point to Beginning of Curve	
R1	N 03°26'18" E
R2	N 23°24'26" E
R3	N 15°57'13" E
R4	S 75°26'59" E
R5	N 54°19'35" E

SHEET 2 of 2

City and County of San Francisco
Public Utilities Commission
Real Estate Services

Plat for Temporary Easements

Sunol School TCE Plat.dwg

Town of Sunol
County of Alameda

02/06/2024

LICENSED LAND SURVEYOR
TONY E. DURKEE
No. 5773
STATE OF CALIFORNIA

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE

by and between

SUNOL GLEN UNIFIED SCHOOL DISTRICT,
a California Unified School District,
as Seller,

and

CITY AND COUNTY OF SAN FRANCISCO,
a California municipal corporation, by and through its Public Utilities Commission,

as Buyer,

for the purchase and sale of

one permanent water pipeline easement and one temporary construction easement
over, upon and across a portion of
Assessor's Parcel 096-0155-004-01

located in the unincorporated town of Sunol,
County of Alameda, State of California.

_____, 2024

TABLE OF CONTENTS

Page

1. PURCHASE AND SALE 1
   1.1. Purchase and Sale of Easement 1
   1.2. Easement Area; Nature of Easement 1
2. PURCHASE PRICE 2
   2.1. Purchase Price 2
   2.2. Payment 2
   2.3. Funds 2
3. CONVEYANCE OF EASEMENT 2
   3.1. Easement Deed 2
   3.2. State of Title 2
   3.3. Title Insurance 3
4. CONDITIONS TO CLOSING 3
   4.1. City's Conditions to Closing 3
   4.2. Cooperation with City 4
5. ESCROW AND CLOSING; POSSESSION 4
   5.1. "Closing" Defined 4
   5.2. Escrow; Closing Without an Escrow 5
   5.3. Closing Date 5
   5.4. Seller's Delivery of Documents 5
   5.5. City's Delivery of Documents and Funds 6
   5.6. Other Documents; Cooperation 6
   5.7. Closing 7
   5.8. Possession and Use. 7
6. EXPENSES; CLOSING COSTS 8
   6.1. City's Expenses 8
   6.2. Seller's Expenses 8
   6.3. Other Expenses 8
   6.4. Survival 8
7. REPRESENTATIONS AND WARRANTIES 8
8. INDEMNITY 10
9. RISK OF LOSS 10
10. MAINTENANCE 10

11. DISMISSAL OF EMINENT DOMAIN ACTION 10
12. GENERAL PROVISIONS 11
12.1. Notices 11
12.2. Brokers and Finders 11
12.3. Successors and Assigns 12
12.4. Amendments; Waivers 12
12.5. Continuation and Survival of Representations and Warranties 12
12.6. Governing Law 12
12.7. Merger of Prior Agreements; No Inducement 13
12.8. Parties and Their Agents; Approvals 13
12.9. Interpretation of Agreement 13
12.10. Attorneys' Fees ..... **Error! Bookmark not defined.**
12.11. Severability 13
12.12. Sunshine Ordinance 14
12.13. Conflicts of Interest 14
12.14. Notification of Limitations on Contributions 14
12.15. Non-Liability of City Officials, Employees, and Agents 15
12.16. Counterparts 15
12.17. Effective Date 15
12.18. Cooperative Drafting 15
12.19. Release of Claims 15

LIST OF EXHIBITS

EXHIBIT A Description of Seller's Property

EXHIBIT B Easement Deed for Permanent Water Utility Easement with attached legal description and depiction of Easement Area to be conveyed thereby.

EXHIBIT C Easement Deed for Temporary Construction Easement with attached legal description and depiction of Easement Area to be conveyed thereby.

EXHIBIT D Certificate of Transferor Other Than An Individual (FIRPTA Affidavit)

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE

THIS AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE (this "**Agreement**") dated for reference purposes only as of _____, 202__, is by and between the SUNOL GLEN UNIFIED SCHOOL DISTRICT, a California Unified School District ("**Seller**"), and the CITY AND COUNTY OF SAN FRANCISCO, a California municipal corporation ("**City**"), by and through its Public Utilities Commission ("**SFPUC**"). Seller and City sometimes are referred to collectively in this Agreement as the "**Parties**" or singularly as a "**Party**."

RECITALS

A. Seller owns the real property located at 11601 Main Street, Sunol, California 94568 and commonly known as Assessor's Parcel 096-0155-004-01 and more particularly described in the attached **Exhibit A** "**Seller's Property**."

B. In connection with the SFPUC Town of Sunol Pipe Replacement Project, City wishes to purchase, and Seller has agreed to sell, those certain easement interests described below in Section 1.1 [Purchase and Sale of Easements] (each, an "**Easement**" and collectively, the "**Easements**") to City in, on, over, under, upon, along, and/or across certain portions of Seller's Property ("**Easement Area**") in accordance with, and pursuant to, the terms and conditions of this Agreement.

IN CONSIDERATION of the respective agreements set forth below, Seller and City agree as follows:

1. PURCHASE AND SALE

1.1. Purchase and Sale of Easements

Seller will sell and convey the Easements to City by duly executed and acknowledged easement deeds in the forms attached as **Exhibits B and C** (each, a "**Deed**" and collectively, the "**Deeds**"), subject to the terms, covenants, and conditions hereinafter set forth.

(1) a permanent nonexclusive subsurface easement and nonexclusive surface easement for water pipeline purposes (the "**Pipeline Easement**") under, across, in, and upon a portion of Seller's Property; and

(2) a temporary construction easement (the "**TCE**") on, over, across, in and upon two portions of Seller's Property.

1.2. Easement Areas; Nature of Easements

The Easement Areas are described and depicted in the exhibits to the Deeds. The nature, scope, and conditions of the Easements are set forth in the Deeds with respect to each Easement.

2. PURCHASE PRICE

2.1. Purchase Price

(1) The purchase price for the Pipeline Easement is TWENTY FOUR THOUSAND FORTY EIGHT AND NO 1/100 DOLLARS ($24,048.00).

(2) The purchase price for the TCE is TEN THOUSAND FIVE HUNDRED SIXTY FIVE AND NO 1/100 DOLLARS ($10,565.00).

Accordingly, the total rounded purchase price for the Easements is THIRTY FIVE THOUSAND AND NO 1/100 DOLLARS ($35,000.00) (the "**Purchase Price**").

2.2. Payment

On the Closing Date (defined in Section 5.3 [Closing Date] below), City will pay the Purchase Price, adjusted pursuant to the provisions of Section 6 [Expenses; Closing Costs] below, and reduced by any credits due City under this Agreement.

2.3. Funds

All payments made pursuant to this Agreement will be in legal tender of the United States of America, paid by Controller's warrant or in cash or by wire transfer of immediately available funds. Unless the Parties elect to close the transaction without an escrow, payments will be made to the Title Company (defined in Section 5.2 [Escrow; Closing Without an Escrow] below), as the escrow agent.

3. CONVEYANCE OF EASEMENTS

3.1. Easement Deeds

At the Closing (defined in Section 5.1 ["Closing" Defined] below), Seller will convey to City marketable and insurable title to the Easements by delivery of the Deeds, duly executed and acknowledged in the forms attached as **Exhibits B and C**, free and clear of all exceptions, liens, and encumbrances except solely for the Accepted Conditions of Title (defined in Section 3.2 [State of Title] below). The Deeds will be executed and delivered to the Title Company in a recordable form and the Title Company will record the Deeds in the Official Records of Alameda County.

3.2. State of Title

"**Accepted Conditions of Title**" will mean **(a) t**he lien of real property taxes, not yet due or payable; and **(b)** all existing exceptions and encumbrances, whether or not disclosed by a current preliminary title report or the public records or any other documents reviewed by Buyer pursuant to Section 5.1 below, and any other exceptions to title that would be disclosed by an accurate and thorough investigation, survey, or inspection of the Property, and **(c)** all items of which Buyer has actual or constructive notice or knowledge. As a condition precedent to City's obligation to purchase, quitclaim deeds, a spousal waiver, lender's consents or subordinations, tenants' consents, or similar releases sufficient to clear or subordinate any possessory rights over the Easement Areas may be required, at City's election, each in a form approved by City. Seller will secure any such waiver quitclaim deeds, consents, subordinations, or releases.

3.3. Title Insurance

Delivery of title in accordance with the preceding Section will be evidenced by the commitment of the Title Company (defined in Section 5.2 [Escrow; Closing Without an Escrow] below) to issue to City an CLTA owner's policy of title insurance ("**Title Policy**") in the amount of the Purchase Price, insuring title to the Easements vested in City, free of the liens of any and all deeds of trust, mortgages, assignments of rents, financing statements, rights of tenants or other occupants, and all other exceptions, liens and encumbrances except solely for the Accepted Conditions of Title. The Title Policy will provide full coverage against mechanics' and materialmen's liens arising out of the construction, repair, or alteration of the Easements, shall delete any required arbitration provision, and shall contain an affirmative endorsement that there are no violations of restrictive covenants, if any, affecting the Easements and will contain such special endorsements as City may reasonably request.

4. CONDITIONS TO CLOSING

4.1. City's Conditions to Closing

The following are conditions precedent to City's obligation to purchase the Easements (collectively, "**Conditions Precedent**"):

(a) City will have reviewed and approved title to the Property, and accepts all conditions of title.

(b) City's review and approval that the physical condition of all portions of the Easement Areas are substantially the same on the Closing Date (defined in Section 5.3 [Closing Date] below) as on the date of City's execution of this Agreement, reasonable wear and tear and loss by casualty excepted (subject to the provisions of Section 9 [Risk of Loss] below), and as of the Closing Date there will be no litigation or administrative agency or other governmental proceeding, pending, or threatened, that after the Closing could materially adversely affect the value of the Easements or City's ability to use all portions of the Easement Areas for their respective intended use, and no proceedings will be pending or threatened that could or would cause the change, re-designation, or other modification of the zoning classification of, or of any building or environmental code requirements applicable to, any portion(s) of the Easement Areas.

(c) Seller will have delivered signed originals of any documents required under Section 3.2 [State of Title] above, and, unless the Parties elect to consummate the transaction without an escrow, Title Company will be committed at the Closing to issue to City the Title Policy (defined in Section 3.3 [Title Insurance] above).

(d) City's review and approval of the compliance of the Property with all applicable laws, regulations, permits and approvals.

(e) The transactions contemplated by this Agreement will have been approved by all applicable City departments and agencies, including the San Francisco Public Utilities Commission, at their respective sole discretion, within ninety (90) days after Seller executes and delivers this Agreement to City.

(f) If required by City's Charter, City's Mayor and the Board of Supervisors, each at their sole discretion, will have enacted a resolution approving, adopting, and authorizing

this Agreement and the transactions contemplated by this Agreement, within one hundred twenty (120) days after Seller executes and delivers this Agreement to City.

(g) Seller will have delivered the items described in Section 5.4 [Seller's Delivery of Documents] below on or before the Closing (defined in Section 5.1 ["Closing" Defined] below).

The Conditions Precedent contained in the foregoing subsections **(a)** through **(g)** are solely for City's benefit. If any Condition Precedent is not satisfied, City will have the right at its sole discretion either to waive in writing the Condition Precedent in question and proceed with the purchase with respect to the Easements (provided that the Conditions Precedent described in subsections **(e)** and **(f)** above may not be waived except insofar as City elects to extend the deadline for satisfying such item) or, in the alternative, terminate this Agreement. The waiver of any Condition Precedent will not relieve Seller of any liability or obligation with respect to any representation, warranty, covenant, or agreement of Seller. In addition, the Closing Date may be extended, at City's option, for a reasonable period of time specified by City, to allow such Conditions Precedent to be satisfied, subject to City's further right to terminate this Agreement upon the expiration of the period of any such extension if any Conditions Precedent remain unsatisfied.

If the sale of the Easements is not consummated because of a default under this Agreement on the part of Seller or if a Condition Precedent cannot be fulfilled because Seller frustrated such fulfillment by some affirmative act or negligent omission, at City's sole election City may either **(i)** terminate this Agreement by delivery of notice of termination to Seller, whereupon Seller shall pay to City any title, escrow, legal, and inspection fees incurred by City and any other expenses incurred by City in connection with the performance of its due diligence review of Seller's Property, and neither Party will have any further rights or obligations under this Agreement, or **(ii)** elect to proceed with Closing of the Easements with respect to which all Conditions Precedent have been waived by City or satisfied.

4.2. Cooperation with City

Seller will cooperate with City and do all acts as may be reasonably requested by City with regard to the fulfillment of any Conditions Precedent including execution of any documents, applications, or permits, but Seller's representations and warranties to City will not be affected or released by City's waiver or fulfillment of any Condition. Seller hereby irrevocably authorizes City and its Agents to make all inquiries with and applications to any person or entity, including, without limitation, any regulatory authority with jurisdiction as City may reasonably require to complete its due diligence investigations.

5. ESCROW AND CLOSING; POSSESSION

5.1. "Closing" Defined

The consummation of the purchase and sale transaction contemplated by this Agreement ("**Closing**") will occur as provided in this Section 5.

5.2. Escrow; Closing Without an Escrow

(a) Unless the Parties agree to consummate the purchase and sale without an escrow as provided in subparagraph (b) below: **(i)** on or before the Effective Date (defined in Section 12.17 [General Provisions] below), the Parties will open escrow by depositing an executed counterpart of this Agreement with Chicago Title Company at its offices at One Embarcadero Center, Suite 250, San Francisco, California 94111 ("**Title Company**"); **(ii)** this Agreement will serve as instructions to the Title Company as the escrow holder for consummation of the purchase and sale contemplated hereby; **(iii)** Seller hereby authorizes City to prepare and submit supplemental escrow instructions on behalf of both Parties, as needed, to enable the Title Company to comply with the terms of this Agreement and close the transaction; provided, however, that in the event of any conflict between the provisions of this Agreement and any additional supplementary instructions, the terms of this Agreement shall control and **(iv)** the Closing will be held and delivery of all items to be made at the Closing under this Agreement will be made at the Title Company's offices.

(b) Notwithstanding the foregoing, the Parties may elect by mutual agreement to consummate the purchase and sale without an escrow, in which event the Closing will occur as described in Section 5.7(b) [Closing Without Escrow] below.

5.3. Closing Date

The Closing will occur one hundred and twenty days (120) days after the Effective Date or on such earlier date as City and Seller may mutually agree ("**Closing Date**"), subject to the provisions of Section 4 [Conditions to Closing] above. The Closing Date may not be extended without the prior written approval of both Parties, except as otherwise expressly provided in this Agreement. If the Closing does not occur on or before the Closing Date and the Parties have deposited documents or funds in escrow, Title Company will, unless it is notified by both Parties to the contrary within five (5) business days after the Closing Date, return such items to the depositor thereof. Any such return shall not, however, limit the provisions hereof or otherwise relieve either Party of any liability it may have for its wrongful failure to close.

5.4. Seller's Delivery of Documents

(a) At or before the Closing, Seller will deliver or cause to be delivered to City the following:

(i) a duly executed and acknowledged Deed for each Easement to be acquired;

(ii) such resolutions, authorizations, or other documents as Seller deems necessary or City may reasonably require to demonstrate the authority of Seller to enter into this Agreement and consummate the transactions contemplated by this Agreement, and such proof of the power and authority of the individuals executing any documents or other instruments on behalf of Seller to act for and bind Seller;

(iii) any documents needed in order to eliminate title exceptions other than Accepted Conditions of Title;

(iv) a closing statement in form and content satisfactory to City and Seller (which may be in the form of a letter or memorandum from City, countersigned by Seller, if the Parties elect to consummate the transaction without an escrow);

(v) a properly executed affidavit pursuant to Section 1445(b)(2) of the Federal Tax Code in the form attached as **Exhibit D**, and on which City is entitled to rely, that Seller is not a "foreign person" within the meaning of Section 1445(f)(3) of the Federal Tax Code; and

(vi) a properly executed California Franchise Tax Board Form 590 certifying that Seller is a California resident (if Seller is an individual) or that Seller has a permanent place of business in California or is qualified to do business in California, if Seller is a corporation, or other evidence satisfactory to City that Seller is exempt from the withholding requirements of Section 18662 of the California Revenue and Taxation Code. Seller acknowledges and agrees that if Seller fails at Closing to deliver to City such certificate, City may be required to withhold and remit to the appropriate tax authority a portion of the Purchase Price pursuant to Section 18662 of the California Revenue and Taxation Code. Any amount properly so withheld and remitted will be deemed to have been paid by City as part of the Purchase Price, and Seller's obligation to consummate the transaction contemplated in this Agreement will not be excused or otherwise affected thereby.

(b) Seller will deliver such items to City through escrow, unless the Parties elect to close the transaction without an escrow in which event Seller will deliver the items directly to City for a Closing in accordance with Section 5.7(b) [Closing Without Escrow] below.

5.5. City's Delivery of Documents and Funds

(a) At or before the Closing, City will deliver to Seller the following:

(i) a certificate of acceptance, executed by City's Director of Property or Acting Director of Property, to be attached to each Deed before recording;

(ii) a closing statement in form and content satisfactory to City and Seller (which may be in the form of a letter or memorandum from City to Seller if the Parties elect to consummate the transaction without an escrow);

(iii) funds sufficient to pay City's share of expenses under Section 6 [Expenses; Closing Costs] below; and

(iv) the Purchase Price, as provided in Section 2 [Purchase Price] above.

(b) City will deliver such documents and funds through escrow; however, if the Parties elect to consummate the transaction without an escrow, City will deliver the funds and documents as provided in Section 5.7(b) [Closing Without Escrow] below.

5.6. Other Documents; Cooperation

Seller and City will perform such further acts and execute and deliver such additional documents and instruments as may be reasonably required in order to carry out the provisions of this Agreement and the Parties' intentions.

5.7. Closing

(a) Closing through Escrow. Subject to Section 5.7(b) [Closing Without Escrow] below, at Closing, provided all the conditions to the Parties' obligations have been satisfied or waived as provided and permitted by this Agreement, Title Company will perform the following acts in the following order:

(i) Perform such acts as are necessary in order to deliver title to City subject only to the Accepted Conditions of Title, including recording any deed of reconveyance, subordination agreement, or other documentation as specified in supplemental escrow instructions submitted by City before Closing;

(ii) Record the Deeds, duly executed and acknowledged by Seller, in the Official Records of Alameda County;

(iii) Deliver to Seller, or as Seller may instruct, the Purchase Price, less any amount necessary to satisfy any liens, bond demands, delinquent taxes, and Seller's share of expenses and prorations under Section 6 [Expenses; Closing Costs] below;

(iv) Issue the Title Policy to City, if requested to do so by City; and

(v) Deliver to the appropriate person or entity any other documents, instruments, and sums required by this Agreement.

(b) Closing without Escrow. If the Parties elect to consummate the purchase and sale without an escrow, City will effect the Closing on the Closing Date as follows:

(i) City will: **(A)** deliver to Seller, or as Seller may instruct, the Purchase Price (less any amount necessary to satisfy any liens, bond demands, delinquent taxes, and Seller's share of expenses and prorations, if applicable, under Section 6 [Expenses; Closing Costs] below, and **(B**) cause the certificates of acceptance for the Deeds to be executed, when:

(1) City has received Seller's documents in accordance with Section 5.4 [Seller's Delivery of Documents] above, and

(2) City has received all the Deeds conveying the Easements to City duly acknowledged and in a recordable form, subject only to the Accepted Conditions of Title, obtain the Title Policy (if City elects to do so), and deliver to the appropriate person or entity any other documents, instruments, and sums required by this Agreement.

5.8. Possession and Use

Subject to the provisions of the Deed, the right of possession and use of the Easement Areas by City and/or its designees will commence on the Closing Date.

6. EXPENSES; CLOSING COSTS

6.1. City's Expenses

City will pay all escrow and recording fees, the premium for the Title Policy and the cost of the endorsements thereto, and Seller's administrative fee in the amount of $5,000.

6.2. Seller's Expenses

Seller will pay all costs incurred in connection with the prepayment or satisfaction of any loan, bond, or other indebtedness secured in whole or part by any portion of the Easement Areas including any prepayment or delinquency fees, penalties, or charges. Seller also will pay at the Closing any delinquent taxes that may have become a lien against Seller's Property.

6.3. Other Expenses

Any other costs and charges of the escrow not otherwise provided for in this Section or elsewhere in this Agreement will be allocated in accordance with the closing customs for Alameda County, as determined by Title Company.

6.4. Post-Closing Reconciliation

If any of the foregoing prorations cannot be calculated accurately on the Closing Date, then they shall be calculated as soon after the Closing Date as feasible. Either party owing the other party a sum of money based on such subsequent prorations shall pay such sum to the other party.

6.5. Survival

The provisions of this Section will survive the Closing.

7. REPRESENTATIONS AND WARRANTIES

Seller represents and warrants to and covenants with City as follows:

(a) Ownership of Property. Although Seller is obligated to sell Seller's Property to City, Seller is now the sole fee owner of Seller's Property, and will own it at the time of the Closing, free and clear of all liens, leases, occupancy agreements, claims, encumbrances, easements, and rights of way of any nature (whether disclosed in the public record or not), except only the Accepted Conditions of Title and City's rights to acquire the Seller's Property as set forth in this Agreement.

(b) Signing Authority. Seller and the signatories on Seller's behalf represent and warrant that the signatories on Seller's behalf to this Agreement are authorized to enter into this Agreement to convey real property and that no other authorizations are required to implement this Agreement on behalf of Seller.

(c) No Leases. There are now, and will be at the time of Closing, no oral or written leases, occupancy agreements, licenses, or easements affecting any portion of the Easement Areas or that would affect City's access to or use of any portion of the Easement Areas, as contemplated by the Deeds.

(d) No Property Defects or Legal Violations. To the best of Seller's knowledge, there are now, and at the time of the Closing will be, no material physical defects of any portion of the Easement Areas, and no violations of any laws, rules, or regulations applicable to any portion of the Easement Areas.

(e) No Omission of Facts. No document or instrument furnished or to be furnished by the Seller to the City in connection with this Agreement contains or will contain any untrue statement of material fact or omits or will omit a material fact necessary to make the statements contained therein not misleading, under the circumstances under which any such statement shall have been made.

(f) No Impediments to Use. Seller knows of no facts nor has Seller failed to disclose any fact that would prevent City from using the Easements after Closing in the normal manner as described in, and intended by the Parties to, the Deeds. Seller does not have knowledge of any condemnation, either instituted or planned to be instituted by any governmental or quasi-governmental agency other than City, which could detrimentally affect the use, operation, or value of the Property.

(g) Validity of Seller Representations. Seller is a non-profit benefit corporation duly organized and validly existing under the laws of the State of California and is in good standing under the laws of the State of California; this Agreement and all documents executed by Seller which are to be delivered to City at the Closing are, or at the Closing will be, duly authorized, executed and delivered by Seller, are, or at the Closing will be, legal, valid and binding obligations of Seller, enforceable against Seller in accordance with their respective terms, are, and at the Closing will be, sufficient to convey good and marketable title (if they purport to do so), and do not, and at the Closing will not, violate any provision of any agreement or judicial order to which Seller is a party or to which Seller or the Property is subject.

(h) Seller Not a "Foreign Person". Seller is not a "foreign person" within the meaning of Section 1445(f)(3) of the Federal Tax Code.

(i) No Lawsuits. There are no lawsuits or proceedings pending or, to the best of Seller's knowledge, threatened against or affecting Seller, Seller's Property, or its use that would affect Seller's ability to consummate the sale contemplated by this Agreement or City's use and enjoyment of the Easements after the Closing.

(j) No Known Hazardous Materials. To the best of Seller's knowledge, there has been no release and there is no threatened release of any Hazardous Material in, on, under, or about Seller's Property. As used herein, "**Hazardous Material**" will mean any material that, because of its quantity, concentration, or physical or chemical characteristics, is deemed by any federal, state, or local governmental authority to pose a present or potential hazard to human health or safety or to the environment. "**Release**" or "**threatened release**" when used with respect to Hazardous Material will include any actual or imminent spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into or inside any of the improvements, or in, on, under, or about the Easement Areas. Release will include "release" as defined in Section 101 of the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. Section 9601).

8. INDEMNITY

Seller, on behalf of itself and its successors and assigns, hereby agrees to indemnify, defend and hold harmless City, its Agents (defined in Section 12.8 [Parties and Their Agents; Approvals] below) and their respective successors and assigns, from and against any and all liabilities, claims, demands, damages, liens, costs, penalties, losses and expenses, including reasonable attorneys' and consultants' fees, resulting from any misrepresentation or breach of warranty or breach of covenant made by Seller in this Agreement or in any document, certificate, or exhibit given or delivered to City pursuant to or in connection with this Agreement. The foregoing indemnity includes costs incurred in connection with the investigation of site conditions and all activities required to locate, assess, evaluate, remediate, cleanup, remove, contain, treat, stabilize, monitor or otherwise control any Hazardous Material. The indemnification provisions of this Section shall survive beyond the Closing, or beyond any termination of this Agreement.

9. RISK OF LOSS

If any portion of the Easement Areas is damaged or destroyed before the Closing Date, then the rights and obligations of Seller and City under this Agreement will be as follows: At its election, City may terminate this Agreement in its entirety or terminate it only as to that portion of the Easement Areas damaged or destroyed. City will have thirty (30) days after Seller notifies City that an event described in this Section 8 has occurred to make such election by delivery to Seller of an election notice. City's failure to deliver such notice within such thirty (30) -day period will be deemed City's election to terminate this Agreement in its entirety. If this Agreement is terminated in its entirety or in part pursuant to this Section 8, then City and Seller will each be released from all obligations under this Agreement pertaining to that portion of the Easement Areas affected by such termination. If City elects not to terminate this Agreement in its entirety, Seller will give City a credit against the Purchase Price at the Closing in an amount proportionate to the percentage reduction, if any, of the square footage of the affected Easement Area(s), and this Agreement will remain in full force and effect.

10. MAINTENANCE

Between the date of Seller's execution of this Agreement and the Closing, Seller will maintain Seller's Property in its current condition and will make, at Seller's expense, all repairs necessary to maintain Seller's Property in such condition. Seller will make no changes to the Easement Areas without City's prior, written consent, which will not be unreasonably withheld or delayed.

11. DISMISSAL OF EMINENT DOMAIN ACTION

Seller hereby agrees and consents to the dismissal of any pending action in eminent domain by City as to Seller's Property or any portion thereof and Seller also waives all claims to court costs and any money that may now be on deposit in the Superior Court in such action.

12. GENERAL PROVISIONS

12.1. Notices

Any notice, consent, or approval required or permitted to be given under this Agreement will be in writing and will be given by **(a)** hand delivery, against receipt, **(b)** reliable next-business-day courier service that provides confirmation of delivery, or **(c)** United States registered or certified mail, postage prepaid, return receipt required, and addressed as follows (or to such other address as either Party may from time to time specify in writing to the other upon five (5) days' prior, written notice in the manner provided above):

City:

To: General Manager
San Francisco Public Utilities Commission
525 Golden Gate Avenue, 13th Floor
San Francisco, California 94102

San Francisco Public Utilities Commission
Real Estate Services Division
525 Golden Gate Avenue, 10th Floor
San Francisco, California 94102
Attn: Real Estate Director

with copy to: Anna Parlato Gunderson
Deputy City Attorney
Office of the City Attorney
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102-4682

Seller:

To: Molleen Barnes, Superintendent
Sunol Glen Unified School District
11601 Main Street
Sunol, CA 94586

A properly addressed notice transmitted by one of the foregoing methods will be deemed received upon the confirmed date of delivery, or rejected delivery. Any e-mail addresses, telephone numbers, or facsimile numbers provided by one Party to the other will be for convenience of communication only; neither Party may give official or binding notice orally or by e-mail or facsimile. The effective time of a notice will not be affected by the receipt, prior to receipt of the original, of an oral notice or an e-mail or telefacsimile copy of the notice.

12.2. Brokers and Finders

Neither Party has had any contact or dealings regarding the Easements, or any communication in connection with the subject matter of this Agreement, through any licensed real estate broker or other person who could claim a right to a commission or finder's fee in connection with the purchase and sale contemplated by this Agreement. In the event that any broker or finder

perfects a claim for a commission or finder's fee based upon any such contact, dealings, or communication, the Party through whom the broker or finder makes his or her claim will be responsible for such commission or fee and will indemnify and hold harmless the other Party from all claims, costs, and expenses (including reasonable attorneys' fees and disbursements) incurred by the indemnified Party in defending against the same. The provisions of this Section will survive the Closing.

12.3. Successors and Assigns

This Agreement will be binding upon, and inure to the benefit of, the Parties and their respective successors, heirs, administrators, and assigns.

12.4. Amendments; Waivers

Except as otherwise provided in this Agreement, **(a)** this Agreement may be amended or modified only by a written instrument executed by City and Seller, **(b)** no waiver of any provision of this Agreement will be binding unless executed in writing by the Party making the waiver, **(c)** no waiver of any provision of this Agreement will be deemed to constitute a waiver of any other provision, whether or not similar, and **(d)** no waiver will constitute a continuing waiver unless the written waiver so specifies.

12.5. Continuation and Survival of Representations and Warranties

All representations and warranties by the respective Parties contained in, or made in writing pursuant to, this Agreement are intended to be, and will remain, true and correct as of the Closing, will be deemed to be material, and, together with all conditions, covenants, and indemnities made by the respective Parties contained in this Agreement or made in writing pursuant to this Agreement (except as otherwise expressly limited or expanded by the terms of this Agreement), will survive the execution and delivery of this Agreement and the Closing, or, to the extent the context requires, beyond any termination of this Agreement. All statements contained in any certificate or other instrument delivered at any time by or on behalf of Seller in conjunction with the transaction contemplated by this Agreement will constitute representations and warranties under this Agreement.

12.6. Governing Law

This Agreement will be governed by California law and City's Charter. There will be no obligation for the payment of money by City under this Agreement unless City's Controller first certifies, pursuant to Section 3.105 of City's Charter, that there is a valid appropriation from which the expenditure may be made and that unencumbered funds are available from the appropriation to pay the expenditure.

Any legal suit, action, or proceeding arising out of or relating to this Agreement shall be instituted in the Superior Court for the City and County of San Francisco, and each party agrees to the exclusive jurisdiction of such court in any such suit, action, or proceeding (excluding bankruptcy matters). The parties irrevocably and unconditionally waive any objection to the laying of venue of any suit, action, or proceeding in such court and irrevocably waive and agree not to plead or claim that any suit, action, or proceeding brought in San Francisco Superior Court relating to this Agreement has been brought in an inconvenient forum.

12.7. Merger of Prior Agreements; No Inducement

The Parties intend that this Agreement (including all of the attached exhibits and schedules and any documents specifically described in this Agreement, which are hereby incorporated into this Agreement by reference) will be the final, complete, and exclusive expression of their agreement with respect to the subject matter of this Agreement and may not be contradicted by evidence of any prior or contemporaneous oral or written agreements or understandings. The Parties further intend that this Agreement will constitute the complete and exclusive statement of its terms and that no extrinsic evidence whatsoever (including term sheets and prior drafts or changes to such drafts) may be introduced in any judicial, administrative, or other legal proceeding involving this Agreement. The Parties' making, execution, and delivery of this Agreement has been induced by no representations, statements, warranties, or agreements other than those expressed in this Agreement.

12.8. Parties and Their Agents; Approvals

The term "**Seller**" as used in this Agreement will include the plural as well as the singular. If there is more than one (1) Seller, then the obligations under this Agreement imposed on Seller will be joint and several. As used herein, the term "**Agents**" when used with respect to either Party will include the agents, employees, officers, contractors, and representatives of such Party. Subject to applicable law, all approvals, consents, or other determinations permitted or required by City under this Agreement will be made by or through the General Manager of City's Public Utilities Commission or City's Director of Property or Acting Director of Property, unless otherwise provided in this Agreement.

12.9. Interpretation of Agreement

The article, section, and other headings of this Agreement and the table of contents are for convenience of reference only and will not affect the meaning or interpretation of any provision contained in this Agreement. Whenever the context so requires, the use of the singular will be deemed to include the plural and vice versa, and each gender reference will be deemed to include the other and the neuter. This Agreement has been negotiated at arm's length and between persons sophisticated and knowledgeable in the matters dealt with in his Agreement. In addition, each Party has been represented or had the opportunity to be represented by experienced and knowledgeable legal counsel. Accordingly, any rule of law (including California Civil Code Section 1654) or legal decision that would require interpretation of any ambiguities in this Agreement against the Party that has drafted it is not applicable and is waived. Use of the word "including" or similar words will not be construed to limit any general term, statement, or other matter in this Agreement, whether or not language of non-limitation, such as "without limitation" or similar words, are used. The provisions of this Agreement will be interpreted in a reasonable manner to affect the purposes of the Parties and this Agreement.

12.10. Seller Tax Obligations

Seller acknowledges that under Section 6.10-2 of the San Francisco Business and Tax Regulations Code, the City Treasurer and Tax Collector may require the withholding of payments to any vendor that is delinquent in the payment of any amounts that the vendor is required to pay the City under the San Francisco Business and Tax Regulations Code ("Delinquent Payment"). If, under that authority, any payment City is required to make to Seller under this Agreement is

withheld because Seller owes the City a Delinquent Payment, then City will not be in breach or default under this Agreement, and the Treasurer and Tax Collector will authorize release of any payments withheld under this paragraph to Seller, without interest, late fees, penalties, or other charges, upon Seller coming back into compliance with its San Francisco Business and Tax Regulations Code obligations.

12.11. Severability

If any term or provision of this Agreement, or the application of any term or provision of this Agreement to any person or circumstances, will to any extent be invalid or unenforceable, the remainder of this Agreement, or the application of such provision to persons or circumstances other than those as to which it is invalid or unenforceable, will not be affected thereby, and each provision of this Agreement will be valid and will be enforceable to the extent permitted by law.

12.12. Sunshine Ordinance

Seller understands and agrees that under City's Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) and the State Public Records Law (Gov. Code Section 6250 et seq.), this Agreement and any and all records, information, and materials submitted to City under this Agreement are public records subject to public disclosure. Seller hereby acknowledges that City may disclose any records, information, and materials submitted to City in connection with this Agreement.

12.13. Conflicts of Interest

Through its execution of this Agreement, Seller acknowledges that it is familiar with the provisions of Section 15.103 of the San Francisco Charter, Article III, Chapter 2 of City's Campaign and Governmental Conduct Code, and Section 87100 et seq. and Section 1090 et seq. of the Government Code of the State of California, and certifies that it does not know of any facts that would constitute a violation of those provisions, and agrees that if Seller becomes aware of any such fact during the term of this Agreement, Seller will immediately notify City.

12.14. Notification of Limitations on Contributions

Through its execution of this Agreement, Seller acknowledges that it is familiar with Section 1.126 of the San Francisco Campaign and Governmental Conduct Code, which prohibits any person who contracts with the City for the selling or leasing of any land or building to or from any department of the City whenever such transaction would require the approval by a City elective officer, the board on which that City elective officer serves, or a board on which an appointee of that individual serves, from making any campaign contribution to (1) the City elective officer, (2) a candidate for the office held by such individual, or (3) a committee controlled by such individual or candidate, at any time from the commencement of negotiations for the contract until the later of either the termination of negotiations for such contract or twelve (12) months after the date the contract is approved. Seller acknowledges that the foregoing restriction applies only if the contract or a combination or series of contracts approved by the same individual or board in a fiscal year have a total anticipated or actual value of $100,000 or more. Seller further acknowledges that the **(i)** prohibition on contributions applies to each Seller; each member of Seller's board of directors, and Seller's chief executive officer, chief financial officer and chief operating officer; any person with an ownership interest of more than ten percent (10%) in Seller; any subcontractor listed in

the contract; and any committee that is sponsored or controlled by Seller; and **(ii)** within thirty (30) days of the submission of a proposal for the contract, the City department with whom Seller is contracting is obligated to submit to the Ethics Commission the parties to the contract and any subcontractor. Additionally, Seller certifies that Seller has informed each of the persons described in the preceding sentence of the limitation on contributions imposed by Section 1.126 by the time it submitted a proposal for the contract, and has provided the names of the persons required to be informed to the City department with whom it is contracting.

12.15. Non-Liability of City Officials, Employees, and Agents

Notwithstanding anything to the contrary in this Agreement, no elective or appointive board, commission, member, officer, employee, agent, or consultant of City will be personally liable to Seller, its successors and assigns, in the event of any default or breach by City or for any amount that may become due to Seller, its successors and assigns, or for any obligation of City under this Agreement.

12.16. Counterparts

This Agreement may be executed in two (2) or more counterparts, each of which will be deemed an original, but all of which taken together will constitute one and the same instrument.

12.17. Effective Date

As used in this Agreement, the term "**Effective Date**" will mean the date on which the execution and delivery of this Agreement by both Parties is concluded and the transactions contemplated by the Agreement will have been authorized **(a)** in a manner required by law governing Seller, **(b)** by a duly adopted resolution of the San Francisco Public Utilities Commission, and **(c)** if required by City's Charter, by a duly adopted resolution of City's Board of Supervisors and Mayor.

12.18. Cooperative Drafting

This Agreement has been drafted through a cooperative effort of the Parties, and the Parties have had an opportunity to have the Agreement reviewed and revised by legal counsel. No Party will be considered the drafter of this Agreement, and no presumption or rule that an ambiguity will be construed against the Party drafting the clause will apply to the interpretation or enforcement of this Agreement.

12.19. Release of Claims

Seller, for itself, its agents, heirs, assigns, successors in interest, and any related or affiliated entities, hereby, following execution of this Agreement by the Parties, fully releases and discharges City, its agents, employees, officers, directors, divisions, attorneys, accountants, insurers, successors, and other representatives, and any and all related or affiliated private or public agencies or entities, from any and all causes of action, actions, judgments, liens, indebtedness, obligations, losses, claims, damages, expenses, liabilities, and demands, including any claim arising out of or pertaining to, directly or indirectly, the acquisition or use of the property interest described in this Agreement and/or the construction of any improvements thereon, including inverse condemnation, nuisance, severance damages, relocation benefits, reestablishment benefits, the cost or value of

any equipment or fixtures, attorneys' fees and costs, loss of goodwill, construction-related dust, noise, traffic, and other related construction activity, and lost rentals or business associated with construction of any improvements, and any other types of related losses or damages.

Seller acknowledges that it may hereafter discover facts or law different from, or in addition to that which it now believes to be true with respect to his/her release of claims as set forth in this Agreement, and understands that by executing this Agreement it is waiving any rights of claims for any other or future benefits or damages to which it might be entitled which are not specifically exempted herein. In giving this release, Seller expressly waives the protection of Civil Code Section 1542, which statute provides as follows:

> **A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER, WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY.**

If this Agreement is terminated prior to Closing, this Section 11.18 will have no force or effect.

NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED IN THIS AGREEMENT, SELLER ACKNOWLEDGES AND AGREES THAT NO OFFICER OR EMPLOYEE OF CITY HAS AUTHORITY TO COMMIT CITY TO THIS AGREEMENT UNLESS AND UNTIL APPROPRIATE LEGISLATION OF CITY'S PUBLIC UTILITIES COMMISSION (AND, IF REQUIRED BY CITY'S CHARTER, APPROPRIATE LEGISLATION OF CITY'S BOARD OF SUPERVISORS) WILL HAVE BEEN DULY ENACTED APPROVING THIS AGREEMENT AND AUTHORIZING THE TRANSACTIONS CONTEMPLATED BY THIS AGREEMENT. THEREFORE, ANY OBLIGATIONS OR LIABILITIES OF CITY UNDER THIS AGREEMENT ARE CONTINGENT UPON THE DUE ENACTMENT OF SUCH LEGISLATION.

[Signatures on next page]

The Parties have duly executed this Agreement as of the respective dates written below.

SELLER:

SUNOL GLEN UNIFIED SCHOOL DISTRICT,
a California Unified School District

By: _____
[NAME]

Its: _____

Date: _____

CITY:

CITY AND COUNTY OF SAN FRANCISCO,
a municipal corporation

By: _____
DENNIS J. HERRERA
General Manager
San Francisco Public Utilities Commission

Date: _____

APPROVED AS TO FORM:

DAVID CHIU, City Attorney

By: _____
Anna Parlato Gunderson
Deputy City Attorney

TITLE COMPANY'S ACKNOWLEDGMENT

[Applicable only when the Parties will close the transaction through an escrow]

Title Company agrees to act as escrow holder in accordance with the terms of this Agreement. Title Company's failure to execute below will not invalidate the Agreement between the Parties.

TITLE COMPANY: CHICAGO TITLE COMPANY

By: _____
[NAME]
Its: _____

Date: _____

[When Seller and City have delivered a copy of this Agreement for Purchase and Sale of Real Estate, executed by Seller and City, to escrow, Title Company should sign this page and transmit a copy to Seller and City. Seller and City agree that a photocopy, scanned copy or faxed copy is adequate for this purpose.]

EXHIBIT A

Description of Seller's Property

All that real property situate in the Town of Sunol, County of Alameda, State of California, being Assessor's Parcel Number 96-155-4-1, being three adjoining parcels describe in the following three documents file in Official Records of the Office of the Recorder, County of Alameda, State of California:

1. The Exchange Deed from the City and County of San Francisco to the Sunol Glen School District of Alameda County, Recorded January 30, 1964 in Book 1110 of Official Records, at Page 14;
2. The Final Order of Condemnation, Recorded December 01, 1955 in Book 7863 of Official Records, at Page 465;
3. That certain document Recorded July 27, 1965 in Book 1560 of Official Records, at Page 609.

EXHIBIT B

Form of Pipeline Easement Deed

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

Director of Property
Real Estate Division
City and County of San Francisco
25 Van Ness Avenue, Suite 400
San Francisco, California 94102

With a copy to:

San Francisco Public Utilities Commission
Real Estate Services Division
525 Golden Gate Avenue, 10th Floor
San Francisco, California 94102
Attn: Real Estate Director

And to:

Sunol Glen School
11601 Main Street
Sunol, California 94568
Attn: Superintendent

The undersigned hereby declares this instrument to be exempt from Recording Fees (CA Govt. Code § 27383) and Documentary Transfer Tax (CA Rev. & Tax Code § 11922 and S.F. Bus. & Tax Reg. Code § 1105)

(Space above this line reserved for Recorder's use only)

EASEMENT DEED
(Water Utility Easement)

(Portion of Assessor's Parcel 096-0155-004-01)

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, SUNOL GLEN UNIFIED SCHOOL DISTRICT, a California Unified School District ("**Grantor**"), hereby grants to the CITY AND COUNTY OF SAN FRANCISCO, a California municipal corporation ("**Grantee**"), an easement for water pipes or pipelines and related appurtenances thereto (the "**Easement**") in, under, upon, along, and/or across a portion of Grantor's real property located in the Town of Sunol, County of Alameda, State of California, more particularly described on the attached **Exhibit A** and depicted on the attached **Exhibit B** (the "**Easement Area**"). The Easement Area is appurtenant to Grantee's adjoining real property.

Grantor will retain such rights and privileges to use the Easement Area as are not inconsistent with this Easement, subject to the conditions, covenants, and restrictions in this Deed. Grantor will not do or allow anything in, on, under, or about the Easement Area that could damage or interfere with Grantee's Facilities (as defined in Section 1 [Nature of Easement]).

1. **Nature of Easement**. The Easement is a perpetual, nonexclusive easement in gross for purposes of accessing, constructing, reconstructing, removing, replacing, enlarging, decreasing, maintaining, repairing, operating, inspecting, and using one or more water pipes or pipelines, with all necessary braces, footings, connections, valves, fastenings, foundation sites, and other appliances and fixtures (collectively, "**Grantee's Facilities**") in, on, under, upon, along, and across the Easement Area. The Easement includes the right of ingress and egress, and emergency access to the Easement Area over and across adjacent lands of Grantor, over any available roadways, or such routes as may be agreed upon by Grantor and Grantee, to the extent Grantor has rights to grant such rights, and to the extent necessary for the convenience of Grantee in the enjoyment of its rights under this easement deed ("**Deed**"). Grantee is also granted the right to clear obstructions and vegetation from the Easement Area as may be required for the proper use of the other rights granted under this Deed. Grantee's rights under this Deed may be exercised by Grantee's agents, contractors, subcontractors, suppliers, consultants, employees, licensees, invitees, or representatives, or by other authorized persons acting for or on behalf of Grantee (collectively, "**Agents**").

2. **Subject to Superior and Prior and Existing Rights**.

(a) The rights granted by this Deed are subject to any prior and existing recorded property rights of third parties, if any. Grantee will be solely liable for the interference with any prior and existing third-party rights. Grantor reserves the right to grant, at its sole and absolute discretion, nonexclusive rights to other third parties within the Easement Area, provided that any such grants will not require Grantee to relocate or remove Grantee's Facilities or unreasonably restrict or interfere with Grantee's rights to access, construct, reconstruct, remove, replace, maintain, repair, operate, inspect, and use Grantee's Facilities.

(b) If Grantor or any of its agents propose or permit excavation or the installation or placement of any improvements by or on behalf of Grantor in, under, across, or above the surface of the Easement Area, prior to any such excavation, installation or placement: **(i)** Grantor will provide, or cause to be provided, to Grantee such plans and other pertinent documents related to such proposed excavation or improvements as are reasonably requested by Grantee, at the address for Grantee set forth in Section 9 [Notices] below, to provide Grantee an opportunity to review and comment on the proposed excavation or improvements; **(ii)** Grantor will obtain Grantee's written approval of the plans and specifications for any such proposed excavation, installation or placement, which approval may be reasonably conditioned but will not be unreasonably withheld or delayed; **(iii)** Grantor will contact Underground Service Alert, ensure that the utilities are physically marked in the field, and provide that information to the Grantee prior to commencing any work in the Easement Area; and **(iv)** such excavation, installation or placement will be performed in a manner that does not endanger or damage any then-existing Grantee's Facilities within the Easement Area.

3. **Maintenance of Improvements**. Grantee shall be solely responsible for repairing and maintaining all of Grantee's facilities placed in, on, or under the Easement Area in good, safe, and secure condition, and Grantor shall have no duty whatsoever for any repair or maintenance of Grantee's facilities. Grantor shall maintain the surface of the Easement Area, provided that any damage, subsidence, or other injury to the Easement Area to the extent resulting from the presence of Grantee's facilities or Agents shall be remedied or repaired by Grantee.

4. **Indemnification**. Grantee will indemnify, defend, and hold Grantor harmless from and against any direct injury, loss, damage, or liability, costs, or expenses (including reasonable attorneys'

fees and court costs) resulting from Grantee's use of the Easement Area, except to the extent attributable to the negligent or intentional act or omission of Grantor or its Agents.

5. **Notification**. Grantor and Grantee, and their respective agents and contractors, will not perform, nor permit any person or entity to perform, any excavation work on or about the Easement Area without giving at least thirty (30) days' written notice to the other party in the manner required by Section 9 [Notices] of this Deed (except in emergencies, where each will give prompt written notice).

6. **No Dumping or Hazardous Materials**. Grantor will not cause or permit the dumping or other disposal on or about the Easement Area of refuse, hazardous materials, or other materials that are unsightly or could pose a danger to human health or safety or to the environment.

7. **No Structures**. Grantor will not do or allow anything in, on, under, or about the Easement Area that could cause damage or interference to Grantee's Facilities. Without limiting the foregoing, Grantor agrees that, without Grantee's prior, written consent: **(a)** except as permitted by Section 2 [Subject to Superior and Prior and Existing Rights] above, no structures of any kind or character will be constructed or placed on the Easement Area; **(b)** except as permitted by Section 2 above, no excavation will occur on the Easement Area; and **(c)** no trees or other vegetation that fails to comply with the San Francisco Public Utilities Commission's Vegetation Management Policy (as it may be amended from time to time) will be planted or maintained on the Easement Area.

8. **Run with the Land**. The provisions, covenants, conditions, and restrictions provided in this Deed will be covenants running with the land pursuant to California Civil Code Sections 1468 and 1471 and will burden and benefit every person having an interest in the Easement Area. Any reference to Grantor in this Deed will include Grantor's agents and all successor owners of all or any part of the Easement Area.

9. **Notices**. Notices and other deliveries pursuant to this Deed may be delivered by private messenger service, mail, overnight courier, or delivery service. Any notice or document required or permitted to be delivered by either party will be in writing and will be deemed to be given on the date received by, or on the date receipt was refused by the party; provided, however, that all notices and documents: **(a)** mailed to a party in the United States Mail, postage prepaid, certified mail, return receipt requested, will be deemed to have been received five (5) postal days after mailing; or **(b)** delivered by a nationally recognized overnight courier or delivery service will be deemed received the next business day after deposit with a nationally recognized overnight courier or delivery service for overnight delivery. For all purposes the address of the parties will be the following, unless otherwise changed by the party by notice to the other as provided in this Section:

To GRANTOR: Sunol Glen School
11601 Main Street
Sunol, California 94568
Attn: Superintendent

To GRANTEE: General Manager
San Francisco Public Utilities Commission
525 Golden Gate Avenue, 13th Floor
San Francisco, California 94102

With a copy to:	Real Estate Director Real Estate Services Division San Francisco Public Utilities Commission 525 Golden Gate Avenue, 10th Floor San Francisco, California 94102 Email: RES@sfwater.org
And to:	Attn: Real Estate /Finance Office of the City Attorney City Hall, Room 234 1 Dr. Carlton B. Goodlett Place San Francisco, California 94102

A properly addressed notice transmitted by one of the foregoing methods will be deemed received upon the confirmed date of delivery, attempted delivery, or rejected delivery, whichever occurs first. Any e-mail addresses, telephone numbers, or facsimile numbers provided by one party to the other will be for convenience of communication only; neither party may give official or binding notice orally or by e-mail or facsimile. The effective time of a notice will not be affected by the receipt, prior to receipt of the original, of an oral notice or an e-mail or telefacsimile copy of the notice.

10. Abandonment of Easement. Grantee may, at its sole option, abandon all or part of the Easement by recording a quitclaim deed. Except as otherwise provided in this Deed, on recording such quitclaim deed, the affected Easement Area and all rights, duties, and liabilities under this Deed with respect to such Easement Area shall be terminated and of no further force or effect. No temporary non-use of the Easement Area or other conduct, except for recordation of the quitclaim deed as provided in this paragraph, shall be deemed abandonment of the Easement.

11. Restoration. Upon Abandonment of the Easement as set forth above, at its sole cost and expense, Grantee shall restore, as nearly as reasonably possible, the Easement Area to its condition immediately prior to the commencement of the Work.

12. Miscellaneous.

(a) Entire Agreement. This Deed is the final expression of and contains the entire agreement between the parties with respect to the matters addressed in this Deed and supersedes all prior understandings with respect to such matters. This Deed may not be modified, changed, supplemented, or terminated, nor may any obligations under this Deed be waived, except by written instrument signed by the party to be charged or by its agent duly authorized in writing or as otherwise expressly permitted in this Deed. The parties do not intend to confer any benefit under this Deed on any person, firm, or corporation other than the parties to this Deed.

(b) Partial Invalidity. If any term or provision of this Deed, or the application thereof, to any person or circumstance will be invalid or unenforceable, to any extent, the remainder of this Deed, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, will not be affected thereby, and each such term and provision of this Deed will be valid and enforced to the fullest extent permitted by law.

(c) Waivers. No waiver of any breach of any covenant or provision of this Deed will be deemed a waiver of any preceding or succeeding breach thereof, or of any other covenant or

provision of this Deed. No extension of time for performance of any obligation or act will be deemed an extension of the time for performance of any other obligation or act.

(d) Governing Law; Consent to Jurisdiction. The parties to this Deed acknowledge that this Deed has been negotiated and entered into in the State of California and expressly agree that this Deed will be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of California. Any legal action or proceeding brought by either party and arising from or in connection with this Deed or any breach of this Deed will be brought in the California Superior Court for the County of Alameda.

[SIGNATURES ON FOLLOWING PAGE]

Executed as of this _____ day of _____, 202_.

GRANTOR:

SUNOL GLEN UNIFIED SCHOOL DISTRICT,
a California Unified School District

By: _____
[NAME]

Its: _____

Date: _____

ACCEPTED AND AGREED

GRANTEE:

CITY AND COUNTY OF SAN FRANCISCO,
a municipal corporation

By: _____
DENNIS J. HERRERA
General Manager
San Francisco Public Utilities Commission

Date: _____

Authorized by SFPUC Resolution No. _____
and Board of Supervisors Resolution No. _____

APPROVED AS TO FORM:

DAVID CHIU, City Attorney

By: _____
Anna Parlato Gunderson
Deputy City Attorney

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
) ss
County of _____)

On _____, before me, _____,
(insert name and title of the officer)

personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

CERTIFICATE OF ACCEPTANCE

As required under Government Code Section 27281, this is to certify that the interest in real property conveyed by the Easement Deed dated _____, from Sunol Glen Unified School District, a California Unified School District, to the City and County of San Francisco, a municipal corporation ("Grantee"), is hereby accepted by order of its Board of Supervisors' Resolution No. 18110 (Series of 1939), adopted on August 5, 1957, and approved by the Mayor on August 10, 1957, and its Board of Supervisors' Resolution No. _____, adopted on _____, and Grantee consents to recordation thereof by its duly authorized officer.

Dated _____, 202__.

By: _____
Andrico Q. Penick
Director of Property

Exhibit A to Pipeline Easement Deed

Legal Description of Easement Area

[see attached]

Exhibit B to Pipeline Easement Deed

Depiction of Easement Area

[see attached]

EXHIBIT C

Form of TCE Deed

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

Director of Property
Real Estate Division
City and County of San Francisco
25 Van Ness Avenue, Suite 400
San Francisco, California 94102

With a conformed copy to:

San Francisco Public Utilities Commission
Real Estate Services Division
525 Golden Gate Avenue, 10th Floor
San Francisco, California 94102
Attn: Real Estate Director

And to:

Sunol Glen School
11601 Main Street
Sunol, California 94568
Attn: Superintendent

The undersigned hereby declares this instrument to be exempt from Recording Fees (CA Govt. Code § 27383) and Documentary Transfer Tax (CA Rev. & Tax Code § 11922 and S.F. Bus. & Tax Reg. Code § 1105)

(Space above this line reserved for Recorder's use only)

EASEMENT DEED
(Temporary Construction Easement)

(Portion of Assessor's Parcel 096-0155-004-01)

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the SUNOL GLEN UNIFIED SCHOOL DISTRICT, a California Unified School District ("**Grantor**"), hereby grants to the CITY AND COUNTY OF SAN FRANCISCO, a California municipal corporation ("**Grantee**"), a temporary surface easement for construction and access purposes (the "**Easement**") in, on, over, under, upon, along, and/or across certain portions of Grantor's real property located in the Town of Sunol, County of Alameda, State of California, more particularly described on the attached **Exhibit A** and depicted on the attached **Exhibit B** (the "**Easement Area**").

13. Nature of Easement. The Easement is an exclusive surface easement that shall be used for construction staging and general construction-related activities. Grantee's rights to use any portion of the Easement Area shall include **(a)** the right to store, use, and stage equipment,

vehicles, machinery, tools, materials, supplies, and excavated soils in connection with the construction of Grantee's Regional Groundwater Storage and Recovery Project (the "**Project**"); **(b)** the right to improve, repair, and maintain the Easement Area, including grading, installation of paving and/or crushed rock, fencing, management of vegetation impinging on the Easement Area; and **(c)** such other rights as are reasonably necessary for the full enjoyment and accomplishment of the purposes of the Easement. The Easement includes the right of ingress and egress to the Easement Area across adjacent lands of Grantor to the extent Grantor has rights to grant such rights, and to the extent necessary for the convenience of Grantee in the enjoyment of its rights under this Deed. Grantee's rights under this Deed may be exercised by Grantee's agents, utility operators, contractors, subcontractors, suppliers, consultants, employees, licensees, invitees, or representatives, or by other authorized persons acting for or on behalf of Grantee (collectively, "**Agents**").

14. **Term of Easement**. The term of the Easement shall commence on the date (the "**Commencement Date**") on which Grantee's contractor first enters the Easement Area to commence staging in connection with the Work after Grantee's issuance of a Notice to Proceed to the contractor. Grantee shall provide, or cause its contractor to provide, at least thirty (30) days' advance written notice to Grantor of the Commencement Date. At the request of either party, Grantor and Grantee shall confirm in writing the Commencement Date. The Easement shall expire on the last day of the eighteenth (18th) full calendar month after the Commencement Date; however, Grantee shall have the option to extend the term on a month-to-month basis not to exceed an additional six (6) months beyond the original expiration term of the easement. Thirty (30) days' written notice will be given to Grantor if Grantee elects to exercise its option for any such extension. Upon expiration of the extended term, Grantee shall pay Grantor an additional sum for any such extensions at the same rate paid for the initial term (prorated on a monthly basis).

15. **Restoration**. Upon the earlier of expiration of the term of the Easement or Grantee's completion of Project construction, at its sole cost and expense, Grantee shall restore, as nearly as reasonably possible, the surface of the Easement Area to its condition immediately prior to the commencement of the Work.

16. **Indemnification**. Grantee will indemnify, defend, and hold Grantor harmless from and against any direct injury, loss, damage, or liability, costs, or expenses (including reasonable attorneys' fees and court costs) resulting from Grantee's use of the Easement Area, except to the extent attributable to the negligent or intentional act or omission of Grantor or its Agents.

17. **No Dumping or Hazardous Materials**. Grantor will not cause or permit the dumping or other disposal on or about the Easement Area of refuse, hazardous materials, or other materials that are unsightly or could pose a danger to human health or safety or to the environment.

18. **Run with the Land**. The provisions, covenants, conditions, and restrictions provided in this Deed will be covenants running with the land pursuant to California Civil Code Sections 1468 and 1471 and will burden and benefit every person having an interest in the Easement Area. Any reference to Grantor in this Deed will include Grantor's agents and all successor owners of all or any part of the Easement Area.

19. **Notices**. Notices and other deliveries pursuant to this Deed may be delivered by private messenger service, mail, overnight courier, or delivery service. Any notice or document required or permitted to be delivered by either party will be in writing and will be deemed to be

given on the date received by, or on the date receipt was refused by the party; provided, however, that all notices and documents: **(a)** mailed to a party in the United States Mail, postage prepaid, certified mail, return receipt requested, will be deemed to have been received five (5) postal days after mailing; or **(b)** delivered by a nationally recognized overnight courier or delivery service will be deemed received the next business day after deposit with a nationally recognized overnight courier or delivery service for overnight delivery. For all purposes the address of the parties will be the following, unless otherwise changed by the party by notice to the other as provided in this subparagraph:

To GRANTOR:	Sunol Glen School 11601 Main Street Sunol, California 94568 Attn: Superintendent
To GRANTEE:	General Manager San Francisco Public Utilities Commission 525 Golden Gate Avenue, 13th Floor San Francisco, California 94102
With a copy to:	Real Estate Director Real Estate Services Division San Francisco Public Utilities Commission 525 Golden Gate Avenue, 10th Floor San Francisco, California 94102 Email: RES@sfwater.org
And to:	Attn: Real Estate /Finance Office of the City Attorney City Hall, Room 234 1 Dr. Carlton B. Goodlett Place San Francisco, California 94102

A properly addressed notice transmitted by one of the foregoing methods will be deemed received upon the confirmed date of delivery, attempted delivery, or rejected delivery, whichever occurs first. Any e-mail addresses, telephone numbers, or facsimile numbers provided by one party to the other will be for convenience of communication only; neither party may give official or binding notice orally or by email or facsimile. The effective time of a notice will not be affected by the receipt, prior to receipt of the original, of an oral notice or an email or telefacsimile copy of the notice.

20. Miscellaneous.

(e) Entire Agreement. This Deed is the final expression of and contains the entire agreement between the parties with respect to the matters addressed in this Deed and supersedes all prior understandings with respect to such matters. This Deed may not be modified, changed, supplemented, or terminated, nor may any obligations under this Deed be waived, except by written instrument signed by the party to be charged or by its agent duly authorized in writing or as otherwise expressly permitted in this Deed. The parties do not intend to confer any benefit under this Deed on any person, firm, or corporation other than the parties to this Deed.

(f) Partial Invalidity. If any term or provision of this Deed, or the application thereof, to any person or circumstance will be invalid or unenforceable, to any extent, the remainder of this Deed, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, will not be affected thereby, and each such term and provision of this Deed will be valid and enforced to the fullest extent permitted by law.

(g) Waivers. No waiver of any breach of any covenant or provision of this Deed will be deemed a waiver of any preceding or succeeding breach thereof, or of any other covenant or provision of this Deed. No extension of time for performance of any obligation or act will be deemed an extension of the time for performance of any other obligation or act.

(h) Governing Law; Consent to Jurisdiction. The parties to this Deed acknowledge that this Deed has been negotiated and entered into in the State of California and expressly agree that this Deed will be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of California. Any legal action or proceeding brought by either party and arising from or in connection with this Deed or any breach of this Deed will be brought in the California Superior Court for the County of Alameda.

[SIGNATURES ON FOLLOWING PAGE]

Executed as of this _____ day of _____, 202_.

GRANTOR:

SUNOL GLEN UNIFIED SCHOOL DISTRICT,
a California Unified School District

By: _____
[NAME]

Its: _____

Date: _____

ACCEPTED AND AGREED

GRANTEE:

CITY AND COUNTY OF SAN FRANCISCO,
a municipal corporation

By: _____
DENNIS J. HERRERA
General Manager
San Francisco Public Utilities Commission

Date: _____

Authorized by SFPUC Resolution No. _____
and Board of Supervisors Resolution No. _____

APPROVED AS TO FORM:

DAVID CHIU, City Attorney

By: _____
Anna Parlato Gunderson
Deputy City Attorney

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
) ss
County of _____)

On _____, before me, _____,
(insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

Exhibit A to TCE Deed

Legal Description of Easement Area

[see attached]

Exhibit B to TCE Deed

Depiction of Easement Area

[see attached]

EXHIBIT D

Certificate of Transferor
Other Than An Individual
(FIRPTA Affidavit)

Section 1445 of the Internal Revenue Code provides that a transferee of a United States real property interest must withhold tax if the transferor is a foreign person. To inform the CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation, the transferee of certain real property located in the County of Alameda, California, that withholding of tax is not required upon the disposition of such U.S. real property interest by _____ _____, a _____ ("**Transferor**"), the undersigned hereby certifies the following on behalf of Transferor:

1. Transferor is not a foreign corporation, foreign partnership, foreign trust, or foreign estate (as those terms are defined in the Internal Revenue Code and Income Tax Regulations);

2. Transferor's U.S. employer identification number is _____; and

3. Transferor's office address is _____ _____.

Transferor understands that this certification may be disclosed to the Internal Revenue Service by the transferee and that any false statement contained herein could be punished by fine, imprisonment, or both.

Under penalty of perjury, I declare that I have examined this certificate and to the best of my knowledge and belief it is true, correct and complete, and I further declare that I have authority to sign this document on behalf of Transferor.

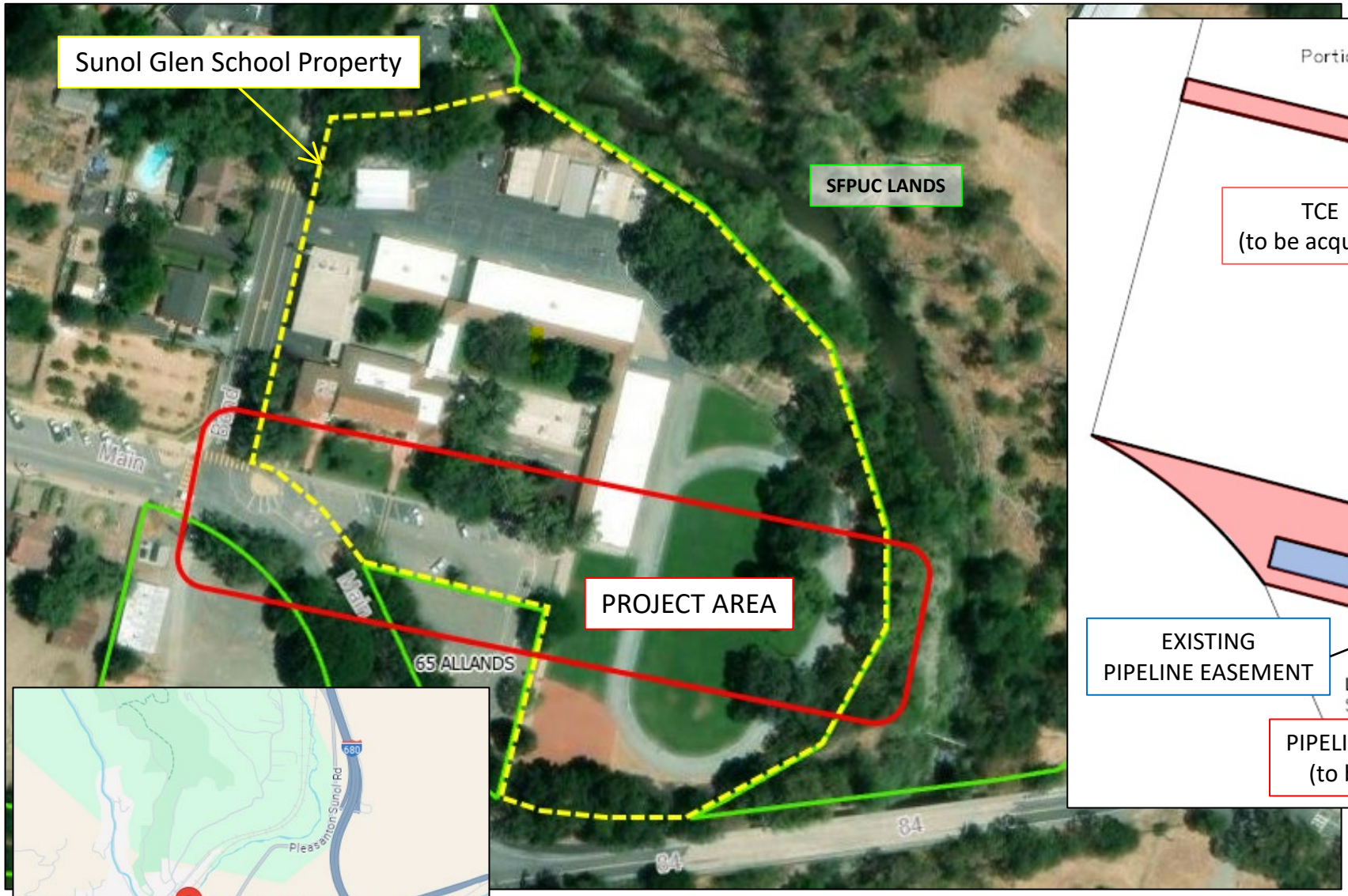
Dated: _____, 202__.

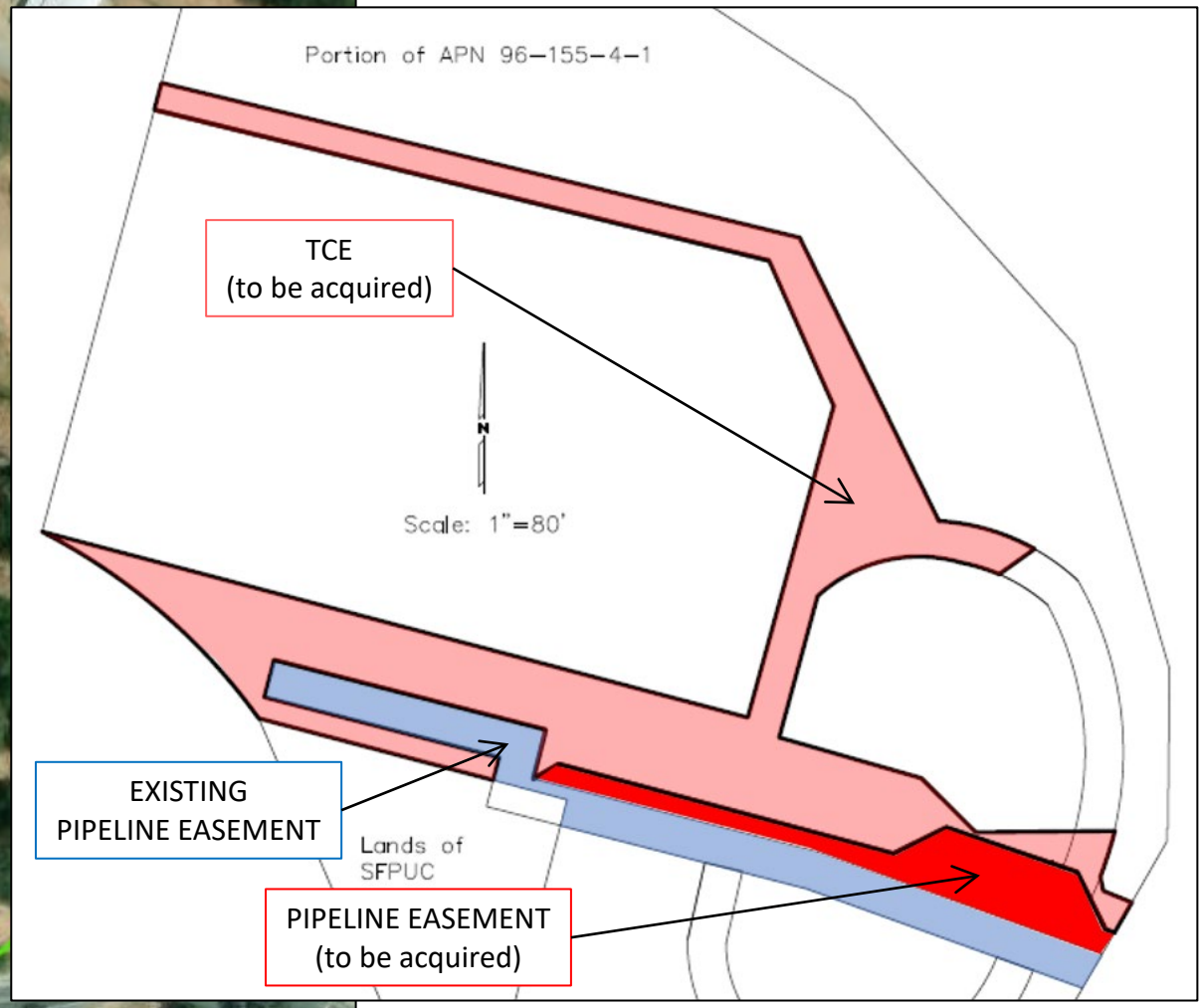
On behalf of:

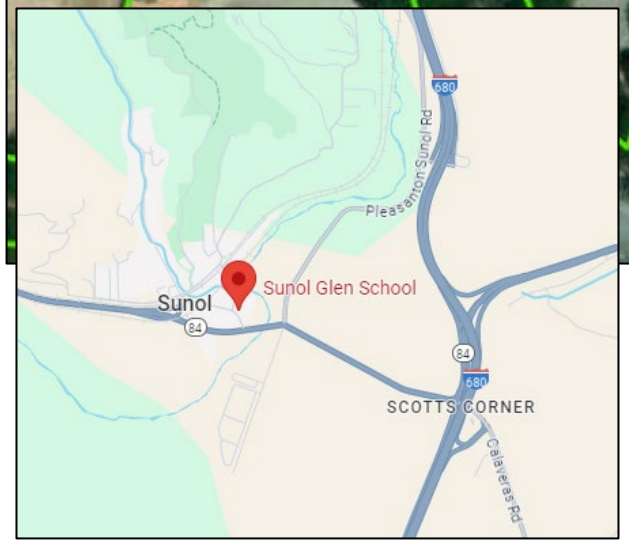
_____,
[NAME]
a _____,

By: _____,
[NAME]

Its: _____







Sunol Glen School
Easement Acquisition Location Map

San Francisco
Water Power Sewer
Services of the San Francisco Public Utilities Commission

SFPUC
Town of Sunol Pipeline Replacement at Arroyo de la Laguna

Easement Acquisition
Sunol, California

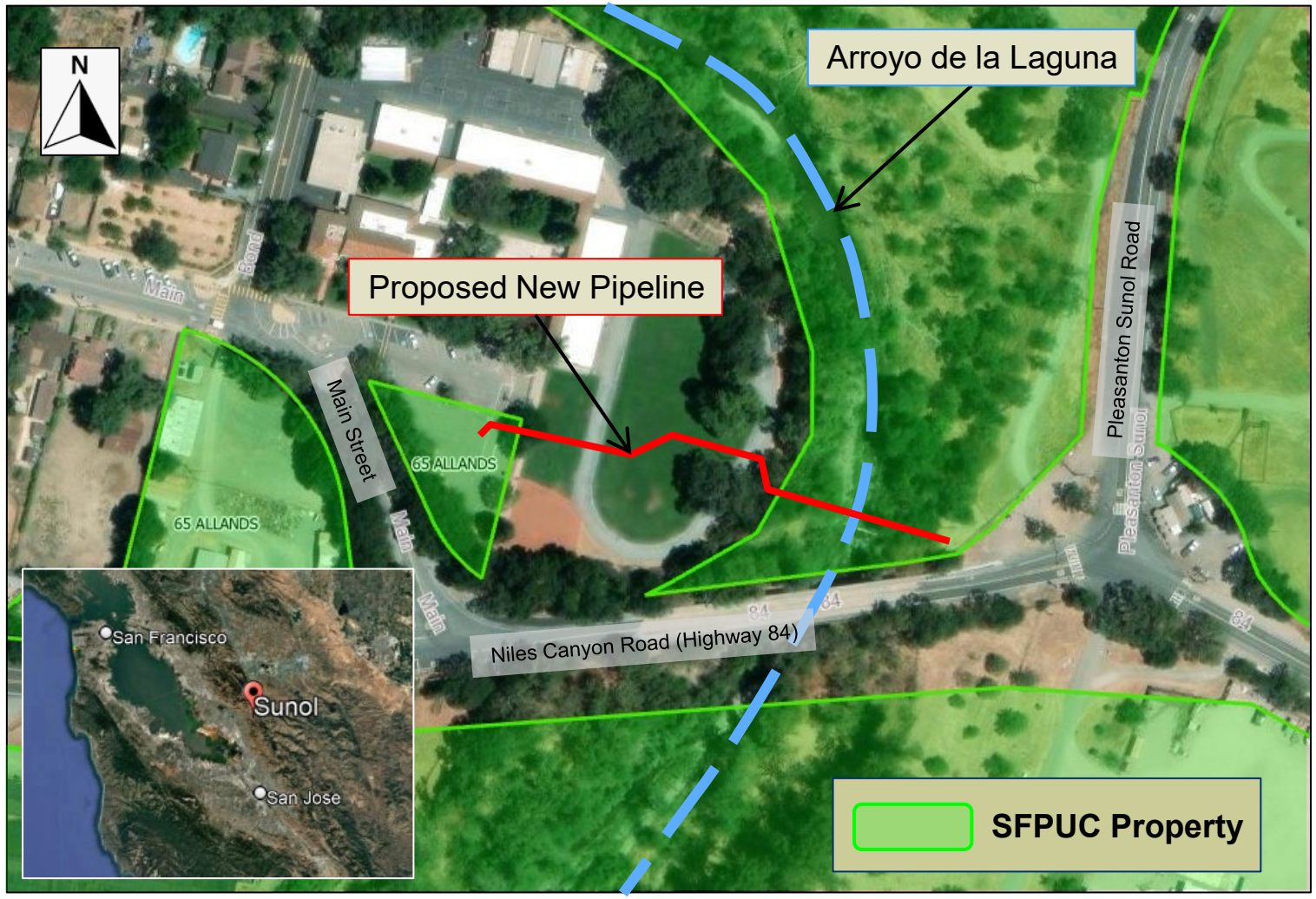
October 30, 2024

Dina Brasil, Right-of-Way Manager, Real Estate Services

San Francisco Water Power Sewer
Services of the San Francisco Public Utilities Commission

Project Summary

- The Town of Sunol Pipeline is critical infrastructure, feeding both the potable and fire suppression lines to the Town of Sunol.
- The Project will replace a portion of the Town of Sunol pipeline system.
- The Project replaces approximately 495 feet of pipeline across Arroyo de la Laguna (SFPUC property) and Sunol Glen School.

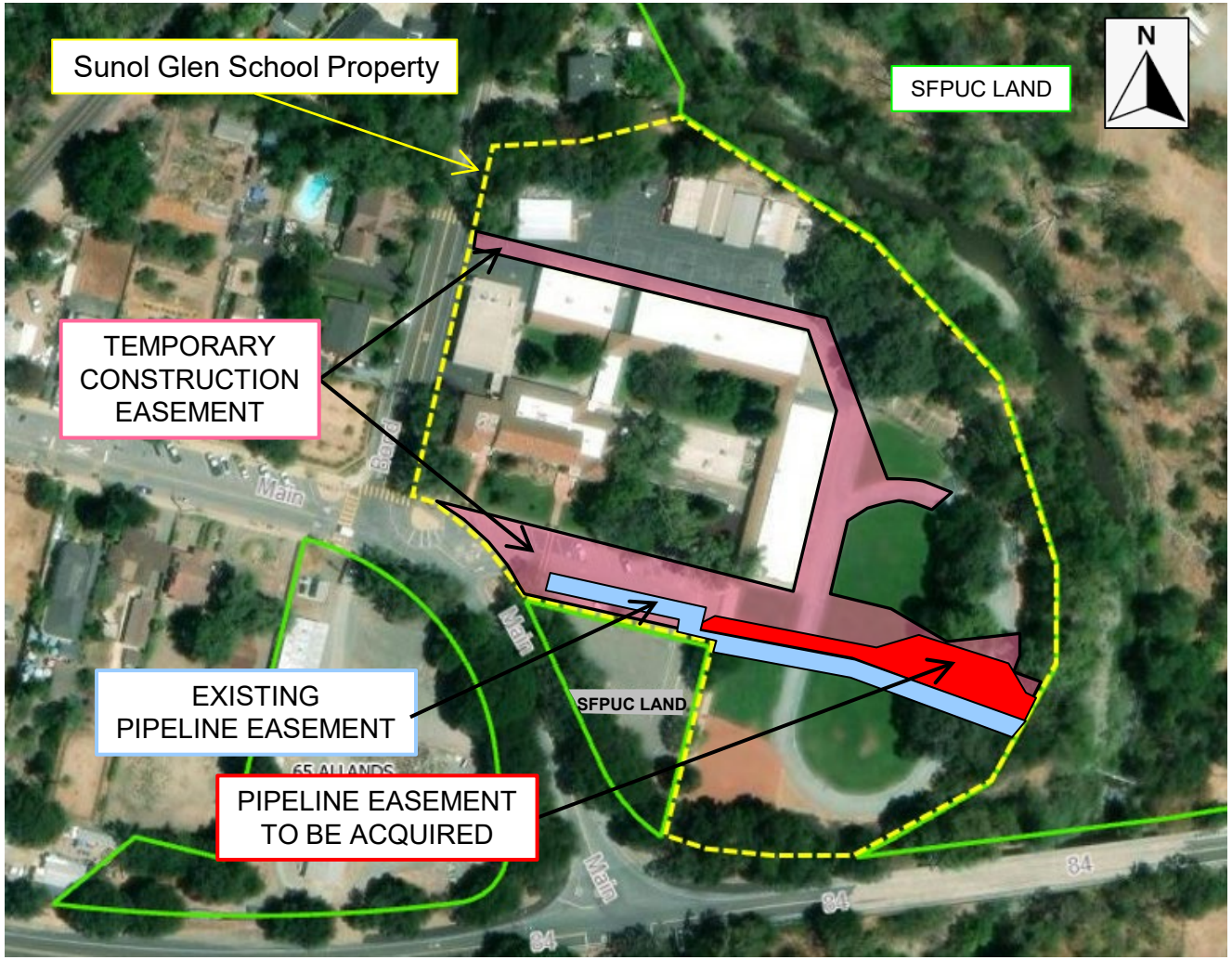


San Francisco Water Power Sewer
Services of the San Francisco Public Utilities Commission

Sunol Glen School Crossing

Easement Details:

- Existing Pipeline Easement
  - Current alignment
  - Too narrow for two pipelines
  - Existing tree
- New Pipeline Easement
  - 4,008 square feet
  - Perpetual right
  - Avoids tree
- Temporary Construction Easement
  - 34,834 square feet
  - Temporary right
  - Provides for access during construction



San Francisco Water Power Sewer
Services of the San Francisco Public Utilities Commission

Transaction Details

- Parties to the Agreement:
  - City and County of San Francisco, acting through the SFPUC, and the Sunol Glen Unified School District.
- Purchase Price:
  - $35,000 (equal to the appraised value).
- Additional Costs:
  - Regular closing costs.
  - $5,000 administrative fee.

Questions?

San Francisco Planning

49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
628.652.7600
www.sfplanning.org

GENERAL PLAN REFERRAL

July 29, 2024

Case No.: 2007-0039GPR -San Antonio Backup Pipeline
Project Title: San Antonio Backup Pipeline
Project Sponsor: San Francisco Public Utilities Commission, Real Estate Services
Applicant: Dina Brasil
Right of Way Manager
Real Estate Services
525 Golden Gate Ave.—10th Floor San Francisco, CA 94102
DBrasil@sfwater.org
415-487-5210

Staff Contact: Sarah Richardson
Sarah.Richardson@sfgov.org
628-652-7450

Recommended By: _____
Joshua Switzky, Deputy Director of Citywide Policy *for*
Rich Hillis, Director of Planning

Recommendation: Finding the project, on balance, is **in conformity** with the General Plan

Please note that a General Plan Referral is a determination regarding the project's consistency with the Eight Priority Policies of Planning Code Section 101.1 and conformity with the Objectives and Policies of the General Plan. This General Plan Referral is not a permit to commence any work or change occupancy. Permits from appropriate Departments must be secured before work is started or occupancy is changed.

Project Description

In connection with the SFPUC Town of Sunol Pipe Replacement Project (Project), the City wishes to purchase, and the Sunol Glen Unified School District (Seller) agreed to sell, (a) a permanent nonexclusive subsurface and surface easement for water pipeline purposes (Pipeline Easement) under, across, in, and upon a portion of Seller's property, and (b) a temporary construction easement for construction and access purposes (TCE) on, over, across, in, and upon two portions of Seller's property located at 11601 Main Street, Sunol, California and commonly known as Assessor's Parcel 096-0155-004-01 in

unincorporated Alameda County (Property).

The Pipeline Easement would grant the City the right to construct, reconstruct, remove, replace, enlarge, decrease, maintain, repair, operate, inspect, and use one or more water pipes or pipelines, with all necessary braces, footings, connections, valves, fastenings, foundation sites, and other appliances and fixtures (collectively, City Facilities) in, on, under, upon, along, and across a portion of the Property (Easement Area). The proposed Pipeline Easement includes the right of ingress and egress, and emergency access to the Easement Area over and across adjacent lands of Seller, over any available roadways, or other routes agreed upon by the parties.

The proposed Temporary Construction Easement would grant the City the right to use the Property for construction staging and general construction-related activities, including the right to use any portion of the Easement Area to (i) store, use, and stage equipment, vehicles, machinery, tools, materials, supplies, and excavated soils in connection with the construction of the Project; (ii) improve, repair, and maintain the Easement Area; and (iii) includes the right of ingress and egress to the Easement Area across adjacent lands of Seller.

This project requires a General Plan Referral because the acquisition of the Pipeline Easement and TCE are subject to the approval of the SFPUC's Commission and the City's Board of Supervisors.

Environmental Review

The project received CEQA clearance under an Addendum to the San Antonio Backup Pipeline Project Final Environmental Impact Report (certified by the San Francisco Public Utilities Commission on 9/20/2012). The EIR Addendum was issued on 10/25/2023 (Case No. 2017-0039E-03).

General Plan Compliance and Basis for Recommendation

As described below, this project is consistent with the Eight Priority Policies of Planning Code Section 101.1 and is, on balance, in conformity with the General Plan.

ENVIRONMENTAL PROTECTION ELEMENT

OBJECTIVE 5
ASSURE A PERMANENT AND ADEQUATE SUPPLY OF FRESH WATER TO MEET THE PRESENT AND FUTURE NEEDS OF SAN FRANCISCO.

POLICY 5.1
Maintain an adequate water distribution system within San Francisco.

POLICY 5.3
Ensure water purity.

The proposed Pipeline Easement and Temporary Construction Easement will enable necessary water infrastructure improvements to pipes and pipelines in connection with the Project. The pipes carry fresh

water to San Francisco for treatment and consumption to meet the needs of the population.

SAFETY AND RESILIENCE ELEMENT

OBJECTIVE 3.3

INFRASTRUCTURE AND PUBLIC REALM. ENSURE THE CITY'S LIFELINE SYSTEMS, TRANSPORTATION AND EMERGENCY RESPONSE FACILITIES, UTILITIES, STREETS, PUBLIC SPACES, AND COASTS CAN WITHSTAND AND ADAPT TO ALL HAZARDS.

POLICY 3.3.4

Where there are ongoing and known plans for future public infrastructure projects, consider prioritizing maintenance of public access and protecting the public rights-of-way above the needs of private property and development.

Public infrastructure projects often depend upon the system of public rights-of-way for accommodation. For this reason, the City should prioritize maintaining and protecting the public rights-of-way, above and below street level, for future public use. The City should refrain from issuing encroachment permits to private development without considering these priorities.

For certain public infrastructure projects to deliver lifeline and other public services, they can be so large and complex that they cross multiple jurisdictional boundaries and rights-of-way between public and private spaces. The City must protect the public-rights-of-way, especially above the needs of private development projects, to have a space to deliver public services. Ensure that private encroachment permits do not interfere with future public infrastructure projects.

The proposed Pipeline Easement and Temporary Construction Easement are non-exclusive easements, thus maintaining public rights-of-way in the affected jurisdiction of Sunol. This is particularly important for the "Seller," Sunol Glen Unified School District, who will maintain access to the land.

OBJECTIVE 4.2

CITY AGENCY CAPABILITIES. PLAN FOR THE OPERATIONAL, DATA, AND LOGISTICAL CAPACITIES NEEDED TO FACILITATE COMMUNITY SAFETY DURING THE RESPONSE, RECOVERY, AND RECONSTRUCTION PHASES OF ALL HAZARDS.

POLICY 4.2.1.

Ensure potable water is available in an emergency.

OBJECTIVE 5.1.

LIFELINES. PROVIDE CRITICAL INFORMATION AND SERVICES TO PREVENT FURTHER LOSS OF LIFE AND ESTABLISH COMMUNITY SAFETY DURING THE IMMEDIATE AFTERMATH OF DISASTERS.

POLICY 5.1.1.

Ensure the city's lifeline systems are constantly maintained to be in a state of good repair.

The proposed Pipeline Easement and Temporary Construction Easement are necessary for the water pipe and pipeline improvements needed to provide fresh water access to San Franciso and for the construction and maintenance of that infrastructure. Water is a lifeline to residents of San Francisco, especially during emergencies, and in the response, recovery, and reconstruction after a disaster or in response to another hazard.

Planning Code Section 101 Findings

Planning Code Section 101.1 establishes Eight Priority Policies and requires review of discretionary approvals and permits for consistency with said policies. The Project is found to be consistent with the Eight Priority Policies as set forth in Planning Code Section 101.1 for the following reasons:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

   The Pipeline Easement and TCE proposed for purchase by the City and County of San Francisco are on property located in the County of Alameda. Therefore, neighborhood-serving retail uses in San Francisco and resident employment in and ownership of these businesses will not be affected.

2. That existing housing and neighborhood character be conserved and protected to preserve the cultural and economic diversity of our neighborhoods;

   The Pipeline Easement and TCE proposed for purchase by the City and County of San Francisco are on property in the County of Alameda. Therefore, the proposed transaction would not affect existing housing and neighborhood character in San Francisco.

3. That the City's supply of affordable housing be preserved and enhanced;

   The Pipeline Easement and TCE proposed for purchase by the City and County of San Francisco are on property in the County of Alameda. Therefore, the proposed transaction would not affect San Francisco's supply of affordable housing.

4. That commuter traffic does not impede Muni transit service or overburden our streets or neighborhood parking;

   The Pipeline Easement and TCE proposed for purchase by the City and County of San Francisco are on property in the County of Alameda. Therefore, the proposed transaction would not affect commuter traffic, impede Muni transit service, or overburden San Francisco's streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

   The Pipeline Easement and TCE proposed for purchase by the City and County of San Francisco are on property in the County of Alameda. Therefore, the proposed transaction would not affect San Francisco's diverse

economic base, or future opportunities for resident employment and ownership in industrial and service sectors.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

   The Pipeline Easement and TCE proposed for purchase by the City and County of San Francisco will support the City in earthquake preparedness because they aid in securing access to potable water, a lifeline system during a disaster.

7. That the landmarks and historic buildings be preserved;

   The Pipeline Easement and TCE proposed for purchase by the City and County of San Francisco are on property in the County of Alameda. Therefore, the proposed transaction would not affect the preservation of San Francisco's landmarks and historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

   The Pipeline Easement and TCE proposed for purchase by the City and County of San Francisco are on property in the County of Alameda. Therefore, the proposed transaction would not affect San Francisco's parks and open space and access to sunlight and vistas.

Recommendation: Finding the project, on balance, is in conformity with the General Plan

September 20, 2012

Final Environmental Impact Report
Volume 1a of 2
Chapter 1 - Section 5.9

Click on this page to be forwarded to the Legislative Research Center to view the entirety of this voluminous document.

For the
San Francisco Public Utilities Commission's

SAN ANTONIO BACKUP PIPELINE PROJECT




San Francisco Planning Department Case No. 2007.0039E
State Clearinghouse No. 2007102030

Draft EIR Publication Date: January 25, 2012
Public Hearing Date: February 22, 2012, Sunol
Public Hearing Date: February 23, 2012, San Francisco
Public Comment Period: January 25, 2012 to March 12, 2012
Comments and Responses Publication Date: September 6, 2012
Final EIR Certification Date: September 20, 2012

SAN FRANCISCO
PLANNING DEPARTMENT

San Francisco Planning

49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
628.652.7600
www.sfplanning.org

ADDENDUM 1 TO ENVIRONMENTAL IMPACT REPORT

Date of Publication of Addendum:	October 25, 2023
Date of EIR Certification:	September 20, 2012
EIR Case No.:	2007.0039E
Project Title:	San Antonio Backup Pipeline Project (Town of Sunol Pipeline Project)
Modified Project Case No.:	2007.0039ENV-03
Project Sponsor:	San Francisco Public Utilities Commission Allison Chan, 415.554.3186, alchan@sfwater.org
Lead Agency:	San Francisco Planning Department
Staff Contact:	Timothy Johnston, 628.652.7569, timothy.johnston@sfgov.org

REMARKS

Background

On September 20, 2012, the San Francisco Planning Commission certified the San Antonio Backup Pipeline Project Final Environmental Impact Report (EIR) [Case No. 2007.0039E] and the San Francisco Public Utilities Commission (SFPUC) subsequently approved the project. The approved project[1] analyzed in the EIR involves the construction of several new facilities and improvements to: 1) provide reliable conveyance capacity for planned and emergency discharges of Hetch Hetchy water out of the SFPUC regional water system under future flow conditions, and 2) provide increased operational flexibility and delivery reliability during emergencies and planned maintenance activities. The approved project includes, but is not limited to, the following:

- Installation of approximately 7,000 feet (1.3 miles) of pipeline from Alameda Siphon Number 3 near the San Antonio Pump Station, along the west side of Calaveras Road and beneath the San Antonio Creek channel, to a new discharge facility.
- Construction of a discharge facility just south of San Antonio Creek including a discharge valve vault, electrical control building, a baffled outfall, and a reinforced-concrete splash pad.
- Construction of the Alameda Creek Pump Station, including an electrical control building, and transfer pipeline.

[1] The final approved project – as described in the EIR for the San Antonio Backup Pipeline Project – is referenced in this addendum as the "approved project."

- Replacement of a 5,700-foot-long section of 12-inch-diameter potable water pipeline to the Town of Sunol.
- Relocation of a 1,325-foot-long section of potable water pipeline and 1,400-foot-long section of raw water pipeline on the north side of San Antonio Creek.

Proposed Revisions to Project

Subsequent to the certification of the final EIR, the SFPUC has proposed modifications to the project. The modified project differs from that analyzed in the EIR. The modified project proposes replacing an approximately 495-foot-long segment of the existing 12-inch-diameter water distribution pipeline (used by the Town of Sunol for potable and firefighting water) —including approximately 200 feet of the pipeline that crosses Arroyo de la Laguna—with a 12-inch-diameter pipe. The new pipe would be installed using open-trench methods and connected to the existing pipe sections on either side of the creek. After the tie-in of the new ductile iron pipeline to the existing ductile iron pipeline at the proposed air valves, the SFPUC would remove the existing, concrete-encased pipeline from the creek between the top of the west and top of the east banks. In addition, the SFPUC would remove from within the new trench an 8-inch cast iron pipeline that was installed in 1941 and abandoned in-place parallel to the existing pipeline. The purpose of the modified project is to improve the safety and reliability of the existing water distribution pipeline to meet SFPUC's objective of providing potable and firefighting water to the Town of Sunol.

The Town of Sunol water distribution pipeline is a part of the potable water system addressed in the San Antonio Backup Pipeline Project (the approved project) described above. However, the proposed location of the modified project is outside the project boundaries of the components previously evaluated in the EIR for the approved project. Specifically, the EIR addressed replacement of a 5,700-foot-long section of the potable water pipeline along the western side of Calaveras Road, whereas the modified project focuses on replacing a different portion of this pipeline system at and in the vicinity of its crossing of the Arroyo de la Laguna.

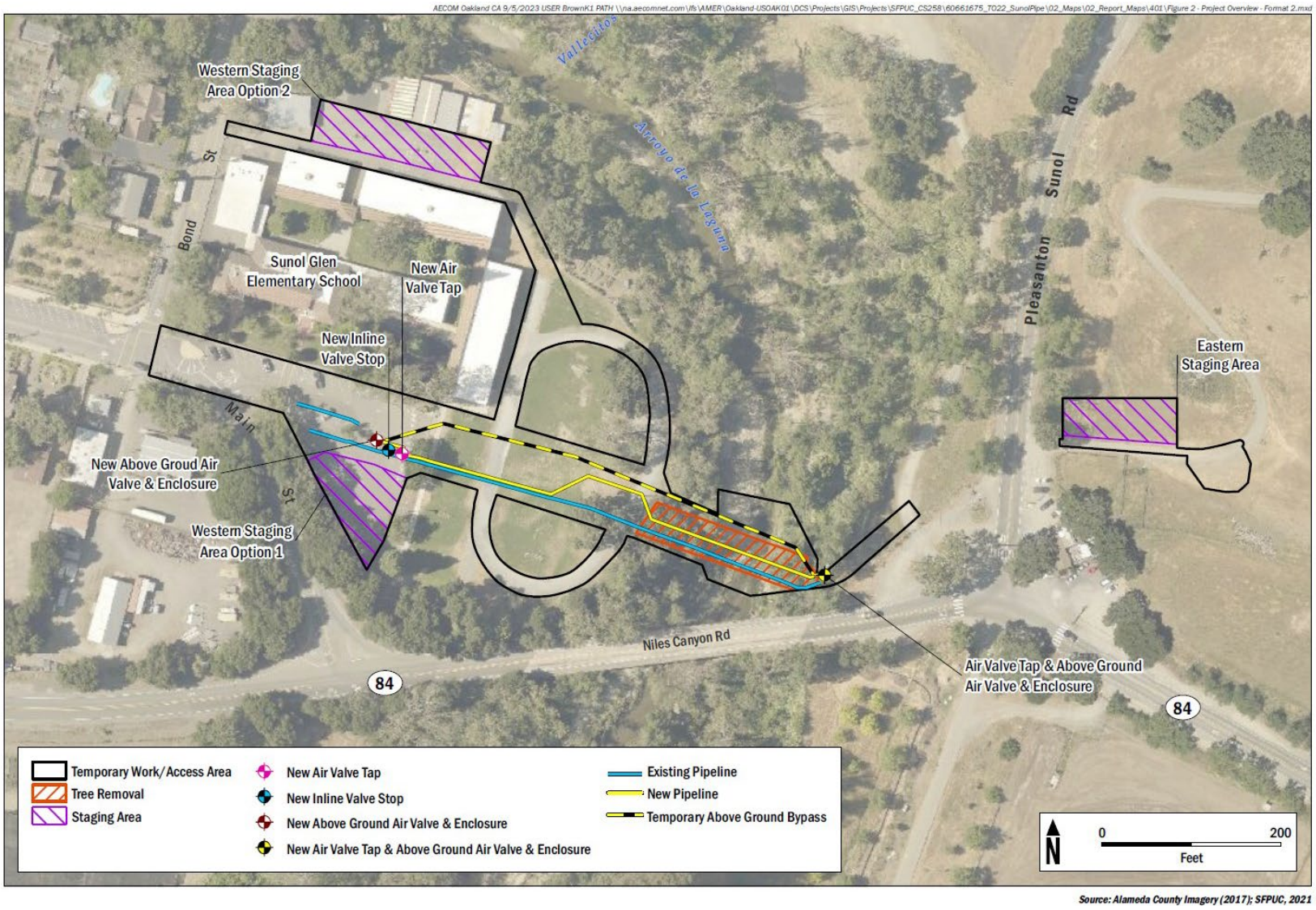
Project Setting

The Town of Sunol is an unincorporated area in Alameda County, California, with an approximate population of 850 people. Situated in the Sunol Valley of the East Bay, the modified project site is west of Interstate 680 and north of California State Route 84 (Niles Canyon Road) (Figure 1). The modified project site, including staging areas, is approximately 2.6 acres. In the modified project area, the pipeline alignment extends east from the paved parking lot of Sunol Glen Elementary School, through the school's track and field facilities, across Arroyo de la Laguna, underneath Pleasanton Sunol Road, and then continues to the eastern side of Pleasanton Sunol Road (Figure 2).

A portion of the proposed work and staging areas would be on land at Sunol Glen Elementary School. The SFPUC has an easement for the existing pipeline across the Sunol Glen Elementary School property.

Figure 1: Modified Project Location

Figure 2: Proposed Modified Project



Source: Alameda County Imagery (2017); SFPUC, 2021

However, the SFPUC would need to acquire a new permanent pipeline easement for any portion of the proposed new pipeline constructed outside of the existing SFPUC easement, as well as a temporary construction easement to construct the modified project.

Existing Facilities

The section of pipeline proposed for replacement is part of a larger water network serving the Town of Sunol. The current water system includes two 12-inch-diameter pipelines: a transmission pipeline for raw[2] water and a distribution pipeline that delivers potable and firefighting water. The potable and firefighting water distribution pipeline crosses Arroyo de la Laguna between Sunol Glen Elementary School and Pleasanton Sunol Road. These are the only sources of water delivery to the Town of Sunol. As a result, they cannot be shut down for a significant period of time. No changes to the raw water transmission pipeline are proposed as part of the modified project.

Existing facilities within the area of the modified project include the former 8-inch water supply pipeline installed in 1941, which was abandoned in-place and replaced in 1963 by the current 12-inch distribution pipeline across Arroyo de la Laguna. The currently operating 12-inch distribution pipeline includes a concrete-encased exposed segment across Arroyo de la Laguna. The existing section of pipeline that crosses the creek was originally constructed to be situated below the creek bed. Over time, incision of the creek bottom exposed approximately 40 feet of the pipeline (Figure 3); in some areas, the pipeline is completely unsupported above the creek bed. The original design did not account for the concrete-encased pipeline becoming unsupported; therefore, this segment of the pipeline is at risk of collapse due to its own weight or damage from debris during high-flow events. Failure of this segment of pipeline would cut off the town's only source of potable and firefighting water.

Figure 3: Exposed Concrete-Encased Section of Existing Pipeline Crossing Arroyo de la Laguna with Abandoned 1941 Pipeline in the Foreground

[2] Raw water is unfiltered and untreated water.

Description of the Modified Project

MODIFIED PROJECT COMPONENTS

The modified project consists of replacing an approximately 495-linear-foot-long segment of the existing 12-inch-diameter distribution pipeline—including approximately 200 feet of the pipeline that crosses the Arroyo de la Laguna—with a 12-inch-diameter pipe using open-trench methods and connecting the new 495-foot pipeline segment to the existing pipe sections on either side of the creek. After the tie-in of the new pipeline to the existing pipeline at the proposed air valves, the existing, concrete-encased pipeline would be removed from the creek between the top of the west and top of the east banks. In addition, an 8-inch cast iron pipeline that was installed in 1941 and abandoned in-place parallel to the existing 12-inch-diameter pipeline would be removed from within the new trench.

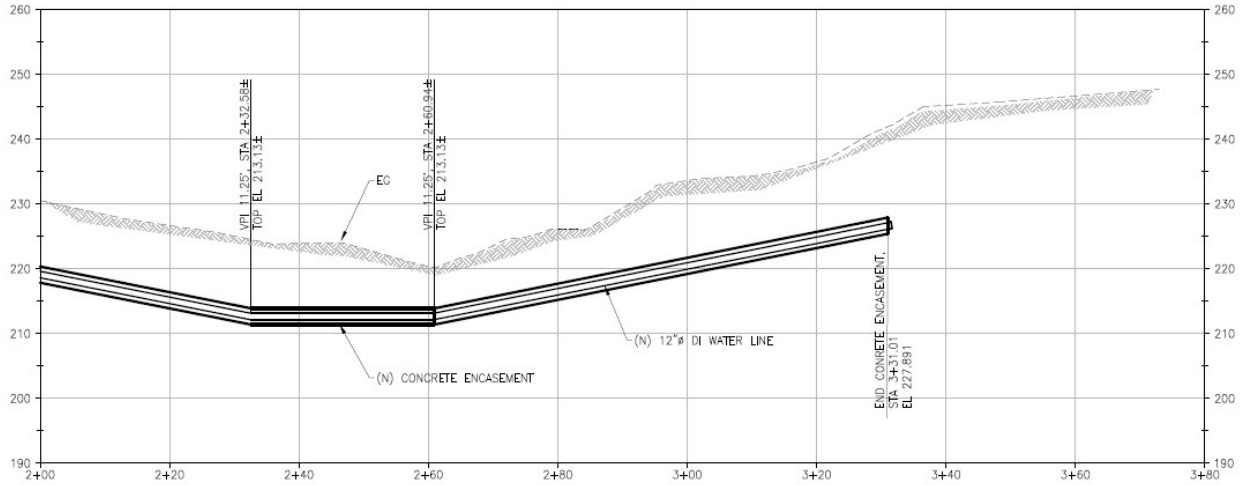
An in-line valve stop[3] would be needed to accommodate a bypass valve to maintain potable and firefighting capability for the Town of Sunol during construction. If this device cannot be in the same trench connecting the replacement pipeline to the existing pipe sections, then an additional 6-foot-long by 4-foot-wide trench may also need to be excavated, to a depth of 6 feet, for installation of the in-line valve stop. The existing pipe would be exposed to install the air valves and in-line valve stop. This would allow SFPUC to exercise the valves to ensure proper operation during maintenance and operation of the pipeline. These above- and belowground structures would be outside of the creek bed and bank. Except for the air valves, all permanently installed project components would be below ground.

Approximately 13 trees would be removed to clear the construction area for the proposed distribution pipeline installation. To facilitate trenching, the contractor would temporarily divert water in the creek around the work area using a temporary bypass structure (described below under Construction Methods). SFPUC would maintain water supply to the Town of Sunol during construction via a temporary bypass pipeline. SFPUC would restore areas impacted by construction activities upon completion of construction. An existing concrete abutment ruin associated with a previous bridge alignment is situated on the eastern bank of Arroyo de la Laguna (partially within the work area); SFPUC would not alter or remove this concrete abutment ruin.

The proposed components of the modified project are shown on Figure 2. A cross section of a portion of the proposed pipeline creek crossing is shown in Figure 4.

[3] In-line valve stops are used to temporarily shut down a pipeline system to complete modifications or repairs.

Figure 4: Cross Section of Replacement Pipeline at Arroyo de La Laguna Crossing (western bank is not fully shown)



CONSTRUCTION METHODS

The pipeline replacement construction activities and methods are described below.

Tree Removal

Trees would be cut to ground level and would not require root removal unless they are within the pipeline excavation work area. The SFPUC Right of Way Integrated Vegetation Management Policy[4] typically requires 25-foot buffers on either side of pipeline corridors be maintained. However, for the purposes of this project, the policy has been revised such that 20-foot buffers on either side of the pipeline corridor would be maintained.[5] Tree removal areas within the creek corridor are delineated on Figure 2. In addition, one tree next to the school parking lot is within the replacement pipeline alignment and would require removal. Waste from removed trees could be reused onsite by the SPFUC or transported off site to the composting facility at Altamont Landfill in Livermore, California.

For the trees that would be protected in place and would not be removed, the construction contractor would install orange construction netting to define the tree protection zone (below the dripline) prior to initiating construction, to prevent encroachment by heavy equipment during construction. The construction contractor would maintain the fencing until all construction activities near the trees are completed. The construction contractor would be prohibited from stockpiling any excavation or construction materials within the tree protection zones.

Temporary Bypass Structure

Before in-water construction work begins, a temporary bypass structure would be installed to divert the creek water through the work site to keep the work area dry and allow for trenching in this area. The

[4] San Francisco Public Utilities Commission, Amendment to the Right of Way Integrated Vegetation Management Policy, January 13, 2015
[5] San Francisco Public Utilities Commission, Email from Annie Li to Alisha Reinhardt (SFPUC) re: Revised SFPUC Right of Way Integrated Vegetation Management Policy, May 1, 2023.

components of the temporary bypass structure would range from 12 to 36 feet wide, 24 to 75 feet long, and up to 5 feet tall. The upstream structure and bypass pipelines would be lain on top of level ground (large cobbles and boulders on the surface of the creek bed would be removed to the sand and gravel surface before placement). The downstream structure (apron) would require excavation up to 30 inches. The structures may be constructed using super sacks (also called bulk bags or tote bags) or gravel bags placed directly on the creek bed and may be lined with plastic sheeting to limit seepage. Alternatively, a water inflatable dam, which would be similar in size to a diversion structure constructed with super sacks, could serve as the temporary diversion structure.

The temporary bypass structure would contain four 36-inch flexible pipes, depending on the expected flows in Arroyo de la Laguna at the time of construction. The pipes would be 90-feet long and set on the surface of the channel. The bypass pipes may be stabilized by placing native channel bed material at the base of the pipes as shoring, and the downstream extent of the bypass pipes may be protected with rock laid on top of a geotextile fabric following standard Caltrans guidance[6] to minimize erosion at the outfall of the pipes. The rock apron would be approximately 2 feet deep, 24 feet long, and 36 feet wide at its widest location. If used, the rock and geotextile fabric would be removed when the temporary bypass structure is removed from the channel. The work zone, once isolated from the active channel, would be further dewatered by either surface water pumps, groundwater pumps, and/or gravity-fed pipes connected directly to the existing diversion pipes if the water is clear. If the water is turbid, it would be treated prior to being returned to Arroyo de la Laguna. Treatment methods that may be utilized include stilling basin(s), sumps, pumps, filter bags, and possibly tanks. The selected method would depend on the amount of surface flows entering the work area. Outlet protection/velocity dissipation devices would be placed at pipe outlets to prevent scour and reduce the velocity and/or energy of piped water. Wooden planks or steel plates may be placed on top of the bypass pipelines to allow construction equipment to cross the creek from one side to the other during construction activities.

Temporary Aboveground Town of Sunol Bypass Pipeline

The temporary aboveground Town of Sunol bypass pipeline would allow water to remain in service to the Town while the main distribution pipeline is out of service. The temporary aboveground Town of Sunol bypass pipeline would be approximately 540 feet long, 8 to 10 inches in diameter, and would be laid on the ground surface. No excavation would be required except where the bypass pipeline ties in with the existing distribution pipeline.

Pipeline Installation

An approximately 200-foot-long, 5-foot-wide, and 11-foot-deep trench would be excavated to install the new distribution pipeline across the creek. To stabilize this portion of trench in the creek, sheet piles would be installed to a depth of 25 feet below ground surface using a large excavator with a vibratory attachment; this would occur after the creek water has been dewatered and prior to excavation of the

[6] Caltrans, Construction Site Best Management Practices (BMP) Manual, May 2017.

trench. The trench for the portion of the new pipeline outside of the creek, which would be mostly to the west of the creek, would be approximately 295 feet long (total), 2.5 feet wide, and 10 feet deep (maximum); shoring for this portion of the trench would involve methods less intrusive than sheet piles, such as panels or shields. The new pipeline would be placed in the trench and connected to the existing pipe sections at the proposed air valves on each end. The trench would be backfilled with soil excavated from the trench and virgin rock material (e.g., cobble, gravel, crushed gravel, crushed rock, or a combination of these); the portion of the new pipeline in the creek would be encased in concrete. The sheet piles in the creek would be removed after the trench is backfilled and compacted.

The new pipeline would be disinfected prior to its connection to the existing pipeline. This would occur toward the end of project construction. During disinfection, the treated water would be neutralized and tested for pH and chlorine before discharging to upland areas. Water would be discharged to the parking lot area after being treated and then allowed to flow to the nearest catch basin in accordance with the Statewide National Pollutant Discharge Permit for Drinking Water System Discharges to Waters of the U.S. (General Order No. CAG140001), under which the SFPUC is currently enrolled.

Existing Pipeline Removal

After the tie-in of the new pipeline to the existing pipeline, the existing concrete-encased pipeline would be removed from the creek between the top of the banks. An approximately 295-foot-long section of the abandoned pipeline outside the creek would be filled with concrete and both ends would be capped. The 8-inch 1941, abandoned cast iron pipeline in the creek would also be removed. Removal of the existing concrete-encased pipeline portion in the creek and the abandoned cast iron pipeline would generate approximately 700 cubic feet of demolition debris, which would be off-hauled to an appropriate, permitted landfill.

CONSTRUCTION EQUIPMENT AND WORKERS

Equipment needed for the modified project would include the following:

- Loader / backhoe
- Excavator with vibratory attachment
- Vibratory hammer
- Compactor
- Jackhammer
- Sawcutting machine
- Air compressor
- Chainsaw
- Wood chipper
- Water storage tank
- Concrete mixer / trucks
- Dump trucks
- Delivery trucks
- Flatbed truck
- Pickup truck
- Water trucks
- Diesel generator

The estimated project workforce would consist of approximately five people during the 4-month construction period.

SITE ACCESS AND STAGING

State Route 84 (Niles Canyon Road) and Interstate 680 are the main routes leading to the modified project site. These roads would be used as haul routes for delivery of materials and supplies and removal of spoils for offsite disposal, for the movement of materials and supplies between staging areas, and for worker travel.

Access to the site during construction would be via an existing unpaved access road connecting to Pleasanton Sunol Road; no new permanent roadways or parking areas would be created or necessary for operation of the modified project. Construction access through the school would be through existing vehicle gates on Main and Bond streets. Access to the creek bank would occur along the 50-foot width of the proposed pipeline corridor (25 feet on each side along the pipeline). Within the creek, equipment would be operated to remove trees, install the temporary bypass structure, and install the pipeline.

Two staging areas on either side of the creek would be used by the contractor during construction for parking, temporary material storage, and temporary spoils storage. The staging area on the eastern side of the creek is in grassland and graveled areas and is approximately 6,000 square feet of land owned by the City and County of San Francisco and under the jurisdiction of the SFPUC. There are two options for the staging area on the western side of the creek. The first option is a 7,400 square-foot asphalt-paved area within the parking lot of Sunol Glen Elementary School; this area is owned by the City and County of San Francisco (under the jurisdiction of the SFPUC) and is leased to the Sunol Glen School District. The second option for the western staging area is an approximately 8,000 square-foot area on the northern side of the Sunol Glen Elementary School property on land owned by the Sunol Glen Unified School District. These staging areas would be used as they currently exist; no ground disturbance or tree removal would be required to prepare the staging areas for use. The boundaries of the modified project area on Figure 2 show the maximum extent of the limits of construction and staging areas (providing the contractor with adequate space to perform the activities identified for each staging area).

Temporary fencing would be installed around the staging areas and project limits, where necessary. Permanent fencing is not proposed. Aside from the proposed western staging area option within the Sunol Glen Elementary School parking lot, which is owned by the City and County of San Francisco, the remaining portions of the work area at Sunol Glen Elementary School are owned by the Sunol Glen Unified School District. SFPUC would obtain temporary construction easements necessary to perform this work on the school district's property.

EXCAVATION, STOCKPILING, DISPOSAL OF SPOILS, AND TRUCK TRIPS

Open trenching methods to install the new pipeline segment would produce excavated material. The total excavation volume would be approximately 500 cubic yards. Spoils stockpiles would be kept adjacent to the trench outside the main channel and outside the ordinary high-water mark of the creek.

Construction of the downstream temporary bypass structure would require up to 30 inches of excavation, generating approximately 50 cubic yards of material. Movement of construction material within the creek work area could disturb the top 6 inches of surface material.

Where possible, spoils generated by project excavations would be reused as fill for the modified project. Approximately 100 cubic yards of sand would be imported to backfill the trench once the new pipeline is installed. Additionally, 20 cubic yards of concrete would be imported to encase the new 200 linear-foot segment of pipeline in concrete.

The total quantity of off-haul material for the modified project would be approximately 125 cubic yards (including a bulking factor of 20 percent). Spoils from the modified project site that are not classified as hazardous waste and not reused as backfill would be transported to the Altamont Landfill in Livermore, California, via trucks with a 10 cubic-yard (or similar) capacity. These haul trucks would likely haul the spoils from the modified project site along Interstate 680 and Interstate 580 to Livermore.

Tree waste not re-used onsite would be hauled to the Altamont Landfill or other suitable location. Table 1 summarizes the total number of truck trips that would be generated during the construction phase. Approximately 63 two-way (round trip) truck trips would be required for material and equipment delivery, tree removal, and hauling of waste materials during construction.

Table 1: Summary of Modified Project's Truck Trips

Truck Trip Type	Quantity (Two-Way Trips)
Material and equipment delivery (e.g., piping, backfill, pavement restoration)	26
Concrete import	4
Tree waste	5
Disposal (e.g., excavated soil, pipe, concrete, pavement)	28
Total	63

With the exception of any spoils that become contaminated during construction (e.g., due to spills) or are classified as hazardous waste, project spoils would be disposed at the Altamont Landfill. Areas of suspected contaminated soils would be segregated and tested. If the soils are found to be contaminated, they would be transported to and disposed of at a permitted landfill for contaminated wastes in accordance with local, state, and/or federal requirements.

POST-CONSTRUCTION, RESTORATION ACTIVITIES

Once construction is complete, the disturbed areas on school property and within Arroyo de la Laguna would be restored to their general preconstruction conditions, including re-grading and re-vegetation or

re-paving, consistent with the SFPUC Right-of-Way Integrated Management Policy, which has been revised for the purposes of the modified project as described above under Tree Removal.[7] [8]

CONSTRUCTION SCHEDULE

Tree removal would occur over an approximately 0.5-month period between September 2024 and January 2025. Following tree removal, the second phase of construction would start in spring 2025 and would last for approximately four months.

All work activities would be conducted between 7 a.m. and 7 p.m. Monday through Friday, and between 8 a.m. and 5 p.m. Saturday, in accordance with the Alameda County Noise Ordinance. Construction of the modified project would largely occur during the summer months when school is not in session. When school is in session, SFPUC and its contractor(s) would access the staging area on Sunol Glen Elementary School grounds and work activities in the creek area would occur. No ground-disturbing activities would occur on Sunol Glen Elementary School grounds when school is in session. Construction activities would include tree removal, mobilization, site preparation, temporary creek diversion installation, air valve and in-line valve stop installation, pipeline installation, shutdown tie-ins, demolition of existing pipeline, restoration of the school site, creek restoration, and demobilization. The estimated construction durations for individual components of the modified project are presented in Table 2.

Table 2: Estimated Construction Duration by Activity

Work Activity	Duration (Days)
Tree removal	10
Mobilization and site preparation	10
Installation of temporary bypass structure	10
Installation of air valves and in-line valve stop	5
Pipeline installation	23
Shutdown tie-ins	3
Demolition of existing pipeline	5
Restoration of school site	10
Creek restoration	15
Demobilization	5
Total	96

Source: SFPUC, 2022.

[7] In accordance with the amended SFPUC Right of Way Integrated Vegetation Management Policy, 20-foot buffers on either side of pipeline corridor would be maintained. No replanting of trees would occur in this buffer.

[8] San Francisco Public Utilities Commission, Email from Annie Li to Alisha Reinhardt (SFPUC) re: Revised SFPUC Right of Way Integrated Vegetation Management Policy, May 1, 2023.

SFPUC STANDARD CONSTRUCTION MEASURES

SFPUC has adopted *standard construction measures*, which are included in all SFPUC construction contracts and are required to be implemented during the construction of every SFPUC project (see Appendix A).[9] The main objective of these uniform measures is to minimize or avoid significant impacts on existing resources to the extent feasible. They include activities such as early identification of sensitive environmental resources in the modified project area and implementation of traffic control measures to maintain traffic and pedestrian circulation affected by construction. The SFPUC project manager, environmental project manager, and construction contract manager would ensure that the modified project implements these uniform provisions.

OPERATIONS AND MAINTENANCE

SFPUC is responsible for the storage, quality control, and distribution of the area's drinking water. Once operational, the pipeline capacity would not change. No new operational discharges would be required for the modified project. The SFPUC Water Supply and Treatment Division would remain enrolled under the National Pollutant Discharge Elimination System Permit for Drinking Water System Discharges to Waters of the U.S. from the State Water Resources Control Board (General Order No. CAG140001) to perform any water discharges for operation and maintenance of the pipeline.

Once construction is completed, normal operational and maintenance activities would not differ from existing conditions. No additional staff or parking would be required.

MODIFIED PROJECT APPROVALS

The San Francisco Public Utilities Commission would consider approval of the modified project described in this EIR addendum at a duly scheduled public hearing. Regulatory approvals or permits are required for the modified project from the United States Army Corps of Engineers, United States Fish and Wildlife Service, National Marine Fisheries Service, State Historic Preservation Officer, California Department of Fish and Wildlife, and Regional Water Quality Control Board.

CEQA Approach

San Francisco Administrative Code section 31.19(c)(1) states that a modified project must be reevaluated, and that "If, on the basis of such reevaluation, the Environmental Review Officer determines, based on the requirements of the California Environmental Quality Act (CEQA), that no additional environmental review is necessary, this determination and the reasons therefore shall be noted in writing in the case record, and no further evaluation shall be required by this Chapter." CEQA Guidelines section 15164 provides for the use of an addendum to document the basis for a lead agency's decision not to require a subsequent EIR for a project that is already adequately covered in a previously certified EIR. An addendum to a certified

[9] SFPUC (San Francisco Public Utilities Commission), 2015. SFPUC Standard Construction Measures. Harlan L. Kelly, Jr., General Manager, July 1.

EIR may be prepared if only minor technical changes or additions are necessary or none of the conditions described in section 15162 calling for the preparation of a supplemental or subsequent EIR have occurred.

This addendum evaluates the potential environmental effects of the proposed modifications, herein referred to as the "modified project," relative to the impacts of the "approved project" as disclosed in the EIR. The EIR for the approved project found that implementation of the project would not result in project-specific significant environmental effects that could not be mitigated to a less than significant level with implementation of mitigation measures, with the exception of impacts from construction on air quality which were determined significant and unavoidable. Since adoption, other than as explained and discussed in this addendum, no changes have occurred in the project or in the circumstances under which the approved project would be undertaken, and no new information has emerged that would materially change any of the analyses or conclusions of the certified EIR.

One change since the certification of the Final EIR is the consideration of SFPUC's standard construction measures in evaluating the environmental effects of the modified project. SFPUC previously established standard construction measures in 2007 for application to Water System Improvement Program projects. The 2007 standard construction measures were mentioned in the EIR's project description for the approved project but were not described in detail or considered in the EIR's analysis. The standard construction measures were updated in 2015, and are required for all SFPUC construction projects, as applicable.[10] In addition to complying with all applicable local, state, and federal laws and regulations, these measures are mandatory in the execution of every SFPUC project. These measures are included in all SFPUC construction contracts and are monitored for compliance. Because these measures are required for all SFPUC projects, implementation of these measures is considered part of the regulatory framework for the evaluation of environmental impacts of the modified project. The 2015 *standard construction measures* were not approved at the time of the preparation of the San Antonio Backup Pipeline Project Final EIR, and therefore were not considered in the analysis presented in the EIR. With implementation of the 2015 standard construction measures, some impacts that were considered to be potentially significant for the approved project were found to be less than significant for the modified project, as described in the following analyses. In these instances, the mitigation measures for the approved project would not be required to reduce the impacts of the modified project to a less-than-significant level.

For the reasons discussed below, the modified project would not result in any substantial changes that would require major revisions to the certified EIR, nor would new significant environmental effects or a substantial increase in the severity of previously identified significant effects occur. As analyzed below, many of the construction-related impacts of the modified project would be similar (but lesser in scale) to those identified for the approved project. No new mitigation measures would be needed. Therefore, no additional environmental review is necessary beyond this addendum.

[10] SFPUC, Standard Construction Measures. Harlan L. Kelly, Jr., General Manager, July 1, 2015.

CUMULATIVE DEVELOPMENT

CEQA Guidelines section 15130(b)(1)(A) defines cumulative projects as past, present, and probable future projects producing related or cumulative impacts. CEQA Guidelines section 15130(b)(1) provides two methods for cumulative impact analysis: the "list-based approach" and the "projections-based approach." The list-based approach uses a list of projects producing closely related impacts that could combine with those of a proposed project to evaluate whether the modified project would contribute to significant cumulative impacts. The projections-based approach uses projections contained in a general plan or related planning document to evaluate the potential for cumulative impacts. This project-specific CEQA analysis employs the list-based approach to the cumulative impact analysis. Due to the nature and location of this modified project, a projections-based approach was not considered. Table 3 presents an updated list of current or future projects that could be constructed concurrently with the modified project.

The specific approach to the cumulative analysis is discussed in each topical subsection of this addendum. This includes projects that have an application on file with the relevant jurisdictions.

Table 3: Cumulative Projects

Project Name	Description	Estimated Construction Period	Location
Sunol Glen School Permanent Classroom Project	Demolish classroom facilities that were damaged due to winter 2022/2023 flooding and construct temporary classroom facilities within the existing school parking lot. Rebuild permanent classrooms in original location on north side of school property.	Summer 2023 for demolishing damaged classrooms and constructing temporary classrooms in the parking lot. Construction timing to be determined for permanent classrooms.	Within the modified project site
Caltrans Arroyo de la Laguna Bridge Project	Replace the Arroyo de la Laguna Bridge on State Route 84 to address scour and seismic and safety concerns	July 2024 through December 2026	Adjacent to the modified project site
Caltrans State Route 84 Expressway Widening and State Route 84/Interstate 680 Interchange Improvement Project	Improve interchange ramps at the intersection of State Route 84 and Interstate 680; and extend the existing Interstate 680 southbound express lane northward by two miles	May 2021 – Winter 2024/2025	Approximately 1.4 miles southeast of the modified project site

Project Name	Description	Estimated Construction Period	Location
SFPUC Alameda Creek Watershed Center	Interpretive center and an outdoor discovery trail	March 2020 to spring 2023	Adjacent to Sunol Water Temple, approximately 0.8 miles from the modified project site
Alameda County Public Works Agency Niles Canyon Trail Project	Six-mile long, 10-foot-wide pathway for pedestrians, bicyclists, and equestrians, linking Sunol with Niles	Undetermined (currently in CEQA/design phase)	Phase 3 starts approximately 600 feet west from the modified project site

Analysis of Environmental Effects

Cultural and Paleontological Resources

SAN ANTONIO BACKUP PIPELINE PROJECT EIR FINDINGS

The San Antonio Backup Pipeline Project EIR found that the approved project would have potentially significant impacts related to the following significance criteria regarding cultural and paleontological resources:

- Causing a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code
- Causing a substantial adverse change in the significance of a historical or unique archeological resource pursuant to Section 15064.5 of the CEQA Guidelines
- Directly or indirectly destroying a unique paleontological resource or site or unique geological feature
- Disturbing any human remains, including those interred outside of formal cemeteries

Historical Architectural Resources

The EIR determined that two historic-period architectural resources identified in the CEQA Area of Potential Effects (C-APE), Alameda Siphons Nos. 1 and 2, could have been affected by construction of the approved project. These resources are eligible for listing in the National Register of Historic Places and the California Register of Historical Resources for their association with the Hetch Hetchy system and for their architecture/workmanship. The analysis concluded that although the backup pipeline would have no physical connection with Alameda Siphons Nos. 1 and 2, construction activities could result in damage to these historical resources due to the project's proximity to the siphons. The impact was reduced to a less-than-significant level through implementation of Mitigation Measure M-UT-1h (Measures to Protect Alameda Siphons Nos. 1, 2, and 3) requiring protective measures during construction to protect the siphons from damage.

Archeological Resources

The EIR found that while no archeological resources were recorded within the C-APE for the approved project, a Native American archeological site (SA-1) was located immediately east and adjacent to the project area. At the time of the EIR, this site had not been evaluated for its eligibility to the National Register or California Register, but it was assumed to be eligible for purposes of analysis. Although subsurface investigations indicated that the site does not extend into the approved project's C-APE, and the EIR determined that impacts were not anticipated, Mitigation Measure M-CP-2a (Site Protection Measures for Prehistoric Archaeological Site SA-1) was required to reduce the potential impact of inadvertent damage during construction to a less-than-significant level. The EIR also concluded that Mitigation Measure M-CP-2b (Accidental Discovery of Archaeological Resources) would reduce any potentially significant impact on previously unrecorded archeological resources to a less-than-significant level.

Human Remains

The EIR also determined that although no known human burial locations have been identified within the C-APE for the approved project, construction could result in direct impacts on previously undiscovered human remains during any earthmoving activities; such impacts would be potentially significant but implementation of Mitigation Measure M-CP-4 (Accidental Discovery of Human Remains) would reduce impacts to a less-than-significant level.

Paleontological Resources

The EIR determined that no paleontological resources are known to exist within the approved project's C-APE, and one of the geologic units found in the area (Holocene alluvial deposits) has a low paleontological resource potential. However, two other geologic units found in the C-APE—latest Pleistocene alluvium and Briones Formation—were identified as having a high potential for containing paleontological resources, although they would not be encountered at the surface of the project area but at greater depths. The EIR concluded that although the potential existed for construction-related activities, such as trenching, to disturb or destroy paleontological resources in the latest Pleistocene alluvium and Briones Formation, a Paleontological Resources Mitigation Program (Mitigation Measure M-CP-3) would reduce this impact to a less-than-significant level.

MODIFIED PROJECT IMPACTS

Historical Architectural Resources

Construction of the modified project would replace an approximately 495-foot-long segment of the existing 12-inch-diameter distribution pipeline—including approximately 200 feet of the pipeline that crosses Arroyo de la Laguna—with a 12-inch-diameter pipe, using open-trench methods, and connecting the new segment to the existing pipe sections on either side of the creek. The existing segment of pipeline spanning Arroyo de la Laguna, as well as the abandoned in-place pipeline that was installed in 1941, would be removed following installation of the replacement pipeline. The Historical Resources Evaluation for the Town of Sunol Pipeline Project[11] evaluated the two existing pipelines that cross Arroyo de la

[11] AECOM, Town of Sunol Pipeline Project Historical Resources Addendum, December 2022.

Laguna. The evaluation found the pipelines, which were installed in 1941 and 1963, are not eligible for listing in the National Register or the California Register. The report also evaluated the Arroyo de la Laguna Bridge Abutment Ruin, which is partially within the C-APE, finding that it also is not eligible for listing in the National Register or California Register. Because no historical architectural resources are within the C-APE for the modified project, implementation of the modified project would have ***no impact*** to historical architectural resources, and the EIR's mitigation measures applicable to the approved project to mitigate historical architectural resource impacts would therefore not be required for the modified project.

Archeological Resources

Based on a review of existing documentation prepared on the behalf of the SFPUC[12,13] and Caltrans,[14,15] it has been determined that the modified project C-APE[16] partially overlaps the recorded boundaries of archeological site, CA-ALA-677/H, which was previously determined eligible for inclusion to the National Register of Historic Places by Caltrans.[17] The California Register automatically includes California historical resources listed in, or formerly determined eligible for, the National Register. As such, CA-ALA-677/H as a historic property previously determined eligible for inclusion to the National Register is likewise eligible for inclusion to the California Register. Based on preliminary archeological review completed by the San Francisco Planning Department on June 8, 2022, ground disturbing activities for the modified project on the eastern side of the Arroyo de la Laguna, including vegetation removal, trenching for the installation of the replacement pipeline, and placement of an air valve, could impact this archeological site and SFPUC Archeological Measure III, including the development and implementation of an Archeological Data Recovery Plan, was determined as an appropriate measure for the modified project. Therefore, for the modified project, the SFPUC would require implementation of its Standard Construction Measure #9 (Cultural Resources), including SFPUC Archeological Measure III, which requires preparation and implementation of an Archeological Data Recovery Plan when a significant archeological resource is known or expected to be present in a construction work area and preserving the resource in-place is not feasible. The Archeological Data Recovery Plan would include the following: field strategies and procedures for both data recovery and archeological monitoring during construction; analysis procedures for recovered materials; provisions for the treatment of human remains discovered during completion of either data recovery and/or monitoring; consideration of development of an interpretive program; security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities; and the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. Native American consultation has been initiated for the

[12] URS Corporation, Historic Context and Archaeological Survey Report: An Archaeological Survey of the Sunol Fire Suppression System Project, 2014.
[13] URS Corporation, Results of Cultural Resources Monitoring for the Sunol Fire Suppression System Project, 2015.
[14] B. Byrd, L. Engbring, M. Darcangelo, and E. Wohlgemuth, Archaeological Data Recovery at 'Ayttakiš 'Éete Hiramwiš Trépam-tak (CA-ALA-677/H) for the Niles Canyon Safety Improvement Project, 2022.
[15] A. Leventhal, D. DiGiuseppe, D. Grant, R. Cambra, M. Arellano, S. Guzman-Schmidt, G. Gomez, and A. Sanchez, Report on the Analysis and Temporal Placement of an Ancestral Muwekma Ohlone Burial Recovered from *'Ayttakiš 'Éete Hiramwiš Trépam-tak* [Place of Woman Sleeping Under the Pipe Site], CA-ALA-667/H, 2017.
[16] The modified project C-APE is equivalent to the temporary work/access area shown in Figure 2.
[17] Kristina Montgomery and Jennifer Blake, Extended Phase I/Archaeological Evaluation Report for CA-ALA-677/H, Niles Canyon Medium-Term Safety Project, 2015.

modified project and includes review of the Archeological Data Recovery Plan by local Native American representatives, as discussed in more detail below under Tribal Cultural Resources. Because data from the modified project site would be properly extracted and treated by implementing Standard Construction Measure #9, as required, the modified project would not result in a substantial adverse impact to CA-ALA-677/H.

Although no archeological resources have been identified west of the Arroyo de la Laguna, there is also the potential for undiscovered archeological resources to be inadvertently exposed on that side of the modified project site (i.e., on the grounds of Sunol Glen Elementary School). As noted above, archeological monitoring would be conducted during construction as part of the implementation of the Archeological Data Recovery Plan for the modified project, as required by Standard Construction Measure #9. The Archeological Data Recovery Plan would include applicable evaluation criteria in the event buried archeological resources unrelated to CA-ALA-677/H are inadvertently discovered during monitoring. Additional measures would be implemented as required based on the finding of the evaluation; such measures may include descendant group consultation, other reporting, curation, and public interpretation of results. Because any accidentally discovered archeological resources would be properly evaluated and treated by implementing Standard Construction Measure #9, the modified project would not result in a substantial adverse impact on unknown archeological resources.

With implementation of Standard Construction Measure #9 (including SFPUC Archeological Measure III), construction of the modified project would not result in a substantial adverse impact on archeological resources. As a result, the modified project's impacts on archeological resources would be *less than significant*. Mitigation Measure M-CP-2a (Site Protection Measures for Prehistoric Archeological Site SA-1) identified for the approved project would not be required for the modified project because SA-1 is not located near the modified project and would not be affected by the modified project. Mitigation Measure M-CP-2b (Accidental Discovery of Archaeological Resources) identified for the approved project would not be required for the modified project because SFPUC Standard Construction Measure #9, including implementation of an Archeological Data Recovery Plan per SFPUC Archeological Measure III, requires equivalent measures as those outlined in Mitigation Measure M-CP-2b to address accidentally discovered buried cultural resources.

Human Remains

As described above, the archeological resource CA-ALA-677/H is partly within the modified project area east of the Arroyo de La Laguna. This archeological resource is known to contain human remains. Although the modified project C-APE only partially overlaps this resource, the potential exists for the modified project's ground disturbing activities, including trenching and vegetation clearing on eastern side of the Arroyo de la Laguna, to disturb human remains associated with CA-ALA-677/H. It is also possible that ground disturbing activities west of the water course could inadvertently expose previously undiscovered human remains. As stated above, as required by SFPUC Archeological Measure III under Standard Construction Measure #9, SFPUC would prepare and implement an Archeological Data Recovery Plan for the modified project, which would include provisions for the treatment of human remains discovered during completion of either data recovery and/or monitoring in accordance with applicable

laws, including notification of the Alameda County Coroner. Native American consultation has been initiated for the modified project and includes review of the Archeological Data Recovery Plan by local Native American representatives, as discussed in more detail below under Tribal Cultural Resources. Standard Construction Measure #9 requires the SFPUC to adhere to appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition protocols in the event human remains are encountered. As a result, this impact would be *less than significant*.

Paleontological Resources

Replacement of the pipeline for the modified project would involve trench excavation up to 11 feet deep and 5 feet wide in Arroyo de la Laguna and up to 10 feet deep and 2.5 feet wide outside of the creek. Caltrans conducted analysis for native geologic and soil conditions as well as paleontological resources in the vicinity of the Caltrans Arroyo de la Laguna Bridge Project, which is adjacent to the modified project site. The analysis determined that the bridge project would be constructed on previously disturbed soils and on alluvium of relatively recent deposits, soils that are paleontologically sensitive would not be encountered, and the bridge replacement project would not impact paleontological resources.[18] This is consistent with the San Antonio Backup Pipeline Project EIR's characterization of Holocene alluvium as consisting of loose deposits of sand, silt, and gravel within active stream channels, alluvial fans, and young stream terraces and having low potential for paleontological resources. It is unlikely that construction activity associated with the modified project within this geologic unit would disturb or destroy a unique or significant paleontological resource. Therefore, the modified project would not result in a significant impact on unique paleontological resources, and Mitigation Measure M-CP-3 (Paleontological Resources Mitigation Program) required for the approved project would not be required for the modified project. This impact would be *less than significant*.

Tribal Cultural Resources

The San Antonio Backup Pipeline Project EIR did not analyze impacts on tribal cultural resources, as this topic was not mandated for inclusion under CEQA until 2016. As defined in Public Resources Code section 21074, a Tribal Cultural Resource is either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

[18] Caltrans, Arroyo de la Laguna Bridge Project Final Environmental Impact Report/Environmental Assessment with Finding of No Significant Impact, December 2021.

As discussed above, archeological site CA-ALA-677/H was found eligible for inclusion to the National Register of Historic Places. The California Register automatically includes California historical resources listed in, or formerly determined eligible for, the National Register. As such, CA-ALA-677/H as a historic property previously determined eligible for inclusion to the National Register is likewise eligible for inclusion to the California Register. Furthermore, as a California Register-eligible resource and a site with cultural value to a California Native American tribe,[19] CA-ALA-677/H is considered a Tribal Cultural Resource. As described above, the modified project's ground disturbing activities on the east side of the Arroyo de la Laguna could impact CA-ALA-677/H. The modified project would implement SFPUC Archeological Measure III per Standard Construction Measure #9, which requires preparation and implementation of an Archeological Data Recovery Plan when a significant archeological resource is known or expected to be present in a construction work area and preserving the resource in place is not feasible. The Archeological Data Recovery Plan would include the following: field strategies and procedures for both data recovery and archeological monitoring during construction; analysis procedures for recovered materials; provisions for the treatment of human remains discovered during completion of either data recovery and/or monitoring; consideration of development of an interpretive program; security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities; and the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. Because data from the site would be properly extracted and treated, the modified project would not result in a substantial adverse impact to CA-ALA-677/H.

Standard Construction Measure #9 includes provisions for consultation on Tribal Cultural Resources when a significant Native American archeological resource such as CA-ALA-677/H is identified. The San Francisco Planning Department, in coordination with SFPUC, sent out tribal cultural resources notification letters for the modified project on August 9, 2022 to Native American representatives on the Native American Heritage Commission list for Alameda County. The Planning Department received two requests for consultation and undertook consultation in coordination with SFPUC on September 7, 2022, and September 12, 2022. During consultation, Native American tribal representatives requested to review all archeological plans and reports prepared for the modified project, requested a tribal monitor be present during soil disturbing activities including tree removal, requested that SFPUC identify an appropriate proposed location for the reburial of human remains in close proximity of the modified project the site in case human remains are discovered during project activities, and requested that data recovery efforts prioritize hand excavation rather than mechanical soil moving techniques. As mentioned above, as required by Standard Construction Measure #9 (including SFPUC Archeological Measure III), an Archeological Data Recovery Plan is required for this project and that plan would include the above provisions requested by the tribal representatives. Therefore, with implementation of Standard Construction Measure #9 (including SFPUC Archeological Measure III) and Native American consultation, potential impacts on tribal cultural resources would be *less than significant*.

[19] A. Leventhal, D. DiGiuseppe, D. Grant, R. Cambra, M. Arellano, S. Guzman-Schmidt, G. Gomez, and A. Sanchez, Report on the Analysis and Temporal Placement of an Ancestral Muwekma Ohlone Burial Recovered from *'Ayttakiš 'Éete Hiramwiš Trépam-tak* [Place of Woman Sleeping Under the Pipe Site], CA-ALA-667/H, 2017.

Summary

In summary, with the SFPUC's required implementation of its Standard Construction Measure #9 (including SFPUC Archeological Measure III), construction of the modified project would not result in new or substantially more severe significant impacts on cultural and paleontological resources greater than those identified in the San Antonio Backup Pipeline Project EIR.

CUMULATIVE IMPACTS

The EIR evaluated the cumulative impact on historical architectural resources from the approved project in combination with other projects in the vicinity and found that significant cumulative impacts on historical architectural resources could result, and that the approved project's contribution to this impact could be cumulatively considerable (significant). However, the EIR concluded that, with implementation of mitigation measures, the approved project's contribution would be less than cumulatively considerable (less than significant). The modified project would have no impact on historical architectural resources and therefore would not contribute to cumulative impacts on historical architectural resources (*no impact*).

The EIR evaluated the cumulative impact on unknown archeological resources from the approved project in combination with other construction projects in the vicinity and found that significant cumulative impacts on archeological resources could result, and that the approved project's contribution to this impact could be cumulatively considerable (significant). However, the EIR concluded that, with implementation of mitigation measures, the project's contribution would be less than cumulatively considerable (less than significant).

The geographic scope for the analysis of cumulative archeological impacts relative to the modified project would be limited to known resources or archeologically sensitive areas that could be impacted by both the modified project and any other identified cumulative project.

Both the modified project and the Caltrans Arroyo de la Laguna Bridge Project could impact CA-ALA-677/H,[20] a National Register-eligible resource. The modified project would prepare and implement an Archeological Data Recovery Plan per Standard Construction Measure #9 (including SFPUC Archeological Measure III). Similarly, Caltrans would implement a treatment and data recovery plan to mitigate the bridge replacement project's impact to a less-than-significant level, as concluded by Caltrans.[21] Because both the modified project and the bridge replacement project include measures to ensure data from the site is properly extracted and treated, significant cumulative impacts on CA-ALA-677/H would not occur. Both projects could contribute to a significant cumulative impact on unanticipated subsurface archeological deposits. However, with SFPUC's required implementation of its Standard Construction Measure #9, the modified project's contribution to significant cumulative impacts on archeological resources would be less than cumulatively considerable (*less than significant*).

[20] Caltrans, Arroyo de la Laguna Bridge Project Final Environmental Impact Report/Environmental Assessment with Finding of No Significant Impact, December 2021.
[21] Ibid.

The EIR evaluated the cumulative impact of accidental discovery of human remains in combination with such impacts from other projects in the area and found that significant cumulative impacts could result, and that the approved project's contribution could be cumulatively considerable (significant). However, the EIR concluded that with implementation of mitigation measures the project's contribution would be less than cumulatively considerable (less than significant).

The geographic scope for the analysis of cumulative impacts on human remains relative to the modified project would be limited to areas with suspected human remains that could be impacted by both the modified project and any other identified cumulative project (see page 16).

Both the modified project and the Caltrans Arroyo de la Laguna Bridge Project would include ground disturbing activities within the boundaries of CA-ALA-677/H, which is known to contain human remains; therefore, construction activities for the modified project and bridge replacement have the potential to disturb human remains. The modified project would implement Standard Construction Measure #9, which requires the SFPUC to adhere to appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition protocols, in the event human remains are encountered. Caltrans would implement similar protocols for the evaluation and treatment of human remains in accordance with applicable laws, in the event human remains are encountered, to mitigate the bridge replacement project's impact to a less-than-significant level, as concluded by Caltrans.[22] Because both the modified project and the bridge replacement project include measures to ensure the proper treatment of human remains, if encountered, significant cumulative impacts on human remains would not occur. Therefore, any cumulative impacts on human remains would be *less than significant*.

The EIR evaluated the cumulative impact on paleontological resources from project construction in combination with other construction projects located in generally similar geologic settings and found that significant cumulative impacts on paleontological resources could result, and that the approved project's contribution to this impact could be cumulatively considerable (significant). However, the EIR concluded that, with implementation of identified mitigation measures, the approved project's contribution would be less than cumulatively considerable (less than significant). As described above, the modified project site and nearby vicinity has low sensitivity for paleontological resources and would not be expected to result in a significant impact on unique paleontological resources. Therefore, any cumulative impacts on paleontological resources would be *less than significant*.

As noted above, the San Antonio Backup Pipeline Project EIR did not analyze impacts on tribal cultural resources, as this topic was not mandated for inclusion under CEQA until 2016. The geographic scope for the analysis of cumulative impacts on tribal cultural resources relative to the modified project would be limited to areas with known or suspected tribal cultural resources that could be impacted by both the modified project and any other identified cumulative project (see page 16).

Both the modified project and the Caltrans Arroyo de la Laguna Bridge Project would include ground disturbing activities within the boundaries of CA-ALA-677/H, a tribal cultural resource. For the modified

[22] Ibid.

project, the SFPUC would prepare and implement an Archeological Data Recovery Plan per its Standard Construction Measure #9 (including SFPUC Archeological Measure III). In addition, the SFPUC has participated in Native American consultation which was conducted by the San Francisco Planning Department for the modified project, as required by Standard Construction Measure #9. Similarly, Caltrans consulted with Native American tribes and would implement a treatment and data recovery plan to mitigate the bridge replacement project's impact to a less-than-significant level, as concluded by Caltrans.[23] Because both the modified project and the bridge replacement project include measures to ensure data from the site is properly extracted and treated in consultation with Native American tribes, significant cumulative impacts on tribal cultural resources would not occur. Therefore, any cumulative impacts on tribal cultural resources would be *less than significant*.

In summary, the modified project would not result in new significant cumulative impacts on cultural and paleontological resources that were not previously identified in the San Antonio Backup Pipeline Project EIR, would not result in more severe impacts than those identified, and would not require new mitigation measures.

Biological Resources

SAN ANTONIO BACKUP PIPELINE PROJECT EIR FINDINGS

The San Antonio Backup Pipeline Project EIR found that the approved project would have potentially significant impacts on biological resources related to the following significance criteria:

- Having a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service
- Having a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service
- Having a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means
- Interfering substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites
- Conflicting with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance

[23] Ibid.

The approved project was determined to have no impacts related to conflicts with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other adopted local, regional, or state habitat conservation plan.

Special-Status Species

The San Antonio Backup Pipeline Project EIR concluded that construction of the approved project could result in potentially significant impacts associated with the temporary and permanent loss of habitat and direct mortality of California red-legged frog (*Rana draytonii*), California tiger salamander (*Ambystoma californiense*), Alameda whipsnake (*Coluber lateralis euryxanthus*), as well as Steelhead trout and Chinook salmon, and from the loss and disruption of habitat for nesting birds, raptors, and bats. The EIR also determined that operation of the approved project could result in potentially significant impacts associated with mortality of California red-legged frogs as a result of entrainment in dewatering pump intakes. The EIR concluded that impacts to special-status species and their habitat from the approved project's construction and operation would be reduced to a less-than-significant level through implementation of Mitigation Measures M-BI-1a (General Protection Measures), M-BI-1b (Worker Training and Awareness Program), M-BI-1c (Minimize Disturbance to Riparian Habitat), M-BI-1d (Prevent Movement of Specific Species through the Work Areas), M-BI-1e (Preconstruction Surveys and Construction Monitoring and Protocols for California Tiger Salamander, California Red-Legged Frog, and Alameda Whipsnake), M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation), M-BI-1g (Measures to Minimize Disturbance to Special-Status Bird Species), M-BI-1h (Conduct Preconstruction Surveys for Any Special-Status Bats Found and Implement Avoidance and Minimization Measures), M-HY-1a (Preparation and Implementation of a SWPPP [Stormwater Pollution Prevention Plan]), and M-HY-1b (Creek Restoration and Revegetation).

Sensitive Habitats

The EIR determined that construction of the approved project would have potentially significant impacts related to temporary removal of riparian habitat and from the permanent loss of native and mature trees that provide essential habitat for wildlife. However, with implementation of Mitigation Measures M-BI-1a (General Protection Measures), M-BI-1b (Worker Training and Awareness Program), M-BI-1c (Minimize Disturbance to Riparian Habitat), and M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation), these impacts would be reduced to a less-than-significant level. The EIR concluded that the approved project's operation and maintenance activities that would require surface disturbance would primarily occur in areas characterized by developed and ruderal habitats, and therefore impacts to sensitive habitats during project operation would be less than significant.

Wetlands and Aquatic Resources

The EIR found that construction-related impacts on federal and state jurisdictional waters could occur within or immediately adjacent to San Antonio Creek, at an unnamed ephemeral tributary to Alameda Creek, and at a freshwater marsh, due to the temporary loss of habitat, discharge of fill into jurisdictional waters, erosion and sedimentation, and loss of water quality from pollution and dewatering discharges. The EIR concluded that implementation of Mitigation Measures M-BI-1a (General Protection Measures), M-BI-1b (Worker Training and Awareness Program), M-BI-1c (Minimize Disturbance to Riparian Habitat),

M-BI-1d (Prevent Movement of Specific Species through the Work Areas), M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation), M-BI-3 (Avoidance and Protection Measures for Jurisdictional Water Bodies), M-HY-1a (Preparation and Implementation of a SWPPP [Stormwater Pollution Prevention Plan]), and M-HY-1b (Creek Restoration and Revegetation) would reduce construction impacts on jurisdictional waters to a less-than-significant level. No direct discharges of water into Alameda or San Antonio Creeks were proposed as part of the approved project's operations, but there could be an increase in the volume or frequency of discharges to Alameda Creek during wet years. The EIR concluded that in the event that project operations were to increase the frequency or volume of discharges to Alameda Creek, effluent limitations imposed by National Pollutant Discharge Elimination System permit requirements would ensure that any resulting impacts on creeks would be less than significant.

Wildlife Movement and Migratory Corridors

The EIR concluded that the approved project could have a significant impact related to restricting fish movement during open-trench construction across San Antonio Creek; however, this impact would be mitigated to a less-than-significant level by performing this work during the dry season when fish are unlikely to be present as required by Mitigation Measure M-BI-1c (Minimize Disturbance to Riparian Habitat).

Local Policies or Ordinances Protecting Biological Resources

The relevant policies and ordinances protecting biological resources in the approved project area are the Alameda Watershed Management Plan and the Alameda County Tree Ordinance. The EIR noted that it is the standard practice of the SFPUC to conduct construction activities in accordance with the policies of the Alameda Watershed Management Plan. These standard practices include conducting appropriate surveys, minimizing the extent of the construction zone in areas of sensitive biological features, and carrying out construction so as to minimize impacts on biological resources. The EIR concluded that the approved project could adversely affect trees within the Alameda County right-of-way, but that implementation of Mitigation Measure M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation) to ensure consistency with the Alameda County Tree Ordinance and would reduce this impact to a less-than-significant level.

MODIFIED PROJECT IMPACTS

A biological resources assessment[24] was prepared for the modified project to assess the presence of—or potential for—sensitive biological resources within the modified project site. These studies included reconnaissance-level wildlife habitat suitability surveys, vegetation mapping, rare plant surveys, a tree inventory, and a wetland delineation. In addition, Biological Assessments,[25,26] pursuant to Section 7 of the federal Endangered Species Act, were prepared in support of permit applications for the modified project.

[24] AECOM, Town of Sunol Pipeline Project Biological Resources Assessment, May 2022.
[25] AECOM, Biological Assessment for Section 7 Consultation with United States Fish and Wildlife Service, Town of Sunol Pipeline Project, December 2022.
[26] AECOM, Biological Assessment for Section 7 Consultation with National Marine Fisheries Service, Town of Sunol Pipeline Project, December 2022.

The biological resources assessment and Biological Assessments were used along with the San Antonio Backup Pipeline Project EIR to evaluate the modified project as discussed below.

As with the approved project, the modified project would have ***no impact*** related to conflicts with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other adopted local, regional, or state habitat conservation plan because there are no such approved or adopted plans in the modified project area.

Special-Status Species

Two special-status plants were determined to have a moderate potential to occur in the modified project site; these include Diablo helianthella (*Helianthella castanea*) and Congdon's tarplant (*Centromadia parryi* ssp. *Congdonii*). Although surveys in September 2021 were conducted well after the blooming period for Diablo helianthella (March through June), this perennial plant would have been identified to the level of the Heliantheae tribe[27] within the Asteraceae family. Because no such plants were encountered, this plant is considered absent from the modified project site. The survey was conducted within the blooming period of Congdon's tarplant, so this plant would have likely been detected if it were present. All other special-status plant species were determined to have a low or no potential to occur in the modified project site. [28] Therefore, the modified project would have no impact on special-status plants.

No special-status wildlife species were observed during a reconnaissance-level survey performed in September 2021; however, based on records from the California Natural Diversity Database and habitat types present within the modified project site, the following species have a moderate or greater potential to occur in the study area for the modified project, and are discussed further below:[29]

Fish

- Steelhead trout – Central California Coast distinct population segment (*Oncorhynchus mykiss*): Federally Threatened
- Pacific lamprey (*Entosphenus tridentatus*): California Department of Fish and Wildlife Species of Special Concern
- Western river lamprey (*Lampetra ayresii*) and western brook lamprey (*Lampetra richardsoni*): California Department of Fish and Wildlife Species of Special Concern

Reptiles and Amphibians

- Western pond turtle (*Emys marmorata*): California Department of Fish and Wildlife Species of Special Concern

[27] In biology, a tribe is a taxonomic rank above genus, but below family and subfamily.
[28] AECOM, Town of Sunol Pipeline Project Biological Resources Assessment, May 2022.
[29] Ibid.

- California tiger salamander – central California distinct population segment (pop. 1): Federally Threatened, State Threatened(dispersal habitat only)
- California red-legged frog: Federally Threatened, California Department of Fish and Wildlife Species of Special Concern (aquatic and upland dispersal habitat only)

Birds

- Golden eagle (*Aquila chrysaetos*): California Department of Fish and Wildlife Fully Protected, Bald and Golden Eagle Protection Act (foraging only)
- Tricolored blackbird (*Agelaius tricolor*): State Threatened (foraging only)
- White-tailed kite (*Elanus leucurus*): California Department of Fish and Wildlife Fully Protected (nesting and foraging)

Bats and Other Mammals

- Pallid bat (*Antrozous pallidus*): California Department of Fish and Wildlife Species of Special Concern
- Townsend's big-eared bat (*Corynorhinus townsendii*): California Department of Fish and Wildlife Species of Special Concern
- San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*): California Department of Fish and Wildlife Species of Special Concern

Similar to the approved project, construction activities for the modified project could cause loss of habitat for special-status species as well as direct mortality to individuals, as further described below. Operational activities would involve facilities monitoring and maintenance; these activities would have less-than-significant impacts on special-status species due to the infrequency and limited nature of these activities.

Special Status Fish

The project area for the modified project does not contain spawning habitat for steelhead but they could migrate through the area. Construction within the creek would occur during the summer months, which is outside of the migration season (December through April), when steelhead would be unlikely to be present.[30] Although not previously documented within this in this section of Arroyo de la Laguna, lamprey have been observed downstream from the modified project and therefore could occur in the modified project area.[31] Construction activities could result in direct injury or mortality of steelhead, Pacific lamprey, western river lamprey, and western brook lamprey, and their movements could be restricted if surface flows and fish are present during pipeline replacement across the creek. Adverse water-quality effects caused by erosion and sedimentation within the construction area and accidental discharge of hazardous materials used during construction could degrade aquatic habitat for these species. In addition, changes

[30] Ibid.
[31] Ibid.

in sediment deposition caused during construction could potentially alter channel morphology due to changes in the shape or configuration of the creek.

Mitigation Measure M-BI-1c (Minimize Disturbance to Riparian Habitat) requires in-channel work to be performed during the dry season, as is proposed by the modified project to reduce potential impacts on special-status migratory fish. Standard Construction Measure #7 (Biological Resources) requires SFPUC projects to comply with all local, state, and federal requirements for the protection of biological resources, including implementing measures as necessary to protect resources in accordance with applicable regulations. Consistent with Standard Construction Measure #7 and in support of compliance with Section 7 of the federal Endangered Species Act as required for project permits, the SFPUC prepared a Biological Assessment addressing the potential impacts of the modified project on federally listed fish for review by the National Marine Fisheries Service. The Biological Assessment identified conservation measures that are anticipated to be required for the Clean Water Act Section 404 permit from the United States Army Corps of Engineers to minimize effects to steelhead from temporary diversion of the creek and dewatering activities during construction. These include having a National Marine Fisheries Service-approved biological monitor present during construction activities that could result in injury, mortality, or harassment; implementing a fish relocation plan for stranded fish; and screening pump intakes in accordance with National Marine Fisheries Service Fish Screening Criteria for Anadromous Salmonids during dewatering activities to avoid entrainment.[32] Because these measures have been identified to further reduce potential project impacts on special-status fish, Mitigation Measure M-BI-1c has been updated to incorporate these provisions. Although Pacific lamprey, western river lamprey, and western brook lamprey are not federally listed, implementation of these conservation measures for steelhead would also reduce impacts to these lamprey species from creek diversion and dewatering activities.

The San Antonio Backup Pipeline Project EIR contained Mitigation Measure M-HY-1a, Preparation and Implementation of a SWPPP (Storm Water Pollution Prevention Plan), to reduce potential water quality impacts on special-status fish. Because the modified project site is less than one acre, a SWPPP would not be required for the project. However, implementation of Standard Construction Measure #3 (Water Quality) and Standard Construction Measure #6 (Hazardous Materials) would provide similar water quality protections. Standard Construction Measure #3 (Water Quality) requires that erosion and sedimentation controls be tailored to the modified project site, such as the following: fiber rolls and/or gravel bags around storm drain inlets; installation of silt fences; and other such stormwater best management practices sufficient to prevent discharges of sediment and other pollutants to storm drains and all surface waterways. Standard Construction Measure #6 (Hazardous Materials) requires implementation of best management practices to prevent the release of hazardous materials used during construction such as storing them pursuant to manufacturer recommendation, maintaining spill kits onsite, and containing any spills that occur to the extent safe and feasible followed by collection and disposal in accordance with applicable laws. Implementation of these Standard Construction Measures would reduce potential effects

[32] AECOM, Biological Assessment for Section 7 Consultation with National Marine Fisheries Service, Town of Sunol Pipeline Project, December 2022.

on special-status fish from creek diversion and dewatering, sedimentation, and accidental pollutant discharge to less-than-significant levels.

Even with implementation of Mitigation Measure M-BI-1c (Minimize Disturbance to Riparian Habitat) and Standard Construction Measures #3 (Water Quality) and #6 (Hazardous Materials), other construction activities could adversely affect special-status fish species. For example, disturbance could result from the initial movement of personnel and equipment during tree and vegetation removal and installation of the temporary bypass structure. Permanent alteration of the geometry of the creek could change sedimentation patterns and affect important habitat characteristics such as pools and riffles. Such impacts from construction that could adversely affect the health of special-status fish, result in directly mortality, or substantially degrade or result in the loss of important habitat could be potentially significant. However, impacts on special-status fish would be reduced to less-than-significant levels through implementation of Mitigation Measures M-BI-1a (General Protection Measures), M-BI-1b (Worker Training and Awareness Program), M-BI-3 (Avoidance and Protection Measures for Jurisdictional Water Bodies), and M-HY-1b (Creek Restoration and Revegetation) by requiring general best management practices and housekeeping measures to minimize or avoid impacts on fish and wildlife species and habitats, worker awareness training, measures to protect surface waters and wetlands (e.g., installation of protective fencing and signage); and ensuring restoration of the disturbed creek channel to pre-existing conditions.

Mitigation Measure M-BI-1a for the approved project has been modified to align with Mitigation Measure M-BI-1d and to reflect conditions at the modified project site because the installation of 4-foot-high exclusion fencing around the limits of construction, as required for the approved project, would not be feasible for the entirety of the modified project site due to the locations of access and work areas within the grounds of Sunol Glen Elementary School. For the modified project, and as also required by Mitigation Measure M-BI-1d (Prevent Movement of Specific Species through the Work Areas), temporary exclusion fencing would be installed in areas where there is suitable habitat for special-status species that travel over ground and there is moderate or greater potential for such species to occur (i.e., Arroyo de la Laguna Creek riparian area excluding the developed areas of Sunol Glen Elementary School which do not provide suitable habitat). In addition, Mitigation Measure M-BI-3, developed for the approved project, addresses features (e.g., freshwater marsh) and locations (e.g., San Antonio Creek) that are not within the modified project area; therefore, Mitigation Measure M-BI-3 has been modified to reflect the measures required to reduce the impacts of the modified project. Modifications to the approved project's mitigation measures are indicated below in strikethrough for text deletions and double underline for text additions.

Special Status Reptiles and Amphibians

Construction would occur in areas that potentially serve as dispersal habitat for California tiger salamander and California red-legged frog. Site clearing and trenching could temporarily remove upland dispersal habitat for these species and impede dispersal activities or result in direct mortality during the approximate four-month construction period. Similarly, construction activities could result in loss or degradation of aquatic habitat and adjacent upland nesting habitat for western pond turtle and direct mortality of individuals. Dewatering within the creek could also result in injury or mortality to California

red-legged frog, although this work would occur during the summer months when California red-legged frog is less likely to disperse through aquatic habitat.[33] Trenches and excavations, if left open during the night, could trap and injure California tiger salamander, California red-legged frog, and western pond turtle that are moving through the construction area. Adverse water-quality effects caused by erosion and sedimentation within the construction area and accidental discharge of hazardous materials used during construction could also degrade habitat for these three species.

Implementation of Mitigation Measures M-BI-1a (General Protection Measures), M-BI-1b (Worker Training and Awareness Program), M-BI-1c (Minimize Disturbance to Riparian Habitat), M-BI-1d (Prevent Movement of Specific Species through the Work Areas), M-BI-1e (Preconstruction Surveys and Construction Monitoring and Protocols for California Tiger Salamander, California Red-legged Frog, and Alameda Whipsnake), and M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation) would reduce potential impacts to California tiger salamander, California red-legged frog, and western pond turtle to a less-than-significant level by requiring screening of dewatering pump intakes with a maximum mesh size of 5 millimeters to avoid entrainment, worker awareness training, preconstruction surveys, conducting in-channel work during the dry season, installation of exclusion fencing, construction monitoring, revegetation of disturbed areas, and monitoring of restored areas to ensure replacement of impacted habitat in accordance with outlined performance standards. As with the approved project, Mitigation Measure M-BI-1e requires pre-construction surveys, exclusion fencing around identified California tiger salamander and California red-legged frog burrow/estivation areas, and construction monitoring, which would also minimize potential impacts on western pond turtle. Further, the SFPUC would implement Standard Construction Measure #3 (Water Quality) and #6 (Hazardous Materials) as described above for special-status fish to reduce potential water quality impacts on these species.

Mitigation Measure M-BI-1e, developed for the approved project, references San Antonio Creek. For the modified project, this measure would be applied to Arroyo de la Laguna, which is a similar resource supporting similar special-status species. In addition, this measure addresses Alameda whipsnake, which was determined to have a low potential to occur in the study area for the modified project.[34] Although significant impacts to Alameda whipsnake are not expected to result from the modified project, the provisions of this measure would be required if the species is detected at the modified project site. In any case, implementation of Mitigation Measures M-BI-1a, M-BI-1b, M-BI-1c, M-BI-1d, M-BI-1e, and M-BI-1f would reduce the modified project's impacts on special-status reptiles and amphibians to a less-than significant level for the same reasons described above.

It should be noted that Mitigation Measure M-BI-1f includes compensatory mitigation for permanent loss of non-native grassland and ruderal habitat that provide potential low-quality upland refugial and dispersal habitat for California red-legged frog and California tiger salamander, which was an impact of the approved project. Because the modified project would not result in permanent loss of non-native

[33] AECOM, Biological Assessment for Section 7 Consultation with United States Fish and Wildlife Service, Town of Sunol Pipeline Project, December 2022.
[34] AECOM, Town of Sunol Pipeline Project Biological Resources Assessment, May 2022.

grassland and ruderal habitat, compensatory mitigation for the loss of these habitat types would not be required for the modified project. Therefore, Mitigation Measure M-BI-1f, as written for the approved project, was revised for the modified project to remove this requirement as well as to remove references to activities that were part of the approved project but not applicable to modified project (e.g., preparation of spoils sites, removal of trees in the Alameda County Calaveras Road right-of way).

Special Status Birds and Bats

White-tailed kite has the potential to both forage and nest within the modified project area, whereas golden eagle and tricolored blackbird may forage in this area. Common nesting birds that are protected by the Migratory Bird Treaty Act also have the potential to forage and nest within the modified project area. In addition, pallid bat and Townsend's big-eared bat both have the potential to forage and roost (in trees) within the project area for the modified project. Temporary construction activities proposed under the modified project would not have a significant impact on special-status bird and bat foraging due to their temporary nature (approximately four months) and the wide availability of comparable foraging habitat in the surrounding areas. However, construction of the modified project could impact the nesting or roosting activities of these species, potentially resulting in mortalities, which would be a significant impact. Implementation of Mitigation Measures M-BI-1b (Worker Training and Awareness Program), M-BI-1g (Measures to Minimize Disturbance to Special-Status Bird Species), and M-BI-1h (Conduct Preconstruction Surveys for Any Special-Status Bats Found and Implement Avoidance and Minimization Measures) would reduce potential impacts to special-status bird and bat species to a less-than-significant level by requiring worker awareness training, preconstruction surveys, and protection of the nesting and roosting activities of these species during construction.

It should be noted that Mitigation Measure M-BI-1h addressing preconstruction surveys for bats refers to the demolition of two quarry buildings, which was part of the approved project. The modified project does not include demolition of built features where bats could roost so this component of the mitigation measure (the survey of buildings prior to their demolition) would not be required for the modified project. The required implementation of Mitigation Measure M-BI-1h would instead focus on trees that are proposed for removal. Therefore, the text of Mitigation Measure M-BI-1h for the approved project was modified as appropriate for the modified project, as presented below.

San Francisco duskyīfooted woodrat

Construction activities in and near Arroyo de la Laguna, such as vegetation removal and trenching, could disturb or destroy San Francisco dusky-footed woodrat dens (middens made of piled sticks) and harm individuals of this species, which have a moderate potential to occur within the area proposed for the modified project.[35] Under the modified project, SFPUC would implement Standard Construction Measure #7 to comply with all local, state, and federal requirements protecting biological resources, which includes carrying out preconstruction surveys, as necessary, based on site conditions, and installing wildlife exclusion fencing, among other measures. Therefore, SFPUC would conduct preconstruction surveys for dusky-footed woodrat and any identified active woodrat dens would be relocated outside of the work

[35] Ibid.

area. Wildlife exclusion fencing installed per Standard Construction Measure #7 would restrict woodrats from entering the work area during construction. Therefore, with implementation preconstruction survey for woodrats, relocation of any active dens identified, and installation of wildlife exclusion fencing consistent with Standard Construction Measure #7, significant impacts to San Francisco dusky-footed woodrat would be avoided (less than significant).

Mitigation Measure M-BI-1a: General Protection Measures

The SFPUC shall ensure that the following general measures are implemented by the contractor(s) during construction to minimize or avoid impacts on biological resources:

- Construction contractor(s) shall minimize the extent of the construction disturbance as much as feasible.
- Prior to the start of construction, the construction contractor, in coordination with a qualified biologist, shall install 4-foot-tall temporary exclusion fencing at selected locations along the work area boundaries where there is suitable habitat for special-status species~~the limits of construction~~. In addition, fencing shall be installed outside the driplines of all trees to be retained that are located within 50 feet of any grading, road improvements, underground utilities, or other construction activity. A qualified biologist and the SFPUC must first approve any encroachment beyond these fenced areas. The contractor shall maintain the temporary fencing until all construction activities are completed. ~~No construction activities, parking, or staging shall occur beyond the fenced areas.~~
- Project-related vehicles shall observe a 15-mile-per-hour speed limit on unpaved roads in the work area, or as otherwise determined by the applicable regulatory agencies.
- The contractor shall provide closed garbage containers for the disposal of all food-related trash items (e.g., wrappers, cans, bottles, food scraps). All garbage shall be collected daily from the project site and placed in a closed container, from which garbage shall be removed weekly.
- Construction personnel shall not feed or otherwise attract fish or wildlife in the project area.
- No pets shall be allowed in the project area.
- No firearms shall be allowed in the project area.
- Staging areas shall be located at least 50 feet from riparian habitat, creeks, and wetlands, where feasible.
- If vehicle or equipment fueling or maintenance is necessary, it shall be performed in the designated staging areas.
- In cases where excavations require dewatering, the intakes shall be screened with a maximum mesh size of 5 millimeters.

Mitigation Measure M-BI-1b: Worker Training and Awareness Program.

The SFPUC shall ensure that mandatory biological-resources awareness training is provided to all construction personnel as follows:

- The training shall be developed and provided by a qualified biologist or construction compliance manager familiar with the sensitive species that may occur in the project area. If a consulting biologist prepares the training program, SFPUC staff shall approve the program prior to implementation.
- The training shall be provided before any work, including vegetation clearing and grading, occurs within the work area boundaries.
- The training shall provide education on the natural history of the special-status species potentially occurring in the project area, and discuss the required mitigation measures to avoid impacts on the special-status species and the penalties for failing to comply with biological mitigation requirements.
- If new construction personnel are added to the project, the contractor shall ensure that they receive training prior to starting work. The subsequent training of personnel can include a videotape of the initial training and/or the use of written materials rather than in-person training by a biologist.

Mitigation Measure M-BI-1c: Minimize Disturbance to Riparian Habitat

To minimize disturbance to creeks and riparian habitat, the SFPUC and its contractors shall conduct in-channel work in ~~San Antonio Creek~~ Arroyo de la Laguna during the dry season.

A fish relocation plan shall be developed and submitted to the National Marine Fisheries Service for approval 30 days prior to in-channel construction work. This plan shall incorporate the latest National Marine Fisheries Service guidance relating to the capture and relocation of any stranded fish to an appropriate place, depending on the life stage of the fish and flow conditions in the vicinity.

A National Marine Fisheries Service-approved biological monitor shall be present on site for all construction activities that could result in potential take (e.g., injury, mortality, or harassment) of covered fish species, including dewatering activities and fish relocation.

Dewatering to create a dry work area and shall be conducted in a manner that minimizes turbidity into nearby waters.

If pumping is necessary for channel diversion, the pump intakes shall be provisioned with National Marine Fisheries Service -approved fish screening, as outlined in National Marine Fisheries Service Fish Screening Criteria for Anadromous Salmonids. [36]

Mitigation Measure M-BI-1d: Prevent Movement of Specific Species through the Work Areas.

To prevent CTS [California tiger salamander], CRLF [California red-legged frog], Alameda whipsnake, and other special-status species from moving through the project area, the SFPUC or

[36] National Marine Fisheries Service - Southwest Region, Fish Screening Criteria for Anadromous Salmonids. January 1997.

its contractors shall install temporary exclusion fencing at selected locations along the work area boundaries (including access roads, staging areas, etc.) prior to the start of project construction activities. Fencing locations will be based on observations of these specific species or the presence of habitats that are likely to support higher densities of these species. Other portions of the work area boundaries would not be fenced, based on coordination with the CDFG [California Department of Fish and Game/Wildlife] and USFWS [U.S. Fish and Wildlife Service]. The SFPUC shall monitor disturbance areas to determine whether additional fencing is necessary to minimize potential impacts. The SFPUC shall ensure that the temporary fencing is continuously maintained until all construction activities are completed and that construction equipment is confined to the designated work areas. The fencing shall be made of suitable material that does not allow any of the animals listed above to pass through, and the bottom shall be buried to a depth of 6 inches (or to a sufficient depth as specified by the applicable resource agencies) so that these species cannot crawl under the fence.

During fence installation, a qualified biological monitor shall be present onsite to relocate any animals to outside the work area boundaries. The biologist must be authorized by the federal (USFWS) and/or state (CDFG) regulatory agencies to relocate animals. After construction is completed, the exclusion fencing shall be removed.

Mitigation Measure M-BI-1e: Preconstruction Surveys and Construction Monitoring and Protocols for California Tiger Salamander, California Red-Legged Frog, and Alameda Whipsnake.

Preconstruction Surveys

Prior to initial ground-disturbing activities in the project area, a qualified biologist shall survey the construction areas as well as undeveloped areas in the immediate vicinity for the presence of CTS [California tiger salamander], CRLF [California red-legged frog], and Alameda whipsnake, as follows:

California tiger salamander and California red-legged frog. Not more than two weeks prior to the onset of work activities (including equipment mobilization) and immediately prior to commencing work, the qualified biologist shall survey upland habitat in the project area for CTS and CRLF, and potential refuge or burrow/estivation sites. As feasible, burrow/estivation areas identified within the project boundaries shall be temporarily fenced (per Mitigation Measure M-BI-1d) and avoided. At locations where potential refuge/estivation burrows are identified and cannot be avoided, the burrows shall be excavated by hand or by other means approved by the CDFG [California Department of Fish and Game/Wildlife] and USFWS [U.S. Fish and Wildlife Service] prior to construction. If a burrow is occupied, the individual animal shall be moved to a natural burrow or artificial burrow constructed of PVC pipe within 0.25 mile of the project area or other location as agreed to by the appropriate agencies.

Alameda whipsnake. Not more than two weeks prior to the onset of work activities (including equipment mobilization) and immediately prior to commencing work, a qualified biologist shall

conduct a reconnaissance survey of suitable upland habitat for Alameda whipsnake in the project area. If an Alameda whipsnake is found, the qualified biologist shall relocate the animal outside of the construction area. Excavation, relocation, or collapse of burrows shall only be conducted as authorized by the USFWS (for federally listed species), by the CDFG (for state-listed species), or by both agencies (for species protected at both the federal and state levels).

Construction Monitoring and Protocols

At the beginning of each workday that includes initial ground disturbance, including grading, excavation, and vegetation-removal activities, a qualified biologist shall conduct onsite monitoring for the presence of CTS, CRLF, and Alameda whipsnake in the area where ground disturbance shall occur, as follows:

- ~~San Antonio Creek~~Arroyo de la Laguna shall be surveyed prior to any ground-disturbing or vegetation removal activities at or near this creek.
- Perimeter fences shall be inspected to ensure they do not have any tears or holes, that the bottoms of the fences are still buried, and that no individuals have been trapped in the fences.
- Any CTS, CRLF, or Alameda whipsnakes found along and inside the fence shall be closely monitored until they move away from the construction area.
- All open trenches or holes and areas under parked vehicles shall be checked for the presence of CTS, CRLF, and whipsnakes.
- All excavated or deep-walled holes or trenches greater than 2 feet shall be covered at the end of each workday using plywood or similar materials or escape ramps shall be constructed of earth fill or wooden planks. Before such holes are filled, they shall be thoroughly inspected for trapped animals.
- Project personnel shall be required to immediately report any harm, injury, or mortality of a special status species during construction (including entrapment) to the construction foreman or biological monitor, and the construction foreman or biological monitor shall immediately notify the SFPUC. The SFPUC shall provide verbal notification to the USFWS Endangered Species Office in Sacramento, California and/or to the local CDFG warden or biologist (as applicable) within one working day of the incident. The SFPUC shall follow up with written notification to the USFWS and/or CDFG (as applicable) within five working days of the incident. All observations of federally and state-listed species shall be recorded on CNDDB [California Natural Diversity Database] field sheets and sent to the CDFG by the SFPUC or representative biological monitor.

While it is not necessary that the biological monitor stay onsite for the entire day, the monitor shall remain on-call in case any of these animals are discovered and it is necessary to move them.

The SFPUC shall designate an SFPUC representative as the point of contact in the event that a CTS, CRLF, or Alameda whipsnake is discovered onsite when the biological monitor is not present.

If the biological monitor or construction personnel find any of these species within the work area, construction activities shall cease in the immediate vicinity of the individual until: (1) the USFWS and/or CDFG are contacted and/or the animal has been removed from the construction area, in accordance with permits, by an approved biologist and released near a suitable burrow or other suitable habitat within 0.25 mile of the construction area, or (2) the animal moves away from the construction area on its own.

Once all initial ground-disturbing activities are completed, the biological monitor shall perform spot checks of the project area at least once a week for the duration of construction to ensure that the perimeter fence is in good order, trenches are being covered if left open overnight (or escape ramps provided), project personnel are conducting checks beneath parked vehicles prior to their movement, and all other required biological protection measures are being followed.

Mitigation Measure M-BI-1f: Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation.

The SFPUC shall prepare and implement a vegetation restoration plan with detailed specifications for minimizing the introduction of invasive weeds and restoring all temporarily disturbed areas, and shall ensure that the contractor successfully implements the plan. The plan shall indicate the best time of year for seeding to occur.

To facilitate preparation of the plan, the SFPUC shall ensure that, prior to construction, a qualified botanist (i.e., one experienced in identifying sensitive plant species in the project area) performs additional preconstruction surveys of the areas to collect more detailed vegetation composition data, including species occurrence, vegetation characterization (tree diameter size, etc.), and percent cover of plant species. Photo documentation shall be used to show pre-project conditions.

If required, the SFPUC shall provide the vegetation restoration plan to the Corps [United States Army Corps of Engineers], the CDFG [California Department of Fish and Game/Wildlife], the RWQCB [Regional Water Quality Control Board], and the USFWS [United States Fish and Wildlife Service] during the permitting process, as any vegetation to be removed may provide habitat for special-status species and may also be within areas under the jurisdiction of the Corps and the RWQCB. The minimum avoidance, minimization, and restoration measures as well as success criteria to be included in the vegetation restoration plan are described below.

Invasive Weed Control Measures

Invasive weeds such as yellow star-thistle, purple star-thistle, Italian thistle, bull thistle, and stinkwort readily colonize soils that have been disturbed by grading or other mechanical disturbance. ~~Although the project area has an extensive weed infestation and relatively few native~~

~~species, t~~The SFPUC shall incorporate the following measures into the construction plans and specifications to prevent the ~~further~~ spread of invasive weeds into nearby areas:

- Construction equipment shall arrive at the project area free of soil, seed, and plant parts to reduce the likelihood of introducing new weed species.
- Any imported fill material, soil amendments, gravel etc., required for construction and/or restoration activities that would be placed within the upper 12 inches of the ground surface shall be free of vegetation and plant material.
- Certified, weed-free, imported erosion-control materials (or rice straw in upland areas) shall be used exclusively, as applicable (this measure concerns biological material and does not preclude the use of silt fences, etc.).
- The environmental awareness training program for construction personnel shall include an orientation regarding the importance of preventing the spread of invasive weeds.
- To reduce the seed bank in weed-dominated ruderal areas, the contractor shall mow, disk, apply spot-applications of herbicide to weeds, and/or remove weeds, as appropriate and as early as feasible prior to surface clearing and site preparation. Before construction equipment leaves the project area, any accumulation of plant debris, soil, and mud shall be washed off the equipment or otherwise removed onsite, and air filters shall be blown out.
- The restoration plan shall specify measures to remove and/or control weeds in the project area.
- No invasive species shall be used in any restoration plantings.
- Implementation of these measures during construction and site restoration activities shall be verified and documented by a biological or environmental monitor.

Minimum Restoration Measures

Restoration areas are areas within the project area that would be disturbed during project-related construction activities but would subsequently be restored to their preconstruction conditions as defined by the success criteria described below. In order to restore these areas, the SFPUC shall ensure the following:

- The SFPUC shall ensure that topsoil is salvaged during grading and earthmoving activities ~~(including during the preparation of spoils sites)~~, stockpiled separately from subsoils, and protected from erosion (e.g., covered or watered); that composting amendments are added, if needed; and that potentially compacted construction work areas are properly prepared prior to reuse of the soil in the post-construction restoration of temporarily disturbed areas. The

SFPUC shall ensure that a minimum of 12 inches of topsoil is salvaged, or if there is less than 12 inches of topsoil, as much as practicable.

- For grassland and ruderal areas, the affected areas shall be reseeded with a native or non-invasive grass and forb seed mix. High seed application rates shall be used to help compete with the weedy seed bank.
- For riparian and wetland habitats, the affected areas shall be replanted with similar plants of appropriate species and density as those removed. If possible, locally native stock shall be used.
- For any isolated mature native tree (i.e., one that is not part of a woodland or riparian cover) ~~or any tree~~ to be removed ~~from the Alameda County Calaveras Road right-of-way~~ that meets the criteria described below, the SFPUC shall ensure that replacement trees are planted within or in the vicinity of the project area as follows:
    - At a minimum, for each removed mature native tree (i.e., trees that are 6 inches in diameter at breast height [dbh] or ten inches aggregate dbh for multi-trunk trees), affected areas shall be replanted with the same species on an inch-by-inch basis for any native mature tree outside the county right-of-way or as otherwise agreed to in consultation with the USFWS and CDFG. For example, eight tube trees (each 1-inch in diameter) could be planted to replace one 8-inch native tree. Other tree sizes could also be used as long as the total dbh replaces the dbh of the removed tree or trees.
    - Trees shall be replaced within the first year after the completion of construction or as soon as possible in an area where construction is completed during a favorable time period as determined by a qualified arborist or biologist.
    - Replacement trees shall be planted in or near the area experiencing surface disturbance from project construction and in locations suitable for the replacement species.
    - Selection of replacement sites and installation of replacement plantings shall be supervised by a qualified arborist or biologist. Irrigation of trees during the initial establishment period shall be provided as deemed necessary by a qualified arborist or biologist.
    - A qualified arborist or biologist shall monitor newly planted trees at least twice a year for 5 years (7 years for oaks, 10 years for trees in riparian habitat).
    - Any trees planted as remediation for failed plantings shall be planted as stipulated here for original plantings, and shall be monitored for a period of 5 years (7 years for oaks and 10 years for trees in riparian habitat) following installation, or as otherwise determined by the applicable resource agencies.

- ~~To replace trees removed from the Calaveras Road right-of-way, the SFPUC shall plant replacement trees along Calaveras Road, where feasible. If additional mitigation trees are required but their spacing cannot be accommodated along Calaveras Road, the trees shall be planted in the vicinity of the project area.~~
- ~~For non-native trees that are between 2 and 6 inches dbh within the Calaveras Road right-of-way, replacement trees shall be planted on a one-to-one basis for any trees removed.~~

Minimum Success Criteria

Unless otherwise determined by the applicable resource agencies, the success criteria for restoring temporarily disturbed areas shall be as follows:

- All temporarily disturbed areas shall be restored to approximate their baseline condition.
- Vegetation within restoration areas shall be functional, fully established, and self-sustaining as evidenced by successive years of healthy vegetative growth; observed increase in vegetative cover, canopy cover, and/or plant height; successful flowering, seed set, and/or or vegetative reproduction over the 5-year monitoring period.
- Revegetation work shall start within one year of construction completion.
- Revegetation of grassland areas shall be monitored at least once a year for 5 years. With the exception of oak trees and trees in riparian habitat, which shall be monitored for 7 and 10 years, respectively, all other replacement trees shall be monitored for 5 years.
- Restoration areas shall be monitored for target invasive plants quarterly in the first 5 years following replanting. If invasive plants are found during the 5-year monitoring period, they shall be removed as necessary to support meeting the cover and vegetation composition success criteria.
- Monitoring and maintenance shall continue until the minimum success criteria specified in the table below are met, or as otherwise determined by the applicable resource agencies.

MINIMUM SUCCESS CRITERIA FOR VEGETATION RESTORATION

Parameter	Field Indicator/Measurement
Vegetative Cover	Grassland: 70 percent absolute cover of typical native and naturalized grassland species known from the Sunol Region by the end of the fifth monitoring year. Individual Native Mature Trees: 65 percent plant survivorship by the fifth monitoring year (by the seventh monitoring year for oaks, and tenth monitoring year for trees in riparian habitat). ~~San Antonio~~ Arroyo de la Laguna Creek Channel and Riparian Habitat: Greater than or equal to 45 percent canopy cover of target riparian species by the end of the fifth monitoring year.
Target Invasive Species	No more than 10 percent absolute cover of target invasive species shall remain in any given restoration area by the end of the fifth monitoring year.

~~*Compensatory Mitigation*~~

~~The SFPUC shall fully compensate for permanent losses of non-native grassland and ruderal habitat that provide potential low-quality upland refugial and dispersal habitat for CTS and CRLF, as well as potential low quality foraging and dispersal habitat for Alameda whipsnake (approximately 0.7 acre). Compensatory mitigation may occur through habitat enhancements at two of the SFPUC's Bioregional Habitat Restoration sites: the Goat Rock compensation site and the San Antonio Creek compensation site. Habitat enhancement shall occur at a location and at compensation ratios to be determined in consultation with USFWS and CDFG. Enhancements to grassland habitat may occur at the Goat Rock compensation site and enhancements to riparian habitat at the San Antonio Creek compensation site shall be conducted in accordance with the SFPUC's Sunol Region Mitigation and Monitoring Plan (URS Corporation, 2011), which specifies the success criteria and mechanisms for monitoring to ensure compensation.~~

Mitigation Measure M-BI-1g: Measures to Minimize Disturbance to Special-Status Bird Species.

As feasible, the SFPUC shall conduct tree and shrub removal in the project area and the habitat compensation areas during the nonbreeding season (generally August 16 through February 14) for migratory birds, raptors, and special-status bat species. If construction activities must occur during the breeding season for special-status birds (February 15 to August 15), the SFPUC shall retain a qualified wildlife biologist who is experienced in identifying birds and their habitat to conduct nesting-raptor surveys in and within 500 feet of the project area. Migratory bird surveys shall be conducted within 100 feet of all work areas (as feasible) unless otherwise directed by CDFG [California Department of Fish and Game/Wildlife]. All migratory bird and active raptor nests

within these areas shall be mapped. These surveys must be conducted within two weeks prior to initiation of construction activities at any time between February 15 and August 15. If no active nests are detected during surveys, no additional mitigation is required. If migratory bird and/or active raptor nests are found in the project area or in the adjacent surveyed area, the SFPUC shall establish a no-disturbance buffer around the nesting location to avoid disturbance or destruction of the nest site until after the breeding season or after a wildlife biologist determines that the young have fledged (usually late June through mid-July). The extent of these buffers would be determined by a wildlife biologist in consultation with CDFG and would depend on the species' sensitivity to disturbance (which can vary among species); the level of noise or construction disturbance; line of sight between the nest and the disturbance; ambient levels of noise and other disturbances; and consideration of other topographical or artificial barriers. The wildlife biologist shall analyze and use these factors to assist the CDFG in making an appropriate decision on buffer distances.

Mitigation Measure M-BI-1h: Conduct Preconstruction Surveys for Any Special-Status Bats Found and Implement Avoidance and Minimization Measures.

Not more than one week prior to tree removal ~~and demolition of the two quarry buildings located to the east of Pit F3-East~~, a qualified biologist (i.e., one familiar with the identification of bats and signs of bats) shall survey the trees to be removed ~~and the buildings to be demolished~~ for the presence of roosting bats. Bats may be present any time of the year. The biologist shall thoroughly search ~~the two buildings and~~ any trees that provide appropriate habitat (trees with foliage or cavities or that are hollow) for the presence of roosting bats or evidence of bats. If no roosting bats or evidence of bats are found in the trees, tree removal may proceed. ~~Similarly, if no roosting bats or evidence of bats are found in the quarry buildings, demolition may proceed.~~ If bats are found or evidence of use by bats is present, the biologist shall map and mark the trees ~~and/or locations within the buildings~~ with flagging. As appropriate, the SFPUC shall ensure that the trees are not removed ~~and/or the buildings are not demolished~~ until the CDFG [California Department of Game/Wildlife] has been consulted for guidance on measures to avoid and minimize disturbance of the special status bats. Measures may include: monitoring trees ~~or structures~~ and excluding bats from the tree(s) ~~or structures~~ to be removed~~/demolished~~; timing tree removal ~~and building demolition~~ to minimize disturbance to bats; and/or use of a construction buffer to avoid disturbance of young before they are able to fly (for pallid bats, this period is between April and August).

Mitigation Measure M-BI-3: Avoidance and Protection Measures for Jurisdictional Water Bodies.

The SFPUC and its contractors shall minimize impacts on waters of the United States and waters of the state, including wetlands, by implementing the following measures:

- Construction activities in saturated or ponded wetlands and streams (typically during the spring and winter) shall be avoided to the maximum extent feasible. Where wetlands or other

water features must be disturbed, the minimum area of disturbance necessary for construction shall be identified and the area outside avoided.

- Where feasible, a silt fence shall be installed adjacent to all wetlands and drainages to be avoided within 50 feet of any proposed construction activity, and signs installed indicating the required avoidance. No equipment mobilization, grading, clearing, or storage of equipment or machinery, or similar activity, shall occur until a representative of the SFPUC has inspected and approved the fencing installed around these features. This restriction applies to both onsite construction and any offsite mitigation area. The SFPUC shall ensure that the temporary fencing is continuously maintained until all construction activities are completed. No construction activities, including equipment movement, material storage, or temporary spoil stockpiling, shall be allowed within the fenced areas protecting wetlands.

- ~~In areas where a 50-foot buffer from the freshwater marsh is not available, the following measures shall be employed during installation of the chemical feedlines:~~

  - ~~A biological monitor or environmental inspector shall be onsite during installation of the chemical feedlines if work is within the 50-foot buffer to ensure that construction activities are kept outside of the marsh and that precautionary measures are taken to avoid impacts on the marsh.~~

  - ~~Sidecasting for the trench shall be deposited on the side of the trench farthest from the wetland or imported to a designated staging area or other area within the construction footprint.~~

- To minimize the degradation of wetland soils and vegetation where avoidance is infeasible, protective practices such as geotextile cushions and other materials (e.g., timber pads, prefabricated equipment pads, geotextile fabric) or vehicles with balloon tires shall be employed in saturated conditions (e.g., when there is noticeable rutting due to saturated conditions and mixing of topsoil and subsoil).

- In areas of temporary disturbance, the bed and banks of ~~the ephemeral drainage and San Antonio Creek~~Arroyo de la Laguna shall be restored to pre-construction conditions after construction is complete.

- Exposed slopes and streambanks shall be stabilized immediately upon the completion of construction activities.

- The banks of ~~San Antonio Creek~~ Arroyo de la Laguna shall be stabilized (if disturbed during construction) using a non-vegetative material that will bind the soil initially and break down within a few years (e.g., jute mat). More aggressive erosion control treatments shall be implemented as needed for stabilization, such as geotextile mats, excelsior blankets, or other soil stabilization products. The following bank stabilization materials shall not be used below

the mean high-water mark: hydraulic mulch, tackifiers, hydroseeding, soil binders, and straw mulch.

Mitigation Measure M-HY-1b: Creek Restoration and Revegetation.

(See Hydrology and Water Quality section below for description)

As with the approved project, implementation of these mitigation measures (as also required for the modified project) would reduce harm to individuals of special-status species through avoidance of conflicts with construction activities and restoration of temporarily disturbed habitats. Therefore, impacts from the modified project on special-status species would be *less than significant with mitigation*.

Finally, the EIR included Mitigation Measure M-BI-7 (Screen Dewatering Pump Intakes) to prevent the entrainment of California red-legged frog in intake pipes for dewatering pumps during the approved project's operation. As the modified project does not include new operational facilities with the potential to entrain aquatic species, this measure would not be required for the modified project.

Sensitive Habitats

The California Department of Wildlife classifies the valley foothill riparian community within the modified project site along Arroyo de la Laguna as a sensitive natural community.[37] Prior to the start of construction, an estimated 12 trees within the riparian community would be removed to clear the construction area for the modified project. Tree and vegetation removal would be minimized to provide only enough cleared area to enable construction activities. Project construction would result in approximately 0.26 acre of temporary impacts to valley foothill riparian habitat. Following completion of construction, SFPUC would restore disturbed areas outside of the pipeline right-of-way to general preconstruction conditions. The permanent loss of riparian habitat could result if the creek banks are not properly restored, revegetated, and monitored to ensure the successful re-establishment of riparian vegetation. While the modified project's impact to riparian habitat would be limited to 0.26 acre of temporary disturbance, impacts could be potentially significant if additional riparian habitat was inadvertently impacted by construction activities (i.e., outside of the designated construction footprint) or if the modified project results in the permanent loss of riparian habitat. Therefore, the SFPUC would implement Mitigation Measures M-BI-1a (General Protection Measures), M-BI-1b (Worker Training and Awareness Program), M-BI-1c (Minimize Disturbance to Riparian Habitat), and M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation), which would reduce this impact to a less-than-significant level because implementation of these mitigation measures would minimize the extent of construction disturbance and reduce the risk of inadvertent damage to riparian areas by implementing best management practices and housekeeping measures to minimize or avoid impacts on habitats, requiring worker awareness training regarding the resources present and impact avoidance, conducting in-channel work during the dry season, requiring SFPUC restore the disturbed creek banks to pre-construction conditions and replant affected riparian habitats with similar plants of appropriate species and density as those removed, and

[37] AECOM, Town of Sunol Pipeline Project Biological Resources Assessment, May 2022

requiring monitoring to ensure re-establishment of riparian habitats in accordance with outlined performance standards.

Implementing the required mitigation (as described above), the SFPUC would also comply with SFPUC's Integrated Vegetation Management Policy, revised for the purposes of this modified project, which would restrict replanting of trees within 20 feet on each side of the new pipeline. The SFPUC would plant trees in disturbed work areas adjacent to the creek outside of this buffer. As required by Mitigation Measure M-BI-1f, replacement trees would be planted in or near the area experiencing surface disturbance from project construction and in locations suitable for the replacement species. Selection of replacement sites and installation of replacement plantings would be supervised by a qualified arborist or biologist, irrigated as needed, and monitored for 5 to 10 years following installation, as outlined in Mitigation Measure M-BI-1f or as otherwise determined by the applicable resource agencies.

Riparian habitat could also be impacted during construction through sedimentation in the creek caused by disturbance of adjacent soils as well as accidental release of hazardous materials such as oil, lubricants, or other chemicals. However, the SFPUC would require implementation of its Standard Construction Measure #6 (Hazardous Materials) to prevent the release of hazardous materials used during construction (such as storing them pursuant to manufacturer recommendation, maintaining spill kits onsite, and containing any spills that occur to the extent safe and feasible followed by collection and disposal in accordance with applicable laws), and would implement its Standard Construction Measure #3 (Water Quality), which requires that erosion and sedimentation controls be tailored to the modified project site (such as fiber rolls and/or gravel bags around storm drain inlets, installation of silt fences, and other such measures sufficient to prevent discharges of sediment and other pollutants to storm drains and all surface waterways). As a result, impacts related to sedimentation and pollutant discharge during construction would be maintained at less-than-significant levels with the SFPUC's implementation of its Standard Construction Measures #3 and #6.

Therefore, with implementation of Mitigation Measures M-BI-1a, M-BI-1b, M-BI-1c, and M-BI-1f, the modified project's impacts on sensitive habitats would be *less than significant with mitigation*.

> Mitigation Measure M-BI-1a: General Protection Measures (presented above)
>
> Mitigation Measure M-BI-1b: Worker Training and Awareness Program (presented above)
>
> Mitigation Measure M-BI-1c: Minimize Disturbance to Riparian Habitat (presented above)
>
> Mitigation Measure M-BI-1f: Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation (presented above)

Like the approved project, once the replacement pipeline is installed, no further surface disturbance would occur as a part of operation of the modified project; therefore, no significant long-term operational impacts on sensitive habitats would occur.

Wetlands and Aquatic Resources

The modified project site contains one jurisdictional perennial creek (Arroyo de la Laguna) and four potentially jurisdictional instream wetlands within the creek. Pipeline replacement across Arroyo de la Laguna could potentially result in the temporary loss of habitat, discharge of fill into jurisdictional waters, erosion and sedimentation, and loss of water quality from accidental pollution and dewatering discharges. Construction of the modified project would temporarily impact approximately 0.02 acres of potential jurisdictional wetlands and 0.08 acres of riverine jurisdictional waters of the U.S. and state (impacts to waters of the state, classified as valley foothill riparian, are discussed separately above). This would include temporary placement of approximately 92 cubic yards of fill in wetlands and 567 cubic yards of fill in jurisdictional surface waters for the temporary bypass structure; all temporary fill would be removed following pipeline replacement. Following completion of construction, SFPUC would restore disturbed areas to general preconstruction conditions. Permanent loss of wetlands and jurisdictional waters (i.e., significant impacts) could result if the creek channel is not properly restored, replanted with wetland vegetation, and monitored to ensure the re-establishment of wetlands. While the modified project's temporary impacts to wetlands and riverine jurisdictional waters would be limited to 0.02 acre and 0.08 acre, respectively, the modified project's impacts could be potentially significant if additional wetlands and surface waters were inadvertently impacted by construction activities (i.e., outside of the designated construction footprint) or if the modified project were to result in the permanent loss of wetlands. Therefore, the SFPUC would be required to implement Mitigation Measures M-BI-1a (General Protection Measures), M-BI-1b (Worker Training and Awareness Program), M-BI-1c (Minimize Disturbance to Riparian Habitat), M-BI-1d (Prevent Movement of Specific Species through Work Areas), M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation), M-BI-3 (Avoidance and Protection Measures for Jurisdictional Water Bodies), and M-HY-1b (Creek Revegetation and Restoration), which would reduce this impact to a less-than-significant level because implementation of these mitigation measures would minimize the extent of construction disturbance and reduce the risk of inadvertent damage to wetlands and surface waters by implementing best management practices and housekeeping measures to minimize or avoid impacts on habitats, requiring worker awareness training regarding the resources present and impact avoidance, conducting in-channel work during the dry season, requiring SFPUC restore the geometry of the disturbed creek channel to pre-construction conditions and replanting with similar plants of appropriate species and density as those removed, and requiring monitoring to ensure re-establishment of wetland habitats in accordance with outlined performance standards so that no net loss of wetlands occurs.

Impacts on wetlands from accidental pollution and dewatering would be reduced with implementation of Standard Construction Measure #6 (Hazardous Materials), to prevent the release of hazardous materials used during construction (such as storing them pursuant to manufacturer recommendation, maintaining spill kits onsite, and containing any spills that occur to the extent safe and feasible followed by collection and disposal in accordance with applicable laws), and Standard Construction Measure #3 (Water Quality), which requires that erosion and sedimentation controls be tailored to the modified project site (such as fiber rolls and/or gravel bags around storm drain inlets, installation of silt fences, and other such measures sufficient to prevent discharges of sediment and other pollutants to storm drains and all surface

waterways). As a result, significant impacts to wetlands and aquatic resources from sediment and accidental pollutant discharge would be avoided.

Therefore, with implementation of Mitigation Measures M-BI-1a, M-BI-1b, M-BI-1c, M-BI-1d, M-BI-1f, M-BI-3, and M-HY-1b, the modified project's impacts on wetland and aquatic resources would be *less than significant with mitigation*.

Mitigation Measure M-BI-1a: General Protection Measures (presented above)

Mitigation Measure M-BI-1b: Worker Training and Awareness Program (presented above)

Mitigation Measure M-BI-1c: Minimize Disturbance to Riparian Habitat (presented above)

Mitigation Measure M-BI-1d: Prevent Movement of Specific Species through the Work Areas (presented above)

Mitigation Measure M-BI-1f: Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation (presented above)

Mitigation Measure M-BI-3: Avoidance and Protection Measures for Jurisdictional Water Bodies (presented above)

Mitigation Measure M-HY-1b: Creek Restoration and Revegetation (See Hydrology and Water Quality section below for description)

As noted under Special-Status Species, Mitigation Measure M-BI-3, developed for the approved project, references features (e.g., freshwater marsh) and locations (San Antonio Creek) that are not present at the proposed location of the modified project; therefore, this measure has been revised to reflect the measures required to reduce the impacts of the modified project.

To mitigate impacts on wetlands and aquatic habitats, the approved project also included M-HY-1a (Preparation and Implementation of a SWPPP [Stormwater Pollution Prevention Plan]). As described above, because the project site is less than one acre and the SFPUC would implement its Standard Construction Measure #6 (Hazardous Materials) to prevent the release of hazardous materials used during construction and Standard Construction Measure #3 (Water Quality), which requires measures to prevent discharges of sediment and other pollutants to storm drains and all surface waterways, Mitigation Measure M-HY-1a would not be required for the modified project.

Operation of the modified project would not involve direct discharges into Arroyo de la Laguna. As previously stated, operational activities would involve periodic facilities monitoring and maintenance; these activities would occur in upland areas (e.g., at the air valves). Therefore, no impacts to wetlands and aquatic resources are expected to result from operation of the modified project.

Wildlife Corridors

Tree removal and trenching required to install the replacement pipeline could interfere with wildlife movement in the creek and riparian corridor. However, because construction activities would be

temporary (four months), the construction footprint would occupy a relatively narrow footprint across Arroyo de la Laguna, and because similar habitat is present on either side of the creek to allow for wildlife movement; these potential impacts would not be significant. As mentioned above, while steelhead could potentially migrate through the section of Arroyo de la Laguna within the modified project site, trenching across Arroyo de la Laguna would occur in the summer months, outside of the migration period for steelhead. Once the SFPUC installs the replacement pipeline, it would restore disturbed areas to general preconstruction conditions such that no new landforms that could obstruct wildlife movement would result. Therefore, no long-term construction-related impacts on wildlife movement or corridors would occur. Operational activities would mainly involve facilities monitoring and maintenance, which would also not restrict or interfere with wildlife movement or migration. As such, the modified project's impact on wildlife movement and migratory corridors would be *less than significant*.

Local Policies or Ordinances Protecting Biological Resources

The relevant local plan and ordinance addressing biological resources for the approved project were the Alameda Watershed Management Plan and the Alameda County Tree Ordinance. The modified project site is outside of the management area of the Alameda Watershed Management Plan, and therefore the policies of this plan do not apply to the modified project. As the modified project would not include tree removal within a county right-of-way (Route 84, immediately south and adjacent to the modified project site, is a state highway), the local tree ordinance would not be applicable. No other applicable policies or ordinances for the protection of biological reports were identified for the modified project. Therefore, the modified project would have *no impact* related to local plans and policies protecting biological resources.

Because the approved project involved removal of trees within the Alameda County right-of-way, it required application of Mitigation Measure M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation Plan) to address replacement of trees removed within the county right-of-way. While Mitigation Measure M-BI-1f is required for the modified project, the components of the measure pertaining to replacement of trees in the county right-of-way are not required for the modified project. Therefore, the text of Mitigation Measure M-BI-1f for the approved project was revised as appropriate for the modified project, as presented above.

Summary

In summary, with implementation of SFPUC Standard Construction Measures #3, #6, and #7, and Mitigation Measures M-BI-1a, M-BI-1b, M-BI-1c, M-BI-1d, M-BI-1e, M-BI-1f, M-BI-1g, M-BI-1h, M-BI-3, and M-HY-1b; construction of the modified project would not result in significant impacts on biological resources greater than those identified in the San Antonio Backup Pipeline Project EIR. Moreover, the modified project would not result in new significant impacts or a substantial increase in the severity of impacts on biological resources that were previously identified in the San Antonio Backup Pipeline Project EIR.

CUMULATIVE IMPACTS

The San Antonio Backup Pipeline Project EIR concluded that impacts on special-status species from habitat loss and direct mortality during construction and operation of the approved project combined

with similar impacts from other projects identified in the EIR would be potentially significant. However, it concluded that, with implementation of mitigation measures, the approved project's contribution would be less than cumulatively considerable.

The geographic scope for the analysis of cumulative impacts on sensitive biological resources relative to the modified project would be limited to the consideration of other identified cumulative projects that could significantly impact the same sensitive biological resources as the modified project (see page 15).

While the modified project would not have any adverse impacts on special-status species during operations, construction activities could result in potentially significant impacts on special-status fish and wildlife from direct mortality and temporary loss and degradation of habitat; however, these impacts would be reduced to a less-than-significant level through the required implementation of SFPUC's Standard Construction Measures and required project mitigation measures (including Mitigation Measures M-BI-1a, M-BI-1b, M-BI-1c, M-BI-1d, M-BI-1e, M-BI-1f, M-BI-1g, M-BI-1h, M-BI-3, and M-HY-1b). Because it is adjacent to the modified project site, the Caltrans Arroyo de la Laguna Bridge Project could impact the same species as the modified project. The EIR/Environmental Assessment for the Caltrans Arroyo de la Laguna Bridge Project determined that project construction would result in temporary loss or disturbance of habitats and could result in injury or death to these species; however, implementation of avoidance and minimization measures, restoration of temporary impact areas, and off-site compensation for prolonged temporarily affected and permanently affected areas would reduce these impacts to less-than-significant levels.[38] Both projects would also comply with applicable state and federal regulations and project-specific permitting requirements intended to minimize impacts to special-status species and their habitat. Because the modified project and bridge project are adjacent and construction of the bridge project is expected to overlap with construction of the modified project, the combined impacts of the modified project and bridge project construction could result in a significant cumulative impact on biological resources. However, with the implementation of SFPUC's Standard Construction Measures and required project mitigation measures, and compliance with project-specific permit conditions, the modified project's residual contribution to cumulative impacts on special-status species would not be cumulatively considerable (*less than significant*).

The approved project's temporary impacts on riparian habitat and native and mature trees combined with impacts from the loss of these sensitive habitats from other cumulative projects identified in the EIR were found to be potentially significant. The EIR concluded that the approved project's contribution to this cumulative impact would be reduced to less than cumulatively considerable through implementation of mitigation measures. The modified project would result in 0.26 acre of temporary riparian habitat impacts; however, impacts could be potentially significant if temporary impact areas were not adequately restored and resulted in the permanent loss of riparian habitat. The modified project's impacts would be reduced to a less-than-significant level through the required implementation of SFPUC's Standard Construction Measures and required project mitigation measures (including Mitigation Measures M-BI-1a, M-BI-1b,

[38] Caltrans, Arroyo de la Laguna Bridge Project Final Environmental Impact Report/Environmental Assessment with Finding of No Significant Impact, December 2021.

M-BI-1c, and M-BI-1f). These measures would require that the SFPUC restore the creek channel banks and revegetate them with appropriate riparian species, which would restore the habitat function within disturbed riparian areas. As required by Mitigation Measure M-BI-1f, replacement trees would be planted in or near the area experiencing surface disturbance from project construction and in locations suitable for the replacement species. The adjacent Caltrans Arroyo de la Laguna Bridge Project would result in approximately 2 acres of temporary impacts to riparian habitat, which would be restored following construction; however, the temporary impacts would be prolonged because the construction duration for the bridge project is three years. The bridge project would also have 0.14 acre in permanent impacts to riparian habitat, for which Caltrans would provide compensatory mitigation as required by permits.[39] Cumulative impacts could result from sediment or pollutant discharge during construction activities, but both projects would implement best management practices to minimize such effects. As a result, these potential cumulative impacts resulting from sediment or pollutant discharges would not be significant. Because the modified project and bridge project are adjacent and construction of the bridge project is expected to overlap with construction of the modified project, the combined impacts of the modified project and bridge project could result in a significant cumulative impact on sensitive habitats, specifically from loss of riparian habitats. However, with the SFPUC's implementation of its Standard Construction Measures #3 and #6, and required mitigation measures (including Mitigation Measures M-BI-1a, M-BI-1b, M-BI-1c, and M-BI-1f) the modified project's residual contribution to cumulative impacts on sensitive habitats would not be cumulatively considerable (*less than significant*).

The approved project's temporary impacts on wetlands and aquatic features combined with the loss of these resources from other projects identified in the EIR were found to be a potentially significant cumulative impact. The EIR concluded that the approved project's contribution to this cumulative impact would be reduced to less than cumulatively considerable through implementation of identified mitigation measures. Construction of the modified project would temporarily impact approximately 0.02 acre of potentially jurisdictional wetlands and 0.08 acre of riverine jurisdictional waters of the U.S. and state. Following pipeline replacement, SFPUC would restore the geometry of the disturbed creek channel and banks to approximate preconstruction contours and revegetate these areas with native vegetation in accordance with Mitigation Measures M-Bi-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation) and M-HY-1b (Creek Restoration and Revegetation); no permanent loss of wetlands or jurisdictional surface waters would occur. The adjacent Arroyo de la Laguna Bridge Project would result in approximately 0.29 acre of temporary impacts to wetlands and 0.66 acre of temporary impacts to jurisdictional waters, which would be restored following construction; permanent impacts from the bridge replacement would be limited to 0.001 acre of other waters.[40] Furthermore, Caltrans concluded that because the new piers would be smaller in size and located farther from the centerline of the low flow channel than the existing piers, there would be a reduction in permanent hard structure in riverine habitat in the creek. The Caltrans EIR found that this would provide a net benefit to Arroyo de la Laguna by allowing the stream to take on a more natural morphology and facilitating the development of linear in-stream wetlands along the banks. While cumulative impacts could result from sediment or

[39] Ibid.
[40] Ibid.

pollutant discharge during construction activities, both projects would implement best management practices to minimize such effects.[41] As a result, these cumulative impacts would not be significant. Although the two projects are adjacent and construction of the bridge project is expected to overlap with construction of the modified project, because the combined impacts of the modified project and bridge project would be limited to 0.001 acre of permanent impacts and approximately 1.03 acres of temporary impacts that would be restored following construction, and because the bridge project is expected to have a net benefit to wetlands and waters, with respect to wetlands and aquatic features, cumulative impacts would *not be significant*.

The EIR found that as a result of tree removal within the Alameda County right-of-way, the approved project's impacts relative to conflict with plans and local policies or ordinances to protect biological resources combined with similar impacts from other projects identified in the EIR would be potentially significant. The EIR concluded that the approved project's contribution to this cumulative impact would be reduced to less than cumulatively considerable through implementation of mitigation measures. The modified project would not include tree removal within a county right-of-way. The modified project would have no impact with respect to this criterion, and therefore would not contribute to cumulative impacts related to local policies or ordinances protecting biological resources (*no impact*).

In summary, the modified project would not result in new significant cumulative impacts on biological resources that were not previously identified in the San Antonio Backup Pipeline EIR, would not result in more severe impacts than those identified, and would not require new mitigation measures.

Hydrology and Water Quality

SAN ANTONIO BACKUP PIPELINE PROJECT EIR FINDINGS

The San Antonio Backup Pipeline Project EIR found that the approved project would have potentially significant impacts related to the degradation of water quality. The EIR determined that the approved project's impacts on groundwater supplies, drainage patterns, and flood hazards would be less than significant.

The approved project is not located within areas that would be subject to inundation by seiche or tsunami; therefore, this significance criterion did not apply to the approved project.

Water Quality

The EIR concluded that the approved project could have potentially significant impacts as a result of substantial degradation of water quality that could result from sedimentation, dewatering activities, or an accidental release of hazardous chemicals during construction. However, implementation of Mitigation Measures M-HY-1a (Preparation and Implementation of a SWPPP), Mitigation Measure M-HY-3 (Management of Dewatering Effluent Discharges), and M-HY-1b (Creek Restoration and Revegetation) would reduce these impacts to a less-than-significant level. The EIR concluded that water quality impacts

[41] Ibid.

from discharges of treated water from existing and newly installed pipelines during construction of the approved project would be less than significant.

Groundwater Supplies

The EIR determined that the impact of dewatering of excavated areas on groundwater supplies during construction of the approved project would be less than significant as impacts would be temporary in nature and the majority of dewatered groundwater would be returned to the subsurface to recharge the shallow aquifer. Operation of the approved project did not involve the use of groundwater and therefore had no impacts on groundwater supplies.

Drainage Patterns and Flood Hazards

The EIR concluded that the approved project would not substantially increase erosion, siltation, or the rate or amount of surface runoff due to alteration of drainage patterns, resulting in less-than-significant impacts. The EIR also concluded that the impact of damage to SFPUC facilities or private property from placing project facilities within a 100-year flood hazard zone and impeding or redirecting flood flows would be less than significant.

MODIFIED PROJECT IMPACTS

Like the approved project, the modified project would not be located within an area that is subject to inundation by seiche or tsunami; therefore, this significance criterion does not apply to the modified project.

Water Quality

The modified project would involve replacing an approximately 495-foot-long segment of existing water distribution pipeline, including approximately 200 feet of the pipeline that crosses Arroyo de la Laguna, and removal of the existing pipeline that crosses Arroyo de la Laguna. The new pipeline would be installed using an open trench method. A temporary bypass structure would be installed to divert the creek water through the work site as part of the modified project. The work zone, once isolated from the active channel, would be further dewatered by either surface water pumps, groundwater pumps, and/or gravity-fed pipes connected directly to the existing diversion pipes if the water is clear. If the water is turbid, the SFPUC would treat it prior to it being returned to Arroyo de la Laguna, in compliance with applicable Regional Water Quality Control Board surface water quality standards and discharge permit requirements per SFPUC Standard Construction Measure #3 (Water Quality). As part of the modified project, the SFPUC would place outlet protection/velocity dissipation devices at pipe outlets to prevent scour and reduce the velocity and/or energy of piped water. Nevertheless, exposed soil from stockpiles, excavated areas, and other areas where ground cover has been removed could increase sediment loads in receiving water bodies. In addition, accidental releases of hazardous materials used during construction could result in pollutant discharges that adversely impact water quality. However, during construction of the modified project, the SFPUC would require implementation of Standard Construction Measure #6 (Hazardous Materials) to prevent the release of hazardous materials used during construction (such as storing them pursuant to manufacturer recommendation, maintaining spill kits onsite, and containing any spills that occur to the extent safe and feasible followed by collection and disposal in accordance with applicable

laws), as well as Standard Construction Measure #3 (Water Quality), which requires that erosion and sedimentation controls be tailored to the modified project site (such as fiber rolls and/or gravel bags around storm drain inlets, installation of silt fences, and other such measures sufficient to prevent discharges of sediment and other pollutants to storm drains and all surface waterways) to prevent discharges of sediment and other pollutants to surface waterways. Therefore, with implementation of Standard Construction Measures #3 and #6, water quality impacts associated with dewatering effluent, sedimentation, and pollutant discharge during construction would remain at less-than-significant levels for the modified project. As a result, the EIR's Mitigation Measures M-HY-1a (Preparation and Implementation of a SWPPP [Stormwater Pollution Prevention Plan]) and Mitigation Measure M-HY-3 (Management of Dewatering Effluent Discharges) applicable to the approved project would not be required to reduce water quality impacts of the modified project.

While impacts related to erosion and sedimentation during construction would be less than significant, if the creek channel and banks are not properly restored, this could result in potentially significant sedimentation post-construction impacts. Therefore, the modified project would be required to implement Mitigation Measure M-HY-1b to reduce this impact to a less-than-significant level through creek restoration and revegetation. In conjunction with Mitigation Measure M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation), Mitigation Measure M-HY-1b would require SFPUC to restore the geometry of the disturbed creek channel to pre-construction conditions and revegetate the disturbed creek banks as well as monitoring to ensure stabilization of the creek channel. With implementation of Mitigation Measure M-HY-1b, the modified project's impacts on hydrology and water quality would be *less than significant with mitigation*.

It should be noted that Mitigation Measure HY-1b as written for the approved project references features(e.g., backup pipeline) and locations (San Antonio Creek) that would not be impacted by the modified project; therefore, this measure has been modified as appropriate for the modified project, as presented below.

> Mitigation Measure M-HY-1b: Creek Restoration and Revegetation.
>
> Following installation of the ~~backup~~replacement pipeline at the ~~San Antonio Creek~~ Arroyo de la Laguna crossing, the SFPUC shall revegetate the disturbed creek banks with native vegetation and restore the geometry of the disturbed creek channel to pre-existing conditions.
>
> Plantings shall be monitored and maintained for up to five years to ensure stabilization of the creek channel. This mitigation measure shall be implemented in conjunction with Mitigation Measure M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation).

Toward the end of construction of the modified project, the new pipeline would be disinfected prior to connecting the new pipeline to the existing pipeline. After flushing potable water out from the new pipeline, the water would be treated (for pH and chlorine) before discharging to the parking lot area and then allowed to flow to the nearest catch basin via the SFPUC's existing operational permit from the State

Water Resources Control Board. Because this activity would be performed in compliance with current operational permit requirements, it would result in less-than-significant impacts related to water quality degradation.

Groundwater Supplies

As with the approved project, to the extent groundwater is removed by dewatering during construction of the modified project, it would be returned to the subsurface, such that any lowering of the groundwater table would be temporary in nature. As described under Temporary Bypass Structure in the Construction Methods section of the description of the modified project, once the work zone in the creek is isolated from the active channel, it would be further dewatered by either surface water pumps, groundwater pumps, and/or gravity-fed pipes connected directly to the existing diversion pipes if the water is clear. If the water is turbid, the SFPUC would treat it prior to being returned to Arroyo de la Laguna using stilling basin(s), sumps, pumps, filter bags, and possibly tanks (the selected method would depend on the amount of surface flows entering the work area). Therefore, this impact would remain *less than significant*. As with the approved project, the modified project would not use groundwater for water supply during project operation, and therefore would have no impact during operation.

Drainage Patterns and Flood Hazards

Because the modified project would involve pipeline replacement below ground surface with no increase in impervious surfaces or alteration of drainage patterns, it would not result in a substantial increase in erosion, siltation, or the rate or amount of surface runoff due to alteration of drainage patterns; therefore, this impact would remain *less than significant*.

According to the Geotechnical Interpretive Report,[42] prepared for the modified project, the modified project site is located within within a 100-year flood hazard area associated with Arroyo de la Laguna. Although the modified project would install a new pipeline across Arroyo de la Laguna, the entire length of pipeline would be buried below the ground surface, including within the creek bed. Therefore, there would be no encroachment into the floodway, and the impact on the exisiting hydrology of the arroyo would remain *less than significant*.

Summary

In summary, with implementation of SFPUC Standard Construction Measures #3 and #6 and Mitigation Measure M-HY-1b; construction of the modified project would not result in significant impacts on hydrology and water quality greater than those identified in the San Antonio Backup Pipeline Project EIR. Moreover, the modified project would not result in new significant impacts on hydrology and water quality that were not previously identified in the San Antonio Backup Pipeline Project EIR or a substantial increase in the severity of previously identified significant impacts.

[42] AGS, Inc. Final Geotechnical Interpretive Report. Town of Sunol Pipeline Project. March 18, 2022.

CUMULATIVE IMPACTS

The San Antonio Backup Pipeline Project EIR concluded that the approved project's impacts on water quality from sedimentation, dewatering activities, or an accidental release of hazardous chemicals during construction combined with similar impacts from other cumulative projects identified in the EIR would be potentially significant. However, it concluded that, with implementation of mitigation measures, the approved project's contribution would be less than cumulatively considerable.

The geopraphic scope for the analysis of cumulative impacts on hydrology and water quality relative to the modified project would be limited to receiving waters, drainages, floodways, or aquifers that could be impacted by both the modified project and any other identified cumulative project (see page 16).

Construction of the modified project could degrade water quality from sedimentation, dewatering activities, or an accidental release of hazardous chemicals during construction. In addition, improper restoration of the creek channel could result in potentially significant sedimentation post-construction impacts. Because it is adjacent to the modified project site, the Caltrans Arroyo de la Laguna Bridge Project could also impact water quality in Arroyo de la Laguna. The EIR/Environmental Assessment for the Caltrans Arroyo de la Laguna Bridge Project determined that the bridge project could result in similar impacts (e.g., sedimentation, pollutant discharge) to water quality as the modified project during construction; however, the EIR/Environmental Assessment also found that implementation of avoidance and minimization measures including erosion and sedimentation controls, water treatment best management practices, and preparation of a Stormwater Pollution Prevention Plan would reduce these impacts to a less-than-significant level.[43] Both projects would also comply with applicable state and federal regulations and project-specific permitting requirements intended to minimize impacts to water quality. Because the modified project and bridge project are adjacent and construction of the bridge project is expected to overlap with construction of the modified project, the combined impacts of the modified project and bridge project construction could result in a significant cumulative impact on hydrology and water quality. However, with the required implementation of SFPUC's Standard Construction Measures and Mitigation Measure M-HY-1b, and compliance with project-specific permit conditions, the modified project's residual contribution to cumulative impacts on water quality would not be cumulatively considerable (*less than significant*).

The EIR for the approved project concluded that the approved project's impacts on groundwater supplies from construction dewatering combined with similar impacts from other cumulative projects identified in the EIR would be potentially significant; however, the the EIR determined that approved project's contribution would not be cumulatively considerable (less than significant). To the extent groundwater is removed by dewatering during construction of the modified project, it would be returned to the subsurface, and any lowering of the groundwater table would be temporary in nature. Such effects would also be localized to the immediate construction area. The adjacent Caltrans Arroyo de la Laguna Bridge Improvement could also require dewatering for the installation of piles for the new bridge abutments and

[43] Caltrans, Arroyo de la Laguna Bridge Project Final Environmental Impact Report/Environmental Assessment with Finding of No Significant Impact, December 2021.

piers; groundwater from dewatering of excavations for the bridge project would be stored in water storage tanks during construction and discharged or disposed of in accordance with provisions in the project's National Pollutant Discharge Elimination System permit.[44] This activity would result in similar temporary and localized impacts to groundwater as the proposed project. The potential duration for both projects to be dewatering concurrently during construction would be approximately one month (i.e., the estimated duration for the modified project's pipeline replacement). Although the modified project and bridge project are adjacent and could dewater groundwater concurrently during construction, the combined dewatering impacts of the modified project and bridge project on groundwater supplies would not be substantial because water would be returned to the subsurface such that any cumulative impact would be temporary in nature. Therefore, significant cumulative impacts on groundwater supplies would not result (*less than significant*).

The EIR concluded that the approved project's impacts related to alteration of drainage patterns combined with similar impacts from other cumulative projects identified in the EIR would be potentially significant; however, the EIR determined that the approved project's contribution would not be cumulatively considerable (less than significant). The modified project involves pipeline replacement below the ground surface and would not result in substantial increase in erosion, siltation, or the rate or amount of surface runoff due to alteration of drainage patterns. The Caltrans Arroyo de la Laguna Bridge Improvement would remove bridge columns in the waterway which would help restore natural flow patterns. The bridge project would add 0.48 acre of additonal impervious area, but it would not require the modification of existing drainages and would not susbtantially increase surface runoff.[45] Therefore, significant cumulative impacts related to alteration of drainage patterns would not result (*less than significant*).

The EIR also concluded that cumulative impacts from the approved project and other cumulative projects related to increased flood hazards would be less than significant. As stated above, there would be no encroachment into the floodway from the modified project. The Caltrans Arroyo de la Laguna Bridge Improvement would not impact the creek or change the base floodplain elevation.[46] Therefore, significant cumulative impacts related to increased flood hazards would not occur (*no impact*).

In summary, the modified project would not result in new significant cumulative impacts on hydrology and water quality that were not previously identified in the San Antonio Backup Pipeline EIR, would not result in more severe impacts than those identified, and would not require new mitigation measures.

[44] Ibid.
[45] Ibid.
[46] Ibid.

Aesthetics

SAN ANTONIO BACKUP PIPELINE PROJECT EIR FINDINGS

The San Antonio Backup Pipeline Project EIR found that the approved project would have potentially significant impacts related to scenic vistas, scenic resources, and degradation of the visual character of the area. The EIR determined that impacts related to light and glare would be less than signficant.

Scenic Vistas, Scenic Resources, and Degradation of Visual Character

The EIR found that the approved project's construction activities would be visible from the scenic route of Calaveras Road throughout the entire 21 months of construction, resulting in substantial degradation of the visual character of the area. However, such impacts would be mitigated through implementation of Mitigation Measure M-AE-1 (Site Maintenance) requiring the construction contractor to take steps to reduce the visibility of materials, equipment, and debris from public views.

With respect to long-term impacts of the approved project, the San Antonio Backup Pipeline Project EIR found that the loss of native and non-native trees along the Calaveras Road right-of-way, and other publicly visible portions of the project area, would have been noticeable from Calaveras Road (a county-designated scenic roadway), resulting in a significant aesthetic impact; however, it concluded that this impact would be reduced to a less-than-significant level with implementation of Mitigation Measure M-BI--1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation), which required tree replacement to compensate for the loss of mature trees as well as smaller trees along the Calaveras Road right-of-way.

Light and Glare

The EIR determined that impacts from nighttime lighting during nighttime construction of the approved project would be less than significant because of the short durations of nighttime construction and the distances between the locations where nighttime construction would occur and the nearest residences and public viewing areas. The EIR also determined that impacts from new permanent nighttime lighting installed as part of the approved project would be less than significant because, in accordance with the Alameda Watershed Management Plan, new permanent lighting installed at facilities would be equipped with motion-sensors, directed downward, and sited and shielded such that it would not be highly visible or obtrusive to nearby residences.

MODIFIED PROJECT IMPACTS

Scenic Vistas, Scenic Resources, and Degradation of Visual Character

Construction of the modified project would occur immediately north of Niles Canyond Road (and just west of Pleasanton Sunol Road), which is part of the State Route 84 state-designated scenic highway between Mission Boulevard and Interstate 680. Although the modified project's construction activities in Arroyo de la Laguna would be visible from Niles Canyon Road, travelers would only have brief views of the modified project site in passing (for approximately 10-15 seconds while driving across the Arroyo de la Laguna bridge). Figures 5 and 6 show views of the creek crossing work area from westbound and eastbound directions, respectively. The creek crossing work area would be more visible to travelers in the

westbound direction, which is on the north side of the road; however, the bridge guardrail partially obstructs views of the creek and bank in both directions and would similarly limit views of portions of the work area. The western staging area may be located in the Sunol Glen Elementary School parking lot and part of the pipeline replacement would occur within the school track field and parking lot, which is also visible from State Route 84. If the western staging area option on the northern side of the school property is used, it would not be visible from Niles Canyon Road. The construction duration for pipeline replacement activities would be four months and SFPUC would implement its Standard Construction Measure #8 (Visual and Aesthetic Considerations) requiring the modified project site be maintained in a clean and orderly state (e.g., storing construction materials and equipment at designated staging areas and away from public view where possible). Therefore, due to the relatively short construction period, because travelers on the State Route 84 scenic highway would only see a portion of the work area briefly in passing, and because Standard Construction Measure #8 requires the work and staging areas be maintained in a clean and orderly state, construction of the modified project would not result in substantial adverse effects on scenic resources (including views from the scenic highway), nor would it substantially degrade the visual character of the site or its surroundings. This aesthetics impact would therefore be less than significant for the modified project, and the EIR's Mitigation Measure M-AE-1 (Site Maintenance) would not be required for the modified project.

Figure 5: View of the Creek Crossing Work Area Traveling Westbound on Niles Canyon Road

Figure 6: View of the Creek Crossing Work Area Traveling Eastbound on Niles Canyon Road

Approximately 13 trees would be removed to clear the construction area for the proposed pipeline replacement under the modified project. This tree removal would occur on the northern side of Niles Canyon Road (a state-designated scenic route). One tree located on the Sunol Elementary School grounds adjacent to the parking lot would be removed; this tree is not visible to travelers on Niles Canyon Road. Tree removal along Arroyo de la Laguna would include three trees on the eastern bank and nine trees on the western bank; these trees are part of the existing vegetation line visible to travelers on Niles Canyon Road. However, even with this tree removal, a vegetated buffer would remain that would partially screen passing views of the pipeline replacement area from the road (as shown in the aerial view in Figure 2 and in Figures 5 and 6), and travelers on the State Route 84 scenic highway would only see a portion of the pipeline replacement area area briefly in passing (for approximately 10-15 seconds while driving across the Arroyo de la Laguna bridge). Additionally, tree removal would occur within a 40-foot corridor along the replacement pipeline and trees to the north and south of the modified project work area would still provide an overall appearance of tree-lined banks on both sides of the creek.

Once construction is complete, the SFPUC would restore and revegetate disturbed areas on school property, in and along Arroyo de la Laguna, and other work areas to their general preconstruction conditions through Standard Construction Measure #8 (Visual and Aesthetic Considerations). Nonetheless, scenic views along the the State Route 84 scenic highway could be degraded if removed trees are not replaced, resulting in a potentially signficant impact. Therefore, the modified project would be required to implement Mitigation Measure M-BI-1f to reduce this impact to a less-than-significant level through creek revegetation, including replacement trees.

Mitigation Measure M-BI-1f: Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation (presented above)

Standard Construction Measure #8 requires site revegetation be completed consistent with SFPUC's Integrated Management Policy, as amended for this project, under which planting of trees within 20 feet of the pipeline would be prohibited. However, SFPUC would plant trees where permissible in disturbed work areas adjacent to the creek outside of this buffer and would plant other appropriate riparian vegetation within the 40-foot pipeline corridor. As required by Mitigation Measure M-BI-1f, replacement trees would be planted in or near the area experiencing surface disturbance from project construction and in locations suitable for the replacement species. Selection of replacement sites and installation of replacement plantings would be supervised by a qualified arborist or biologist, irrigated as needed, and monitored for 5 to 10 years following installation, as outlined in Mitigation Measure M-BI-1f or as otherwise determined by the applicable resource agencies. As visible in Figures 5 and 6, the creek banks presently include other low cover vegetation, and the existing trees do not fully screen background views (e.g., in Figure 5, Sunol Glen Elementary School is visible through the trees) so once revegated (including replacement trees where feasible), the pipeline replacement corridor would have a similar visual character to existing conditions. The modified project would not substantially degrade views from the scenic highway because views of the modified project site are only partially and briefly visible to travelers on the scenic highway, removal of trees within the narrow 40-foot pipeline corridor would not considerably alter the overall appearance of the creek banks, and because SFPUC would revegetate disturbed areas, including planting trees where permissible to return the site to its general pre-project condition, as required by Standard Construction Measure #8 and Mitigiation Measure M-BI-1f. Therefore, this aesthetics impact would be ***less than significant with mitigation*** for the modified project.

Light and Glare

The modified project would not require nighttime construction or installation of new permanent nighttime lighting. The only aboveground features that would be installed for the modified project are air valves, which would not serve as a new source of light or glare. Therefore, the modified project would result in ***no impact*** related to light or glare.

Summary

In summary, with implementation of SFPUC Standard Construction Measure #8 and Mitigation Measure M-BI--1f; construction of the modified project would not result in significant impacts on aesthetics greater than those identified in the San Antonio Backup Pipeline Project EIR. Moreover, the modified project would not result in new significant impacts on aesthetics that were not previously identified in the San Antonio Backup Pipeline Project EIR or a substantial increase in the severity of previously identified significant impacts.

CUMULATIVE IMPACTS

The San Antonio Backup Pipeline Project EIR concluded that the approved project's impacts related to temporary degradation of the visual character of the area during construction combined with similar impacts from other cumulative projects identified in the EIR would be potentially significant. However, it

concluded that, with implementation of Mitigation Measure M-AE-1, the approved project's contribution would be less than cumulatively considerable. Similarly, construction of the modified project could temporarily degrade views of the Arroyo de La Laguna corridor from the State Route 84 scenic highway; however, this impact would be less than significant because SFPUC would implement Standard Construction Measure #8 (Visual and Aesthetic Considerations) requiring the modified project site be maintained in a clean and orderly state (e.g., storing construction materials and equipment at designated staging areas and away from public view where possible) and views of the modified project site are only partially and briefly visible to travelers on the scenic highway.

The geographic scope for the analysis of cumulative aesthetic impacts related to the modified project include publicly accessible vantage points along State Route 84, which is a scenic highway, specifically including views to the north when crossing the Arroyo de la Laguna Bridge. The only identified cumulative project that falls within this scope is the Caltrans Arroyo de la Laguna Bridge Project (see page 16).

The EIR/Environmental Assessment for the Caltrans Arroyo de la Laguna Bridge Project determined that the bridge project could result in similar temporary impacts to aesthetics during construction as a result of visible construction staging and activity along the State Route 84 scenic highway; however, the EIR/Environmental Assessment identified measures that would be implemented during construction to limit the placement of construction materials and equipment within the foreground of the highway corridor and require use of visual screening where such siting is unavoidable.[47] Because the modified project and bridge project are adjacent and construction of the bridge project is expected to overlap with construction of the modified project, the combined visual impacts of the modified project and bridge project construction would occur concurrently, and the modified project would essentially appear as a small extension of the bridge replacement construction area during the modified project's four month construction duration. However, because both projects would implement measures to minimize construction impacts on aesthetics and travelers would only have brief views of the combined visual impact of both projects in passing (for approximately 10-15 seconds while driving across the Arroyo de la Laguna bridge), this cumulative impact would be *less than significant*.

The San Antonio Backup Pipeline Project EIR concluded that the approved project's impacts related to temporary degradation of the visual character of the area from tree removal combined with tree removal from other cumulative projects identified in the EIR would be potentially significant. However, it concluded that, with implementation of Mitigation Measure M-BI-1f, the approved project's contribution would be less than cumulatively considerable. Similarly, the modified project could temporarily degrade views of the Arroyo de La Laguna corridor from the State Route 84 scenic highway as a result of the removal of trees; however, this impact would be less than significant because SFPUC would implement Standard Construction Measure #8 and Mitigation Measure M-BI-1f requiring provision of replacement trees in the vicinity of where tree removal would occur and restoration of ground cover vegetation. The Caltrans Arroyo de la Laguna Bridge Project would also result in the removal of trees; however, the

[47] Ibid.

EIR/Environmental Assessment concluded that, with implementation of avoidance, minimization, and mitigation measures to avoid or minimize vegetation removal and provide replacement for removed upland and riparian trees, the bridge project's impacts would not be significant.[48] Because the modified project and bridge project are adjacent, the combined impacts of the modified project and bridge project tree removal could result in a significant cumulative impact on aesthetics along the State Route 84 scenic highway due to combined tree removals. However, with the required implementation of SFPUC's Standard Construction Measure #8 and Mitigation Measure M-BI-1f, the modified project's residual contribution to a significant cumulative impact on aesthetics would not be cumulatively considerable (*less than significant*).

The EIR found that the approved project in combination with other development projects in the project area could result in a potentially significant impact related to increased exterior lighting; however, the EIR concluded that the approved project's contribution would not be cumulatively considerable and the cumulative impact would be less than significant. The modified project would have no impact with respect to this criterion, and therefore would not contribute to cumulative impacts related to light and glare (*no impact*).

In summary, the modified project would not result in new significant cumulative impacts on aesthetics that were not previously identified in the San Antonio Backup Pipeline EIR, would not result in more severe impacts than those identified, and would not require new mitigation measures.

Other Environmental Topics with Less-Than-Significant Impacts

- Land Use. The San Antonio Backup Pipeline Project EIR concluded that the approved project's impact on the existing character of the vicinity would be less than significant because the temporary construction activities associated with the approved project would not disturb or impede access to existing land uses and therefore would not change the land use character of the vicinity. In addition, because most project components would be below ground, and aboveground components would be small and located among existing water infrastructure, the land use character would not change substantially from project operation. The modified project would involve similar, but reduced, construction and operation activities for replacement of an existing pipeline segment (totaling approximately 495 linear feet), which would also not change the land use character of the vicinity for similar reasons. Therefore, this land use impact would also be less than significant for the modified project.

  The EIR determined that the approved project could substantially disrupt or displace existing land uses or land use activities, caused by the combined effects of dust, noise, vibration, and traffic; however, these impacts would be less than significant with implementation of Mitigation Measures M-TR-3 (Traffic Control Plan), M-NO-1 (Administrative and Source Controls), M-AQ-1a (BAAQMD [Bay Area Air Quality Management District] Basic Construction Measures), and M-AQ-1b (BAAQMD Additional

[48] Caltrans, Arroyo de la Laguna Bridge Project Final Environmental Impact Report/Environmental Assessment with Finding of No Significant Impact, December 2021.

Construction Measures for NOx [nitrogen oxides] reduction). As described in the Air Quality, Noise and Vibration, and Transportation and Circulation analysis sections below, construction of the modified project would have less-than-significant impacts from dust, noise, vibration, and traffic, and the mitigation measures identified in the San Antonio Backup Pipeline Project EIR would therefore not be required to reduce these impacts for the modified project. Project construction would largely occur during the summer months when school is not in session; when school is in session, project construction activities on the Sunol Glen Elementary School grounds would occur outside of school hours. Temporary work within the Arroyo de la Laguna creek corridor would not disturb or impede access to existing land uses because the work would occur within SFPUC-owned watershed lands right-of-way, and the creek corridor within the modified project site is designated as Water Management by the East County Area Plan.[49] Further, there is no public access within this area of the creek corridor. Therefore, this land use impact would be less than significant for the modified project, and the EIR's mitigation measures applicable to the approved project to mitigate land use impacts would not be required for the modified project.

The EIR also concluded that the approved project would have no impacts related to physically dividing an established community. Similary, the modified project involves replacement of a pipleline segment below ground within in an existing utility right-of-way and would not divide an established community. Therefore, the modified project would not result in new significant land use impacts that were not previously identified in the San Antonio Backup Pipeline Project EIR, would not result in more severe land use impacts than those identified in the San Antonio Backup Pipeline Project EIR, and would not require new land use mitigation measures.

- Population and Housing. The San Antonio Backup Pipeline Project EIR concluded that construction and operation of the approved project would have no impact on population and housing. The EIR found that the approved project would not directly or indirectly induce population growth in the project area because the Bay Area labor force could meet the construction workforce requirements, and operation and maintenance of the new facilities would not require additional SFPUC personnel. In addition, the approved project did not involve the construction of new housing that could have induced population growth. The modified project would involve similar construction but considerably less activity (495 linear feet of pipeline replacement), which could similarly be supported by the existing regional labor force, and operation and maintenance would be handled by current SFPUC staff. As the modified project would not construct new housing, it would not directly or indirectly induce population growth. Finally, as with the approved project, because the modified project would not involve demolition of housing units or require new housing for out-of-region workers, it would not displace substantial numbers of housing units or create demand for additional housing. The modified project would have no impact on population and housing. Therefore, the modified project would not result in new significant impacts on population and housing that were not previously identified in the San Antonio Backup Pipeline Project EIR, would not result in more severe impacts on population and

[49] Alameda County Community Development Agency East County Area Plan Open Space Diagram, dated October 2016, as included in East County Area Plan, available online at: https://www.acgov.org/cda/planning/generalplans/documents/EastCountyAreaPlancombined.pdf, accessed September 1, 2023.

housing than those identified in the San Antonio Backup Pipeline Project EIR, and would not require new mitigation measures related to population and housing.

- Transportation and Circulation. The San Antonio Backup Pipeline Project EIR concluded that the approved project's impacts on traffic circulation during construction would be less than significant because most construction activities would occur within a SFPUC right-of-way and construction would not result in a substantial increase in vehicles traveling along local roads. Similarly, the modified project would involve replacement of an existing pipeline segment within a SFPUC right-of-way and would not substantially increase vehicle traffic. Construction trips for the approved project were estimated at a maximum of 204 one-way trips per day for workers and 140 one-way trips per day for truck trips. The construction trips for the modified project would be considerably less, approximately five worker round trips (10 one-way trips) per day and only 63 construction truck round trips (126 one-way trips) total (an average of less than one round trip per day). Further, as required by SFPUC Standard Construction Measure #4 (Traffic), the modified project would implement traffic control measures sufficient to maintain traffic and pedestrian circulation during construction. Therefore, this impact would remain less than significant for the modified project.

  The EIR also evaluated the impact of construction of the approved project decreasing the safety of public roadways for vehicles, bicyclists, and pedestrians. The approved project involved 14 truck trips per hour to and from the construction site, with up to 116 trips per hour during the AM and PM peak periods when construction workers would be traveling to and from the site. The EIR concluded that this impact was potentially significant due to the volume of construction traffic but that it would be reduced to a less-than-significant level with implementation of Mitigation Measure M-TR-3 (Traffic Control Plan). As indicated above, vehicle trips associated with the modified project construction would include 63 construction truck round trips total and five daily worker commutes, which in terms of increased traffic volume would not substantially decrease the safety of public roadways for vehicles, bicyclists, and pedestrians, due to the low volume of proposed vehicle trips. Although construction related vehicle trips would be few in number, trucks and worker vehicles would access the modifed project site via State Route 84 (Niles Canyon Road), which has a bike lane. In addition, the modified project would involve construction access, staging, and work activities on the grounds of Sunol Glen Elementary School. Most construction work would occur during the summer months when school is not in session, but some activities may occur at times when students and school staff are present. Therefore, as required by SFPUC Standard Construction Measure #4, the modified project would implement traffic control measures, such as flaggers and construction warning signage, sufficient to maintain safe traffic and bicycle and pedestrian circulation during construction. As a result, the modified project's impact related to safety during construction would be less than significant, and the EIR's mitigation measure applicable to the approved project would not be required for the modified project.

  The EIR concluded that the approved project's impacts on traffic during operation would be less than significant because any increase in vehicle trips related to maintenance would be minimal. For the same reason, this impact would also be less than significant for the modified project. Normal

operation and maintenance activities for the modified project would not differ substantially from existing conditions.

The EIR concluded that construction activities for the approved project would have a less-than-significant impact on emergency access because full street closures would not be required, and construction-related traffic would not be substantial. As these conditions would also apply to the modified project, this impact would remain less than significant.

Similar to the approved project, the modified project would have no impacts relating to increased hazards due to a design feature, change in air traffic patterns, or with regard to conflicts with adopted policies, plans, or programs regarding public transit, roadway, bicycle, or pedestrian facilities. The modified project does not involve changes to the design or operation of transportation facilities or the installation of features that would interfere with airspace.

In summary, the modified project would not result in new significant transportation and circulation impacts that were not previously identified in the San Antonio Backup Pipeline Project EIR, would not result in more severe transportation and circulation impacts than those identified in the San Antonio Backup Pipeline Project EIR, and would not require new transportation and circulation mitigation measures.

- Noise and Vibration. The approved and modified projects are not located within two miles of a public airport or public use airport and are not in an area covered by an airport land use plan. In addition, they are not located in the vicinity of a private airstrip. Therefore, these significance criteria are not applicable to the approved project and the modified project.

  The San Antonio Backup Pipeline Project EIR found that the approved project's construction noise impacts to sensitive receptors would be less than significant with mitigation incorporated. The approved project's construction noise impacts during the daytime and evening hours (7 a.m. to 10 p.m.) were determined to be less than significant; however, nighttime construction noise impacts would be potenitally significant and reduced to a less-than-significant level through implementation of Mitigation Measure M-NO-1 (Administrative and Source Controls), requiring the contractor to implement best available noise control techniques for equipment used at night. The EIR also evaluated whether the approved project would exceed exterior noise standards established by the Alameda County Noise Ordinance for construction activities extending beyond the ordinance time limits and concluded that this impact would be less than significant with implementation of Mitigation Measure M-NO-2 (Noise Control Plan). Construction of the modified project would occur between 7 a.m. and 7 p.m. Monday through Friday, and between 8 a.m. and 5 p.m. Saturday, in accordance with the Alameda County Noise Ordinance; no construction would occur outside of these hours. Further, project construction would largely occur during the summer months when school is not in session; when school is in sesssion, project construction on the Sunol Glen Elementary School grounds would take place outside of school hours. In addition, in accordance with Standard Construction Measure #5 (Noise), the modified project would implement measures to minimize noise disruption to nearby neighbors and sensitive receptors during construction such as employing best available noise control technologies on equipment and locating stationary noise sources (e.g., pumps

and generators) away from sensitive receptors. Therefore, noise impacts resulting from construction of the modified project would be less than significant, and the EIR's mitigation measures applicable to the approved project would not be required for the modified project.

The EIR concluded that operational noise impacts from the approved project, resulting from the use of pumps at discharge facilities, would be less than significant. The modified project does not include any new permanent sources of operational noise. Therefore, the modified project would have no impact related to operational noise.

The EIR concluded that groundborne vibration impacts from construction of the approved project would be less than significant. The modified project would also use vibratory equipment, such as a compactor and an excavator with a vibratory driver attachment. Operation of a vibratory compactor would generate vibration levels of 0.21 in/sec PPV at 25 feet, and a vibratory driver would generate vibration levels of 0.734 PPV at 25 feet. These vibration levels would decrease by half for every doubling of distance.[50] Vibration levels generated by vibratory compactors are estimated at approximately 0.105 in/sec PPV at 50 feet and 0.053 in/sec PPV at 100 feet. Vibration levels generated by vibratory drivers are estimated at approximately 0.367 in/sec PPV at 50 feet and 0.184 in/sec PPV at 100 feet. The nearest structures are the Arroyo del la Laguna Bridge and buildings at the Sunol Glen Elementary School, approximately 50 feet and 100 feet, respectively, from the closest extent of ground-disturbing construction activities. At these distances, vibration levels would not exceed the the 0.4 in/sec PPV damage threshold for continuous vibration identified in the EIR. Therefore, this impact would remain less than significant for the modified project.

In summary, the modified project would not result in new significant noise and vibration impacts that were not previously identified in the San Antonio Backup Pipeline Project EIR, would not result in more severe noise and vibration impacts than those identified in the San Antonio Backup Pipeline Project EIR, and would not require new noise and vibration mitigation measures.

- Air Quality. The San Antonio Backup Pipeline Project EIR evaluated whether emissions from the approved project's construction activities would violate air quality standards and would contribute substantially to an existing air quality violation. Modeling results showed that nitrogen oxide (NOx) emissions would exceed Bay Area Air Quality Management District (BAAQMD) CEQA significance thresholds. The EIR concluded that implementation of Mitigation Measures M-AQ-1a (BAAQMD Basic Construction Measures) and M-AQ-1b (BAAQMD Additional Construction Measures for NOx Reduction) would reduce the impact, but not to a less-than-significant level; therefore, the impact was determined to be significant and unavoidable. Construction of the modified project would result in the emissions of criteria pollutants in amounts that would be well below BAAQMD CEQA significance thresholds, as shown in Table 4. In addition, the modified project would implement SFPUC Standard Construction Measure #2 (Air Quality), which would require compliance with the basic construction measures recommended by the BAAQMD. The BAAQMD basic construction measures include watering exposed (unpaved) ground surfaces two times per day, covering trucks transporting soils and loose

[50] Wilson Ihrig & Associates, Inc., Final Technical Report, San Francisco Public Utilities Commission, New Crystal Springs Bypass Tunnel, Noise and Vibration. October 12, 2005.

materials, minimizing idling times for construction equipment, and re-paving or re-vegatating exposed surfaces as soon as possible, among other measures that serve to minimize criteria air pollutant and fugitive dust emissions from construction activities. Therefore, this impact would be less than significant for the modified project, and the EIR's mitigation measures applicable to the approved project would not be required for the modified project.

Table 4: Average Daily Emissions of Criteria Pollutants During Construction

Pollutant	Modified Project Construction Emissions (lbs/day)	Modified Project Construction Thresholds (lbs/day)
PM_{10}	0.899	82
$PM_{2.5}$	0.442	54
NO_x	9.761	54
ROG	1.046	54

Notes:
NO_X = nitrogen oxides
;PM_{10} = particulate matter equal to or less than 10 micrometers in diameter
$PM_{2.5}$ = particulate matter equal to or less than 2.5 micrometers in diameter
ROG = reactive organic gases
Source: Modeled by AECOM in 2023.

The EIR found that the approved project's impact from exposure of sensitive receptors to substantial pollutant concentrations (toxic air contaminants and diesel particulate matter) would be less than significant. The modified project's construction emissions would be a fraction of those from the approved project, given its much smaller scale, and given that the modified project's construction schedule is substantially shorter (4 months versus 21 months) by comparison. For these reasons, potential exposure levels would be significantly lower. The nearest sensitive receptor for air quality impacts is the Sunol Glen Elementary school, which would be adjacent to the construction area of the modified project. Project construction would largely occur during the summer months when school is not in session; when school is in session, construction activities on the Sunol Glen Elementary School grounds would occur outside of school hours. In addition, the modified project would implement SFPUC Standard Construction Measure #2 (Air Quality), which would require compliance with the basic construction measures recommended by the BAAQMD (described above) to reduce fugitive dust and criteria air pollutant emissions. Therefore , this impact would remain less than significant for the modified project.

The EIR determined that the approved project's operational impacts related to criteria pollutant emissions, exposure of sensitive receptors to substantial pollutant concentrations, and conflicts with implementation of the applicable air quality plan would be less than significant. Operation of the modified project would not include emergency generators, emissions from diesel tanks, new employee vehicles, or new maintenance vehicle trips. Therefore, operational emissions from the

modified project would be minimal and would not exceed BAAQMD significance thresholds. These impacts would remain less than signficant for the modified project.

The EIR concluded that approved project construction activities would not create objectionable odors affecting a substantial number of people due to the short-term and localized nature of emissions from diesel equipment, which would also be subject to idling limits. Given that the modified project would involve similar equipment performing similar construction activities over a much shorter construction duration, this impact would remain less than significant. As with the approved project, the modified project would not include operational components with the potential to generate odors affecting a substantial number of people and therefore would have no impact with respect to this criterion during operation.

In summary, the modified project would not result in new significant air quality impacts that were not previously identified in the San Antonio Backup Pipeline Project EIR, would not result in more severe air quality impacts than those identified in the San Antonio Backup Pipeline Project EIR, and would not require new air quality mitigation measures.

- Greenhouse Gas Emissions. The San Antonio Backup Pipeline Project EIR concluded that the approved project would have less-than-significant impacts related to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing greenhouse gas (GHG) emissions. The EIR found that GHG emissions from the approved project's construction activities would be relatively small in comparison to statewide and Bay Area GHG emissions, would be temporary in nature (i.e., during the 21-month construction period), and would be reduced through the City and County of San Francisco and SFPUC implementing ongoing GHG reduction actions. The EIR also concluded that the approved project's operational GHG emissions would not have a significant impact on the environment because emissions from vehicle trips associated with operation and maintenance activites would not be significantly different from existing conditions and GHG emissions from new stationary sources would not exceed the BAAQMD significance threshold.

  Similar to the approved project, GHG emissions from the modified project would also be minor and temporary, and City and County of San Francisco and SFPUC GHG reduction actions are ongoing and would still occur. The modified project would not add sources of operational GHG emissions, and the modified project's GHG emissions during construction would not be large enough to conflict with state, regional, or local GHG reduction plans and regulations. Therefore, the modified project would not result in new significant greenhouse gas impacts that were not previously identified in the San Antonio Backup Pipeline Project EIR, would not result in more severe greenhouse gas impacts than those identified in the San Antonio Backup Pipeline Project EIR, and would not require new greenhouse gas mitigation measures.

- Wind and Shadow. The San Antonio Backup Pipeline Project EIR determined that the approved project would not result in impacts related to wind or shadow. The approved project involved the construction of new structures similar in size and height to existing SFPUC buidlings in the area that would not alter wind patterns in the vicinity or create substantial new shadows that would affect outdoor recreation facilities or other public areas. Except for the air valves, all permanently installed

components of the modified project would be below ground. The air valves would protrude only slightly above the ground surface and would not alter wind patterns in the vicinity or create substantial new shadows. Therefore, the modified project would also have no impact related to wind and shadow.

- Recreation. The approved and modified projects would not increase the use of existing neighborhood and regional parks or other recreational facilities and would not involve the construction or expansion of existing recreational facilities. Therefore, these significance criteria are not applicable to the approved project and the modified project.

  The San Antonio Backup Pipeline Project EIR evaluated whether the approved project would temporarily degrade existing recreational uses during construction. It concluded that although construction activities could adversely affect the recreational experience of bicyclists along Calaveras Road as a result of dust/exhaust emissions and truck traffic, implementation of air quality and traffic mitigation measures would reduce these secondary recreational effects to a less-than-significant level. The construction activities of the modified project would be confined to a limited area northwest of the intersection of SR 84 (Niles Canyon Road) and Pleasanton Sunol Road. Although bicyclists would travel past this construction zone, exposure to any secondary effects would be limited to an approximately 200-linear-foot extent in which construction activities would be within 50 to 100 feet of Niles Canyon Road. This exposure would not be enough to substantially degrade the recreational experience of bicyclists. Therefore, this impact would be less than significant for the modified project, and the EIR's mitigation measures applicable to the approved project to mitigate recreational use impacts would not be required for the modified project.

  In summary, the modified project would not result in new significant recreation impacts that were not previously identified in the San Antonio Backup Pipeline Project EIR, would not result in more severe recreation impacts than those identified in the San Antonio Backup Pipeline Project EIR, and would not require new recreation mitigation measures.

- Utilities and Service Systems. As with the approved project, the modified project would not involve wastewater generation or treament, would not require additional water supply resources, and would not require the construction of new or expanded utility systems; no impact would occur with respect to these criteria.

  The San Antonio Backup Pipeline Project EIR concluded that construction of the approved project would have potentially substantial adverse effects related to disruption of utility operations or accidental damage and from the relocation of local utilities; however, these impacts would be reduced to a less-than-significant level with implementation of Mitigation Measures M-UT-1a (Confirm Utility Line Location), M-UT-1b (Safeguard Employees from Potential Accidents Related to Undergound Utilities), M-UT-1c (Notify Local Fire Departments), M-UT-1d (Emergency Response Plan), M-UT-1e (Ensure Prompt Reconnection of Utilities), M-UT-1f (Coordinate Final Construction Plans with Affected Utilities), M-UT-1g (Avoidance of Utilities Constructed or Modified by Other SFPUC Projects), and M-UT-1h (Measures to Protect Alameda Siphons Nos. 1, 2, and 3). These measures required the location of utilities to be confirmed prior to construction and the coordination of final design plans

with affected utilties, among other measures to minimize or avoid potential utility impacts. The modified project involves replacement of a 495-foot-long segment of water distribution pipeline within the same SFPUC right-of-way. During construction, SFPUC would install a temporary aboveground bypass pipeline to allow water to remain in service to the Town of Sunol while the main pipeline is out of service. The modified project would not require disruption or relocation of other utilities because no other utilities are present within the areas where ground-disturbing activities would occur. Therefore, this impact would be less than significant for the modified project, and the EIR's mitigation measures applicable to the approved project to mitigate utility impacts would not be required for the modified project.

As with the approved project, the small quantity of solid waste generated from construction of the modified project (less than 200 cubic yards) would be handled in compliance with federal, state and local statutes and regulations, and would be disposed of at a nearby landfill with adequate capacity. Therefore, with respect to utilities and service systems, the modified project would not result in new significant impacts that were not previously identified in the San Antonio Backup Pipeline Project EIR, would not result in more severe impacts than those identified in the San Antonio Backup Pipeline Project EIR, and would not require new mitigation measures.

- Public Services. As with the approved project evaluated in the San Antonio Backup Pipeline Project EIR, the modified project would not increase the local population, or otherwise affect the need for fire protection, police protection, schools, parks or other public services (the construction of which could result in impacts on the envirorment) given that it involves replacement of an existing water pipeline segment, totalling approximately 495 linear feet. Therefore, no expansion of such services, causing adverse physical impacts, would occur. As with the approved project, the modified project would have no impact related to public services.
- Geology and Soils. The approved and modified projects do not include septic tanks or alternative wastewater disposal systems; therefore, this significance criterion is not applicable to the approved project nor to the modified project.

  The San Antionio Backup Pipeline Project EIR determined that during construction the approved project would have potentially significant impacts related to a geologic unit becoming unstable and from substantial erosion and loss of topsoil; however, the impacts would be reduced to a less-than-significant level with implementation of Mitigation Measure M-GE-1 (Shoring Plans for Pit F3-East), Mitigation Measure M-HY-1a (Preparation and Implementation of a SWPPP [Stormwater Pollution Prevention Plan]), and Mitigation Measure M-BI-1f (Prepare and Implement a Vegetation Restoration and Compensatory Mitigation Plan). Because Pit F3-East is outside the proposed modified project area, Mitigation Measure M-GE-1 would not apply. The modified project would replace 495 feet of an existing pipeline in a mostly flat area. The only slopes at the modified project site are the banks of Arroyo de la Laguna, which the replacement pipeline would cross in a trench. To stabilize this portion of trench in the creek during construction, sheet piles would be installed to a depth of 25 feet below ground surface. Shoring for the portion of the trench outside of the creek would involve less substantial methods than sheet piles, such as panels or shields. All excavation required for the

modified project would be backfilled to the original grade upon the completion of construction activities and lightly compacted. The Geotechnical Interpretive Report[51] for the modified project concluded that the depth of excavation (11 feet below ground surface throughout the creek crossing portion) would be adequate to mitigate the potential impact of localized instability of the existing creek banks and side slopes to the proposed pipeline because it would be embedded deep enough within the stable zone of the slopes and creek bed. The modified project's ground disturbance would be limited to the 495-foot pipeline replacement corridor which is less than one acre in area. This is substantially less than the approved project, which involved construction of new facilities and thousands of linear feet of pipeline. Therefore, the modified project would result in less potential to cause erosion or loss of topsoil and Mitigation Measure M-HY-1a would not be required. In addition, the SFPUC would require implementation of its Standard Construction Measure #3 (Water Quality) for the modified project to prevent substantial erosion or loss of topsoil during construction. Standard Construction Measure #3 requires the implementation of erosion and sedimentation controls tailored to the modified project site, such as fiber rolls, silt fences, or other such measures to prevent erosion and the discharge of sediments and other pollutants to surface waters. Following pipeline installation, disturbed surfaces would be lightly compacted and resurfaced or revegetated based on preconstruction conditions to prevent erosion and loss of topsoil. Because the modified project has considerably less potential to cause erosion or loss of topsoil (compared to the approved project) and disturbed surfaces would be lightly compacted and resurfaced or revegetated, Mitigation Measure M-BI-1f would not be required to reduce the modified project's impacts to soils. Therefore, impacts related to geology and soils would be less than significant for the modified project, and the EIR's mitigation measures applicable to the approved project would not be required to reduce these impacts for the modified project.

The EIR concluded that operation of the approved project would have less-than-significant impacts related to the exposure of seismic risks (surface fault rupture, ground shaking, ground failure, and landslides), from expansive soils, to causing substantial soil erosion or loss of topsoil, to causing slope instabilty, and to causing a substanial change of topography or of any unique geologic or physical feature of the site. At a distance of 0.3 mile, the Calaveras Fault is further from the site of the modified project than most of the approved project components. The Geotechnical Interpretive Report[52] prepared for the modified project determined that the potential for liquefaction beneath the proposed pipeline is low and the estimated liquefaction-induced settlement would be negligible. The report also concluded that because liquefaction for the majority of the soil on site is considered to be low, the potential of lateral spreading hazard for the project alignment is also low. Because the modified project would replace an existing pipeline segment within the same right-of-way and would be designed in accordance with applicable seismic design requirements including SFPUC's General Seismic Requirements for Design of New Facilities and Upgrade of Existing Facilities,[53] there would be

[51] AGS, Inc. Final Geotechnical Interpretive Report. Town of Sunol Pipeline Project. March 18, 2022.
[52] Ibid.
[53] San Francisco Public Utilities Commission, 2014. General Seismic Requirements for Design of New Facilities and Upgrade of Existing Facilities. June.

no increased risks related to seismic effects. The creek crossing portion of the proposed replacement pipeline would be buried at a depth of at least 11 feet below ground surface for protection against scour, which would also protect against local instabilities of the creek slopes. All excavation required for the modified project would be backfilled to the original grade upon the completion of construction activities and would not result in a modification of topography. Following pipeline installation, disturbed surfaces would be lightly compacted and resurfaced or revegetated based on preconstruction conditions to prevent erosion and loss of topsoil. Therefore, the modified project would not result in new significant impacts related to geology and soils that were not previously identified in the San Antonio Backup Pipeline Project EIR, would not result in more severe impacts than those identified in the San Antonio Backup Pipeline Project EIR, and would not require new mitigation measures.

- Hazards and Hazardous Materials. The modified project site is not listed on the Cortese List, is not located within two miles of a public airport or within an area covered by an airport land use plan, and is not located in the vicinity of a private airstrip. As with the approved project, the modified project would also have no impact with respect to these significance criteria.

  The San Antonio Backup Pipeline Project EIR determined that construction of the approved project would result in potentially substantial adverse effects related to reasonably foreseeable upset and accident conditions involving the release of hazardous materials or hazardous construction chemicals into the environment; however, impacts would be reduced to a less-than-signficant level with implementation of Mitigation Measure M-HZ-1a (Evaluate Soil Quality), Mitigation Measure M-HZ-1b (Implement a Construction Risk and Spoils Management Plan), Mitigation Measure M-HZ-1c (Hazardous Building Materials), and Mitigation Measure M-HY-1a (Preparation and Implementation of a SWPPP [Stormwater Pollution Prevention Plan]). There are no recorded hazardous waste or substance sites on or within the vicinity of the modified project site,[54] and excavation would involve replacement of a water pipeline in an area that has not been used for land uses that would have involved the use, storage, or disposal of hazardous materials. In addition, the modified project does not involve demolition of buildings that may contain hazardous materials. Therefore, the modified project would not result in impacts related to the release of hazardous materials encountered in soil or building materials and Mitigation Measures M-HZ-1a through M-HZ-1c are not required for the modified project. Should unanticipated contamination be encountered during construction, the extent and nature of contamination would be characterized and appropriately treated, contained, or removed as required by Standard Construction Measure #6 (Hazardous Materials).

  Construction of the modified project could inadvertantly release small quantities of hazardous materials, which could degrade soil, groundwater, and surface water (e.g., Arroyo de la Laguna). However, during construction, the SFPUC would implement its Standard Construction Measure #6 to prevent the release of hazardous materials used during construction (such as storing them pursuant to manufacturer recommendation, maintaining spill kits onsite, and containing any spills that occur to

[54] State of California, Department of Toxic Substances of Control. Envirostor Database (https://www.envirostor.dtsc.ca.gov/public). Accessed December 19, 2022.ma

the extent safe and feasible followed by collection and disposal in accordance with applicable laws) and would implement erosion and sedimentation controls tailored to the modified project site for the protection of water quality, in accordance with its Standard Construction Measure #3 (Water Quality). Operation of the modified project would not change the use of hazardous materials for maintenance actitivities from existing conditions (e.g., minimal use of common lubricants and solvents for maintenance of pipeline system valves and other components). Therefore, the modified project's impacts related to hazardous materials transport, use, and disposal or accidental release would be less than significant, and the EIR's mitigation measures applicable to the approved project would not be required for the modified project.

Sunol Glen Elementary School is located immediately adjacent to the modified project site. Extremely hazardous materials as defined by the State of California in Section 255332(2)(g) of the Health and Safety Code would not be used during construction of the modified project, but rather common hazardous materials such as paints, solvents, cements, adhesives, and petroleum products (such as oil and fuel) which would be handled in accordance with standard procedures for safe storage and use. Diesel particulate matter, a toxic air contaminant, would be emitted during construction. As described under the Air Quality section above, the emission of criteria pollutants during construction would be well below BAAQMD significance thresholds, and construction would largely occur during the summer months when school is not in session. When school is in session, construction activities at the Sunol Glen Elementary School grounds would occur outside of school hours. In addition, the SFPUC would implement Standard Construction Measure #2 (Air Quality) during construction of the modified project, which requires compliance with the basic construction measures recommended by the BAAQMD to reduce fugitive dust and criteria pollutant emissions. Therefore, the modified project's impacts related to hazardous emissions and the handling of hazardous materials within 0.25-mile of a school would be less than significant.

As with the approved project, the modified project would have less than significant impacts related to impeding access for emergency response vehicles, interfering with an emergency response plan or emergency evacuation plan, and wildland fire risk. No lane or road closures are anticipated and the SFPUC's Standard Construction Measure #4 (Traffic) requires preparation and implementation of a traffic control plan to minimize impacts on traffic flow. Although the modified project is in a Moderate Fire Hazard Severity Zone as designated by CAL FIRE,[55] replacement of an underground water pipeline would not contribute to an increase in wildfire hazard risk during operation of the modified project because it would not involve new facilities or changes to the landscape that would excerbate fire risk . As with the approved project, during construction the modified project, SFPUC would comply with all public resource code sections intended to prevent wildland fire. Therefore, these impacts would remain less than significant.

In summary, the modified project would not result in new significant impacts related to hazards and hazardous materials that were not previously identified in the San Antonio Backup Pipeline Project

[55] CAL FIRE. 2022. State Responsibility Area Fire Hazard Severity Zones for Alameda County.

EIR, would not result in more severe impacts than those identified in the San Antonio Backup Pipeline Project Project EIR, and would not require new mitigation measures.

- Mineral and Energy Resources. The project area for the approved San Antonio Backup Pipeline project is located in area of active quarries and is designated by the California Mineral Land Classification System as MRZ-2 (i.e., areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence). However, the EIR concluded that the approved project would not result in the temporary loss of availability of known mineral resources because it would not take place in active mining areas or impede or interfere with active mining operations. There are no mining activities occurring in the proposed modified project area, and the limited extent of construction and new ground disturbance would not result in the loss of availability of known mineral resources that would be of value to the region or residents of the state, or the temporary loss of availability of a locally important mineral resource recovery site. Therefore, mineral resources impacts would remain less than significant for the modified project.

  The EIR evaluated the impact of construction-related use of large amounts of fuel or energy, or the use of these resources in a wasteful manner. The approved project involved the use of fuels (primarily gas, diesel, and motor oil) for a variety of construction activities. However, the EIR concluded that implementation of the SFPUC's Standard Construction Measures and ongoing SFPUC actions to reduce GHGs (in general), as well as mitigation measures to reduce emissions from construction equipment (M-AQ-1a [BAAQMD Basic Construction Measures] and M-AQ-1b [BAAQMD Additional Construction Measures for NOx Reduction]), would reduce the impact to a less-than-significant level by restricting idling and encouraging use of alternative fuels and equipment to reduce NOx emissions, which in turn would increase fuel efficiency and ensure that fuels would not be used in a wasteful manner. The modified project involves considerably less construction activity (i.e., replacement of a 495-foot-long-pipeline segment) than the approved project, which involved construction of new facilities and thousands of linear feet of pipeline. As such, the modified project would not use large amounts of fuel. In addition, the SFPUC would implement its Standard Construction Measure #2 for air quality, which would also serve to reduce any wasteful use of fuels. Therefore, the modified project's impact related to energy use during construction would be less than significant. The EIR concluded that the operational impacts of the approved project on energy use would be less than significant. The modified project would also not involve an increase in energy use from existing operation and maintenance activities. As a result, operation of the modified project have less-than-significant impacts relative to energy usage.

  Therefore, the modified project would not result in new significant mineral and energy resources impacts that were not previously identified in the San Antonio Backup Pipeline Project EIR, would not result in more severe mineral and energy resources impacts than those identified in the San Antonio Backup Pipeline Project EIR, and would not require new mineral and energy resources mitigation measures.

- Agriculture and Forest Resources. The locations of the approved and modified projects do not contain forest land, land zoned for agricultural uses, or land subject to Williamson Act contracts, and do not

involve other changes in the existing environment, which, due to their location or nature, could result in the conversion of farmland to non-agricultural use or forest land to non-forest use. Therefore, these significance criteria are not applicable to the approved project nor to the modified project.

The San Antonio Backup Pipeline Project EIR evaluated the impact of conversion of farmland to a non-agricultural use, as a portion of a 5-acre construction staging area designated as Unique Farmland was to be used for the permanent disposal of spoil from construction. The EIR determined that this would be a significant impact because this use would preclude the future use of the site for tree nursery operations, but that implementation of Mitigation Measure M-AG-1 (Compensation for Loss of Unique Farmland) would reduce the impact to a less-than-significant level. Because the proposed construction footprint of the modified project does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, the modified project would have no impact with respect to this criterion and the EIR's mitigation measure applicable to the approved project would not be required for the modified project. Therefore, the modified project would not result in new significant agriculture and forest resources impacts that were not previously identified in the San Antonio Backup Pipeline Project EIR, would not result in more severe agriculture and forest resources impacts than those identified in the San Antonio Backup Pipeline Project EIR, and would not require new agriculture and forest resources mitigation measures.

- Wildfire. The San Antonio Backup Pipeline Project EIR did not analyze wildfire impacts, as this topic was not mandated for inclusion under CEQA until 2019. However, it did analyze whether the approved project would result in impacts related to the significant risk of fires and found that such impacts would be less than significant. The modified project would also result in less than significant impacts relative to the significant risk of fires because it would occur in areas that have adequate fire-fighting capabilities and would not involve new facilities or changes to the landscape that would excerbate fire risk (see additional discussion above under Hazards and Hazardous Materials). Therefore, the modified project would not result in new significant impacts related to wildfires and would not require new mitigation measures.

Conclusion

Based on the foregoing, it is concluded that the analyses conducted and the conclusions reached in the EIR certified by the planning commission on September 20, 2012 remain valid and that no supplemental environmental review is required. The proposed revisions to the project would not cause new significant impacts not identified in the EIR, and no new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the modified project that would cause significant environmental impacts to which the modified project would contribute considerably, and no new information has become available that shows that the modified project would cause significant environmental impacts. Therefore, no supplemental environmental review is required beyond this addendum.

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

Devyani Jain
for Lisa Gibson

Lisa Gibson
Environmental Review Officer

October 25, 2023

Date of Determination

Appendix A

SFPUC Standard Construction Measures

San Francisco Water Power Sewer
Services of the San Francisco Public Utilities Commission

OFFICE OF THE GENERAL MANAGER
525 Golden Gate Avenue, 13th Floor
San Francisco, CA 94102-3220
T 415.554.0740
F 415.554.3161
TTY 415.554.3488

MEMORANDUM

TO: Michael Carlin, Juliet Ellis, Barbara Hale, Kathryn How, Tommy Moala, Steven Ritchie, Eric Sandler

DATE: July1, 2015

FROM: Harlan L. Kelly, Jr. General Manager

SUBJECT: SFPUC Standard Construction Measures

In 2006, the SFPUC General Manager (GM) directed SFPUC staff to incorporate the Standard Construction Measures (Measures) in all SFPUC projects via memorandum on August 16, 2006. The directive was updated and clarified on December 6, 2006. The GM updated and re-issued the Measures on February 7, 2007. The purpose then, as it is now, was for the SFPUC to adopt environmentally responsible practices to apply to all SFPUC projects.

This directive further updates the Measures. In particular, the protocol for cultural resources is included in detail in order to fully incorporate the San Francisco Planning Department's recently adopted approach to this resource area so that all SFPUC are constructed consistently with this protocol. The updated cultural resources protocols are set forth in full and are attached to this memorandum.

In addition to complying with all applicable local, State, and federal laws and regulations, these Measures are to be followed as a standard practice in the execution of every SFPUC project. While some of the Measures may not apply to a project, it is important to address each of the Measures either by implementing the Measure as described, explaining why it is not applicable to the particular project, or undertaking further investigation and developing a more detailed work plan to address the resource as provided in the resource-specific Measures. Some of the Measures are very broad and will be tailored to suit each project site and surrounding circumstances.

For projects that undergo full CEQA review (Mitigated Negative Declarations or Environmental Impact Reports) a n d / or receive resource agency permits (e.g., US Army Corps of Engineers, California Department of Fish and Wildlife, etc.), these Measures may be superseded and/or amplified with more detailed, project specific

mitigation measures or conditions stipulated in the project CEQA document and/or permits.

The Measures can be accessed at the following link:

S:\SFPUC Standard Construction Measures

The responsibility for implementation of the Standard Construction Measures rests with each Project Manager in Infrastructure and the SFPUC Enterprises. If you have any questions please contact Irina Torrey, Manager, Bureau of Environmental Management at 415-554-3232.

Please begin implementing these Measures immediately. Thank you for your cooperation.

SFPUC Standard Construction Measures

1. SEISMIC AND GEOTECHNICAL STUDIES: All projects will prepare a characterization of the soil types and potential for liquefaction, subsidence, landslide, fault displacement, and other geological hazards at the project site and will be engineered and designed as necessary to minimize risks to safety and reliability due to such hazards. As necessary, geotechnical investigations will be performed.

2. AIR QUALITY: All projects within San Francisco City (the City) limits will comply with the Construction Dust Control Ordinance. All projects outside the City will comply with applicable local and State dust control regulations. All projects within City limits will comply with the Clean Construction Ordinance. Projects outside City limits will comply with San Francisco or other applicable thresholds for health risks. All projects, both within and outside of City limits, will comply with either San Francisco or other applicable thresholds for construction criteria air pollutants.

To meet air quality thresholds, all projects (as necessary) will implement air quality controls to be tailored to the project, such as using high tier engines, Verified Diesel Emissions Control Strategies (VDECS) such as diesel particulate filters, customized construction schedules and procedures, and low emissions fuel.

3. WATER QUALITY: All projects will implement erosion and sedimentation controls to be tailored to the project site such as, fiber rolls and/or gravel bags around stormdrain inlets, installation of silt fences, and other such measures sufficient to prevent discharges of sediment and other pollutants to storm drains and all surface waterways, such as San Francisco Bay, the Pacific Ocean, water supply reservoirs, wetlands, swales, and streams. As required based on project location and size, a Stormwater Control Plan (in most areas of San Francisco) or a Stormwater Pollution Prevention Plan (SWPPP) (outside of San Francisco and in certain areas of San Francisco) will be prepared. If uncontaminated groundwater is encountered during excavation activities, it will be discharged in compliance with applicable water quality standards and discharge permit requirements.

4. TRAFFIC: All projects will implement traffic control measures sufficient to maintain traffic and pedestrian circulation on streets affected by construction of the project. Traffic control measures may include, but not be limited to, flaggers and/or construction warning signage of work ahead; scheduling truck trips during non-peak hours to the extent feasible; maintaining access to driveways, private roads, and off-street commercial loading facilities by using steel trench plates or other such method; and coordination with local emergency responders to maintain emergency access. For projects in San Francisco, the measures will also, at a minimum, be consistent with the requirements of San Francisco Municipal Transportation Agency (SFMTA)'s Blue Book. Any temporary rerouting of transit vehicles or relocation of transit facilities would be coordinated with the applicable transit agency, such as SFMTA Muni Operations in San Francisco. All Projects will obtain encroachment permits from the applicable jurisdiction for work in public roadways.

5. NOISE: All projects will comply with local noise ordinances regulating construction noise. The SFPUC shall undertake measures to minimize noise disruption to nearby neighbors and sensitive receptors during construction. These efforts could include using best available noise control technologies on equipment (i.e., mufflers, ducts, and acoustically attenuating shields),

locating stationary noise sources (i.e., pumps and generators) away from sensitive receptors, erecting temporary noise barriers, and other such measures.

6. HAZARDOUS MATERIALS: Where there is reason to believe that site soil or groundwater that will be disturbed may contain hazardous materials, the SFPUC shall undertake an assessment of the site in accordance with any applicable local requirements (e.g., Maher Ordinance) or using reasonable commercial standards (e.g., Phase I and Phase II assessments, as needed). If hazardous materials will be disturbed, the SFPUC shall prepare a plan and implement the plan for treating, containing or removing the hazardous materials in accordance with any applicable local, State and federal regulations so as to avoid any adverse exposure to the material during and after construction. In addition, any unidentified hazardous materials encountered during construction likewise will be characterized and appropriately treated, contained or removed to avoid any adverse exposure. Measures will also be implemented to prevent the release of hazardous materials used during construction, such as storing them pursuant to manufacturer recommendation, maintaining spill kits onsite, and containing any spills that occur to the extent safe and feasible followed by collection and disposal in accordance with applicable laws. SFPUC will report spills of reportable quantity to applicable agencies (e.g., the Governor's Office of Emergency Services).

7. BIOLOGICAL RESOURCES: All project sites and the immediately surrounding area will be screened to determine whether biological resources may be affected by construction. A qualified biologist will also carry out a survey of the project site, as appropriate, to note the general resources and identify whether habitat for special-status species and/or migratory birds, are present. In the event further investigation is necessary, the SFPUC will comply with all local, State, and federal requirements for surveys, analysis, and protection of biological resources (e.g., Migratory Bird Treaty Act, federal and State Endangered Species Acts, etc.). If necessary, measures will be implemented to protect biological resources, such as installing wildlife exclusion fencing, establishing work buffer zones, installing bird deterrents, monitoring by a qualified biologist, and other such measures. If tree removal is required, the SFPUC would comply with any applicable tree protection ordinance.

8. VISUAL AND AESTHETIC CONSIDERATIONS, PROJECT SITE: All project sites will be maintained in a clean and orderly state. Construction staging areas will be sited away from public view where possible. Nighttime lighting will be directed away from residential areas and have shields to prevent light spillover effects. Upon project completion, project sites on SFPUC-owned lands will be returned to their general pre-project condition, including re-grading of the site and re-vegetation or re-paving of disturbed areas to the extent this is consistent with SFPUC's Integrated Vegetation Management Policy. However, where encroachment has occurred on SFPUC-owned lands, the encroaching features may not be restored if inconsistent with the SFPUC policies applicable to management of its property. Project sites on non-SFPUC land will be restored to their general pre-project condition so that the owner may return them to their prior use, unless otherwise arranged with the property owner.

9. CULTURAL RESOURCES: All projects that will alter a building or structure, produce vibrations, or include soil disturbance will be screened to assess whether cultural resources are or may be present and could be affected, as detailed below.

Archeological Resources. No archeological review is required for a project that will not entail ground disturbance. Projects involving ground disturbance will undergo screening for

archeological sensitivity as described below and implement, as applicable, SFPUC's Standard Archeological Measures I (Discovery), II (Monitoring) and III (Testing/Data Recovery) per the Cultural Resources Attachments. Standard Construction Measure I will be implemented on all projects involving ground disturbance and Standard Archeological Measures II and III will be implemented based on the screening process described below for projects assessed as having the potential to encounter archeological sites and/or if an archeological discovery occurs during construction.

Projects involving ground disturbance will initially be screened to identify whether there is demonstrable evidence of prior ground disturbance in the project site to the maximum vertical and horizontal extent of the current project's planned disturbance. For projects where prior complete ground disturbance has occurred throughout areas of planned work, SFPUC will provide evidence of the previous disturbance in the Categorical Exemption application and no further archeological screening will be required.

For projects that are on previously undisturbed sites or where the depth/extent of prior ground disturbance cannot be documented, or where the planned project-related ground disturbance will extend beyond the depth/extent of prior ground disturbance, additional screening will be carried out as detailed below and shown on the attached flow chart titled "SFPUC Standard Construction Measure #9 Archeological Assessment Process". The additional screening will be conducted by the SFPUC's qualified archeologist (defined as meeting the Secretary of the Interior's Professional Qualifications Standards [36 CFR 61]) and, if a consultant, selected in consultation with the San Francisco Planning Department's Environmental Review Officer (ERO) and meeting criteria or specialization required for the resource type as identified by the ERO.

1) The SFPUC qualified archeologist will conduct an archival review for the project site, including review of Environmental Planning's (EP's) archeological GIS data and/or a records search of the California Historical Resources Information System (CHRIS) and other archival sources as appropriate. The qualified archeologist will also conduct an archeological field survey of the project site if, in the archeologist's judgment, this is warranted by site conditions. Based on the results, the archeologist will complete and submit to EP a Preliminary Archeological Checklist (PAC) (version dated 4/2015, to be amended in consultation with the ERO as needed). The PAC will include recommendations for the need for archeological testing, additional research and/or treatment measures consistent with Archeological Measures I, II, and III, to be implemented by the project to protect and/or treat significant archeological resources identified as being present within the site and potentially affected by the project.

2) The EP Archeologist (for projects within the City) or the ERO's archeological designee (for projects outside the City) will then conduct a Preliminary Archeological Review (PAR) of the PAC and other sources as warranted; concur with the PAC recommendations; and/or amend the PAC in consultation with the SFPUC archeologist or archeological consultant to require additional research, reports, or treatment measures as warranted based on his/her professional opinion.

3) The SFPUC shall implement the PAC/PAR recommendations prior to and/or during project construction consistent with Standard Archeological Measures I, II, and III, and

shall consult with the EP Archeologist in selecting an archeological consultant, as needed, to implement these measures.

4) Ground disturbing activities in archeologically sensitive areas, as identified through the above screening, will not begin until required preconstruction archeological measures of the PAC/PAR (e.g., preparation of an Archeological Monitoring Plan, Archeological Treatment Plan, and/or an Archeological Research Design and Data Recovery Plan) have been implemented.

Historic (Built Environment) Resources. For projects within the City that include activities with the potential for direct or indirect effects to historic buildings or structures, initial CEQA screening will include a review, for the project footprint and up to one parcel surrounding the footprint of CCSF's online planning map, all relevant survey data, preservation address files, and other pertinent sources for previously-identified, historically significant buildings and building and structures more than 45 years old that have not been previously evaluated. For projects outside of the City, initial CEQA screening will include a records search of EP's CCSF historical resources data, CHRIS, and other pertinent sources for historically significant or potentially significant buildings and structures older than 45 years.

For projects that would modify an existing building or structure that has been determined by EP as being a significant historical resource (i.e., appears eligible to qualify for the CRHR), or that would introduce new aboveground facilities in the vicinity of a significant historical resource, or that would affect previously unevaluated buildings or structures more than 45 years old, the SFPUC will retain a qualified architectural historian (defined as meeting the Secretary of the Interior's Professional Qualification standards and, if a consultant, also selected in consultation with the ERO) to conduct a historical resource evaluation (HRE). SFPUC will submit the project description and the HRE to the CCSF Planning Department Preservation Planner or to the ERO's-designated qualified architectural historian to assess potential effects. Where the potential for the project to have adverse effects on historic buildings or structures is identified, the CCSF Planning Department Preservation Planner or the ERO's designee will consult with SFPUC to determine if the project can be conducted as planned or if the project design can be revised to avoid the significant impact, and will comply with applicable procedures set forth in Historic Architectural Resource Measure I. If these options are not feasible, the project will need to undergo further review with EP and mitigation may be required. If so, the project would not qualify for a Categorical Exemption from CEQA review.

Where construction will take place in proximity to a building or structure identified as a significant historical resource but would not otherwise directly affect it, the SFPUC will implement protective measures, such as but not limited to, the erection of temporary construction barriers to ensure that inadvertent impacts to such buildings or structures are avoided.

CULTURAL RESOURCES ATTACHMENTS

Flow Chart: SFPUC Standard Construction Measure #9 Archeological Assessment Process

SFPUC Archeological Measure I (Archeological Discovery)

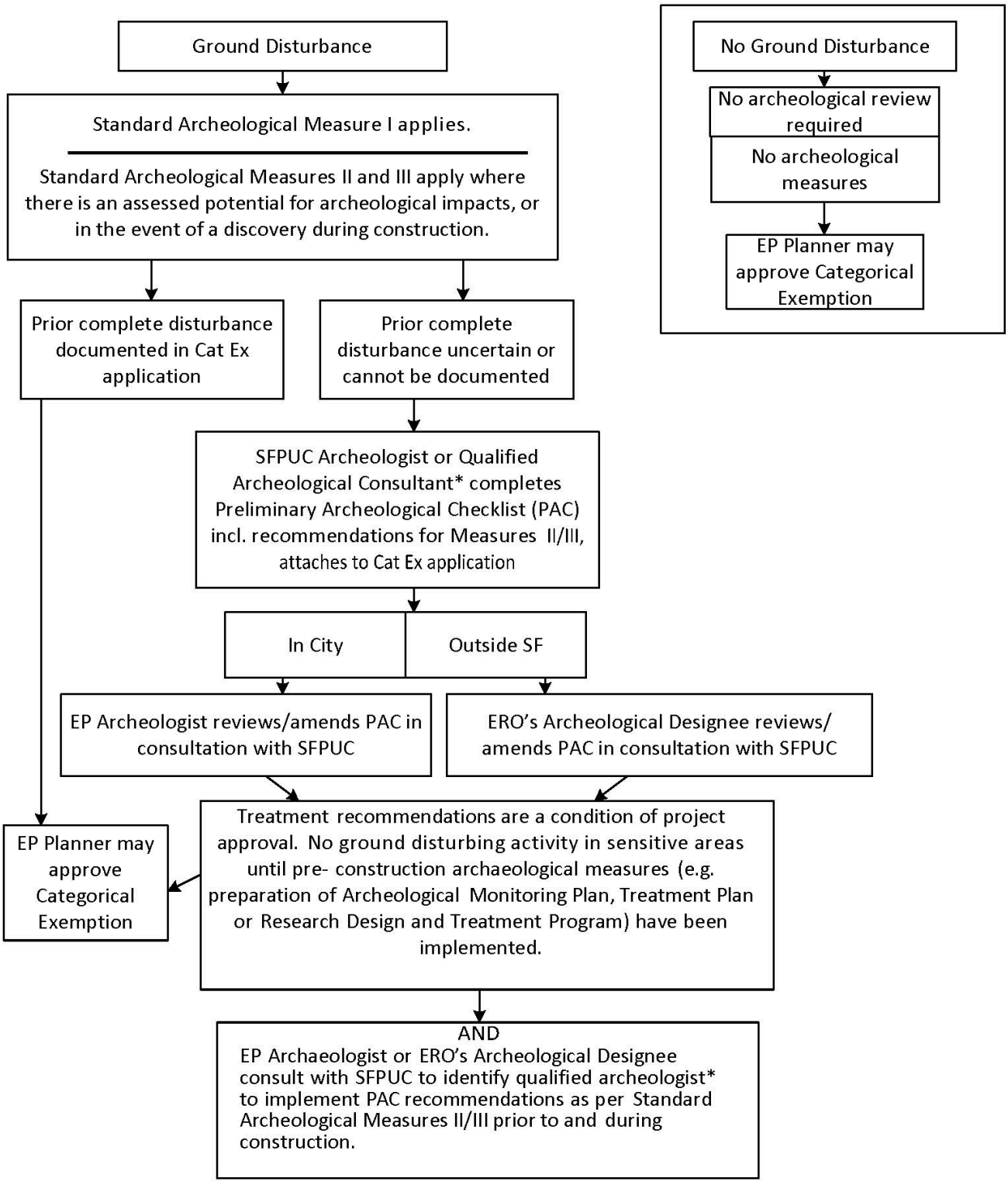
SFPUC Archeological Measure II (Archeological Monitoring)

SFPUC Archeological Measure III (Archeological Testing/Data Recovery)

Historic Architectural Resource Measure

SFPUC Preliminary Archeological Checklist (PAC)

Flow Chart: SFPUC Standard Construction Measure #9 Archeological Assessment Process



* Archeologist or archeological consultant who meets the Secretary of the Interior's Professional Qualifications Standards (36 CFR 61) as defined in Standard Archeological Measure I.

SAN FRANCISCO
PLANNING DEPARTMENT

5/28/2015. Subject to revision

SFPUC ARCHEOLOGICAL MEASURE I (Archeological Discovery)

The following requirements are applicable to:

- All projects that will include soil (ground) disturbance, and
- Any discovery of a potential historical resource or of human remains, with or without an archeological monitor present.

Prior to ground disturbing activities:

A. **Alert Sheet**. The SFPUC shall, prior to any soils disturbing activities, distribute the Planning Department archeological resource "ALERT" sheet to each project contractor or vendor involved in project-related soils disturbing activities; ensure that each contractor circulates it to all field personnel; and provide the Environmental Review Officer (ERO) with a signed affidavit from each contractor confirming distribution to all field personnel.

Upon making a discovery:

B. **Work Suspension**. Should a potential archeological resource be encountered during project soils disturbing activity, with or without an archeological monitor present, the project Head Foreman shall immediately suspend soils disturbing activities within 50 feet (15 meters) of the discovery, protect the find from further disturbance, and notify the SFPUC Project Manager (PM) and/or Environmental Project Manager (EPM), who shall immediately notify the ERO for further consultation.

C. **Qualified Archeologist.** All archeological work conducted under this measure shall be performed by an archeologist who meets the Secretary of the Interior's Professional Qualifications Standards (36-CFR 61); consultants will be selected in consultation with the ERO and meeting the criteria or specialization required for the resource type as identified by the ERO in a manner consistent with SFPUC's on-call contracting requirements.

D. **Assessment and Additional Measures**. If the ERO determines that the discovery is a potential archeological/historical resource, the archeologist, in consultation with the ERO, shall document the find, evaluate based on available information whether it qualifies as a significant historical resource under the CEQA criteria, and provide recommendations for additional treatment as warranted. The ERO will consult with SFPUC and the qualified archeologist on these recommendations and may require implementation of additional measures as set forth below in Archeological Measures II and III, such as preparation and implementation of an Archeological Monitoring Plan, an Archeological Testing Plan, and/or an Archeological Data Recovery Plan, and including associated research designs, descendant group consultation, other reporting, curation, and public interpretation of results.

E. **Report Reviews**. All plans and reports prepared by an archeological consultant, as specified herein, shall be submitted first and directly to the ERO for review and comment with a copy to the SFPUC and shall be considered draft reports subject to revision until final approval by the ERO.

F. **Draft and Final Archeological Resources Reports**. For projects in which a significant archeological resource is encountered and treated during project implementation (see Archeological Measures II and III), the archeological consultant

shall submit a draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken, research questions addressed, and research results. Information that may put at risk any archeological resource shall be provided in a separate, removable insert within the draft final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: two copies to the applicable California Historic Information System Information Center (CHRIS), one copy to each descendant group involved in the project, and documentation to the San Francisco Planning Department of transmittal of the above copies. In addition, the Planning Department shall be provided one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR, which shall include copies of any formal site recordation forms (CA DPR 523 series) and/or National Register of Historic Places/California Register of Historical Resources nominations.

G. **Other Reports.** In instances of high public interest or interpretive value, the ERO may require different or additional final report content, format, and distribution than that presented above.

H. **Human Remains, Associated or Unassociated Funerary Objects.** SFPUC shall ensure that human remains and associated or unassociated funerary objects discovered during any soils disturbing activity are treated in compliance with applicable State and federal laws. In the event of the discovery of potential human remains, the construction contractor shall ensure that construction activity within 50 feet of the find is halted and the SFPUC PM, EPM, ERO, and the County Coroner are notified immediately. If the Coroner determines that the remains are of Native American origin, he/she will notify the California State Native American Heritage Commission. Subsequent consultation on and treatment of the remains will be conducted consistent with Public Resources Code Section 5097.98 and CEQA Guidelines Section 15064.5(d), in consultation with the ERO.

I. **Consultation with Descendant Communities**. Consistent with AB 52 requirements, if requested, the SFPUC shall provide opportunities for Native American descendant groups to provide input during project planning for projects that may affect potential Tribal Cultural Resources. In addition, on discovery during construction of an archeological site associated with descendant Native Americans, the Overseas Chinese, or other descendant group, an appropriate representative of the descendant group shall be contacted by SFPUC at the direction of the ERO. SFPUC will offer this representative the opportunity to monitor archeological field investigations of the site and to consult with the ERO regarding the appropriate treatment and, if applicable, interpretation of the site and the recovered materials.

J. **Construction Delays**. Archeological monitoring and/or data recovery programs required by this measure may suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if this is the only feasible means to reduce potential effects on a significant archeological find to a less-than-significant level.

SFPUC ARCHEOLOGICAL MEASURE II (Archeological Monitoring)

A. **Archeological Monitoring Plan (AMP).** Where an archeological field investigation to identify expected buried or submerged resources cannot reasonably be carried out during project planning/ environmental review (for example, where definitive determination would require extensive street opening prior to construction), prior to any project-related soils-disturbing activities the qualified archeologist identified under Archeological Measure I.C. will consult with SFPUC and the ERO to develop an Archeological Monitoring Plan (AMP). The AMP which will be implemented in conjunction with soil-disturbing activities during construction. Preparation and implementation of an AMP also may be required based on the results of pre-construction archeological testing or upon a discovery during construction.

   The AMP shall include the following elements, at minimum:

   - Historical context and research design for assessment of resource types likely to be encountered;
   - Project activities to be archeologically monitored and intensity of monitoring of each type and location of project construction activity; and
   - Procedures for the documentation, significance and integrity assessment, treatment, interpretation and reporting of the types of resources likely to be encountered.

B. **Reporting.** Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO at the end of construction (See Archeological Measure I.E [Report Reviews] and I.F. [Final Archeological Research Report]).

C. **Monitoring Authorities**

   - The archeological monitor will have the authority to halt construction activity at the location of a suspected resource for inspection, documentation, and assessment of the need for further measures as set forth in Archeological Measure III.
   - The Archeological Monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis.
   - The Archeological Monitor(s) shall be present on the project site according to a schedule identified in the AMP, subject to modification upon ERO concurrence, based on findings.

D. **Testing/Data Recovery.** In the event of a discovery during construction, if the ERO and archeological consultant determine that the discovery is a significant resource (that is, a resource that meets the eligibility criteria of the California Register of Historic Resources or qualifies as a unique archeological resource) that will be adversely affected (that is, where the project would result in loss of data potential) or that additional investigation is required to make this determination, all applicable elements of Archeological Measure III (Archeological Testing/Data Recovery) also will be implemented.

SFPUC ARCHEOLOGICAL MEASURE III (Testing / Data Recovery)

The following provisions apply prior to or during construction when a significant archaeological resource (as defined in Measure II.D) or an archeological resource of undetermined significance is expected to be present in the work area and the ERO, in consultation with the qualified archeologist, determines that an archeological field investigation is needed to determine: a) the presence of an archeological resource, b) whether it retains depositional integrity, and c) whether it qualifies as a legally significant resource under CEQA criteria. All archeological work under this Measure will be carried out by a qualified archeologist as identified in Archeological Measure I.C. Per Archeological Measure I.J, implementation of this measure shall not exceed four weeks except at the direction of the ERO and only if this is the only feasible means to reduce potential effects on a significant archeological find to a less-than-significant level.

A. Archeological Testing Program. If an archeological investigation is required in order to verify resource location and/ or assess the significance of the resource, the archeological consultant shall consult with the ERO to prepare and implement an Archeological Testing Plan (ATP) that identifies:

- Key research questions and associated data needs,
- Testing/ sampling methods, and
- Testing locations.

Results of testing shall be presented to ERO in a written report following Measure I.E. If, based on the archeological testing program, the archeological consultant finds and the ERO concurs that significant archeological resources may be present, Measures III.B and/or III.C below will be implemented.

B. Treatment. If the project could adversely affect a significant (CRHR-eligible) archeological resource, preservation in place is the preferred manner of mitigating impacts, as detailed in CEQA Guidelines 15126.6(b) (3)(a) and (b).

If preservation in place is determined to be infeasible, the SFPUC at its discretion shall either:

- Re-design the proposed project so as to reduce the adverse effect to a less- than-significant level through preservation in place or other feasible measures; and/or
- For a resource important for its association with an important event or person, or which is of demonstrable public interest for both its scientific and historical values (e.g., a submerged ship), and where feasible, preserve the resource in place with appropriate documentation; or, if not feasible to preserve in place, systematically document and/or recover for interpretive use, at the discretion of the ERO, and/or;

For an archeological resource significant primarily for its data potential, design and implement an archeological data recovery program, as detailed under Measure III.D, below.

C. Archeological Data Recovery Plan (ADRP). For resources for which the elected treatment is archeological data recovery, the archeological consultant, in consultation with the ERO, shall prepare and implement an ADRP. It will identify how the significant information the archeological resource is expected to contain will be recovered and

preserved. Data recovery results will be reported in the FARR, as detailed in Measure I.F. The ADRP shall include the following elements:

- Historic context and research design
- Field methods and procedures, including sampling strategy
- Archeological monitoring recommendations for ongoing construction
- Cataloguing and laboratory analysis
- Discard, deaccession, and curation policy
- Interpretive program
- Security measures

HISTORIC ARCHITECTURAL RESOURCE MEASURE

A. **Qualified Architectural Historian.** When a building or structure that has been determined to be an historical resource is identified within a project's area of potential effects, the SFPUC will retain a qualified architectural historian (defined as meeting the Secretary of the Interior's Professional Qualification standards and, if a consultant, selected in consultation with the ERO) to conduct a historical resource evaluation (HRE).

B. **Effects Assessment**. The SFPUC will submit the project description and the HRE to CCSF Planning Department Preservation Planner or to the ERO's-designated qualified architectural historian to assess potential effects. If a potential for the project to have adverse effects on historic buildings or structures is identified, the CCSF Planning Department Preservation Planner or the ERO's architectural historian designee will consult with SFPUC to determine if the project can be implemented as planned or if the project design can be revised to avoid the significant impact. If these options are not feasible, the project will need to undergo further review with EP and mitigation may be required. If so, the project may not qualify for a Categorical Exemption from CEQA review.

C. **Potential Vibration Effects**.

1. Where construction takes place in proximity to a building or structure identified as a significant historical resource but would not otherwise directly affect it, the SFPUC will implement protective measures, such as, but not limited to, the erection of temporary construction barriers to ensure that inadvertent impacts to such structures are avoided.

2. For projects that will use vibratory equipment generating vibration in excess of 0.2 inches per second, peak particle velocity adjacent to historic buildings susceptible to vibration, the SFPUC will engage a qualified historic architect or historic preservation professional to document and photograph the pre-construction condition of the building and prepare a plan for monitoring the building during construction. The monitoring plan will be submitted to and approved by CCSF Planning Department Preservation Planner or the ERO's architectural historian designee prior to the beginning of construction and will be implemented during construction. The monitoring plan will identify how often monitoring will occur, who will undertake the monitoring, reporting requirements on vibration levels, reporting requirements on damage to adjacent historical resources during construction, reporting procedures to follow if such damage occurs, and the scope of the preconstruction survey and post-construction conditions assessment.

3. If any damage to a historic building or structure occurs, the SFPUC will modify activities to minimize further vibration.

4. If any damage occurs, the building will be repaired following the Secretary of the Interior's Standards for the Treatment of Historic Properties under the guidance of a qualified historic architect or historic preservation professional.

D. **Minor Alteration of Historic Buildings or Structures.**

1. If a project involves minor alterations and/or rehabilitation to a building that qualifies as an historical resource, the proposed design will be reviewed by a qualified historic preservation professional in consultation with the CCSF Planning Department Preservation Staff or the ERO's architectural historian, who shall identify modifications to project design, as needed, to avoid or minimize effects to the historic integrity of the historical resource. The assessment also will provide direction on ensuring compliance with Secretary of the Interior's Standards and Guidelines.

2. To qualify for a Categorical Exemption, the project must be modified as identified in the HRE and all work must be conducted in compliance with Secretary of the Interior's Standards under the guidance of an architectural historian such that historical integrity of the building or structure would not be compromised.

SAN FRANCISCO
PLANNING DEPARTMENT

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

San Francisco Public Utilities Commission Preliminary Archeological Checklist (PAC)

A. PROJECT INFORMATION:

Date: _____ **SFPUC Archeological Reviewer**: _____

Project name: _____ **Case No**: _____

Application type: ☐ EE ☐ CatEx

☐ In City ☐ Outside of City

Project address: _____

APN/Cross streets:_____ OR **City/ County:**_____

EP Planner:_____ **EP Archeological Reviewer designee:**_____

Consultant Archeologist name/firm (if applicable):_____

1. PROJECT DESCRIPTION: (include description of construction methods, all potentially ground-disturbing activities including parking, staging, equipment and spoils storage, temporary and permanent work areas, utility lines)

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

2. POTENTIAL GROUND DISTURBANCE

Yes	No	Project Component
☐	☐	Excavation (basement, elevator, utilities, seismic retrofit, remediation, underground vaults, septic tank system, culverts, etc.) Maximum depth: _____

2. POTENTIAL GROUND DISTURBANCE (cont.)

Yes	No	Project Component
☐	☐	Pipeline replacement or installation (specify cut and cover, directional drilling, pipe bursting, etc):
☐	☐	Tunnels, transport storage boxes
☐	☐	Bore pits, test pits
☐	☐	Shallow Building Foundation (Mat, Spread Footings, etc.) Depth:
☐	☐	Piles, piers, micropiles, pilings, piling replacement
☐	☐	Grading, scraping
☐	☐	Demolition
☐	☐	Construction staging, spoils on unpaved area, fill
☐	☐	Road construction
☐	☐	Geotechnical trenching (dimensions)_____
☐	☐	New rip rap
☐	☐	Wharf or seawall modification
☐	☐	Other (specify):

Anticipated maximum extent of project ground disturbance:
Vertical_____Horizontal_____

APE Map Attached: Y N

3. PREVIOUS SOILS DISTURBANCE AT PROJECT SITE:

Has the project site been previously disturbed by any of the following?

Yes	No	**Component of disturbance**
☐	☐	Existing Basement Depth:_____ Area:_____
☐	☐	Existing Foundation (footings, perimeter, piles, micropiles, etc.) Depth:
☐	☐	Site remediation/UST installation or removal, other excavation. Depth:
☐	☐	Site Grading
☐	☐	Demolition
☐	☐	Dredging
☐	☐	Piling installation (width and depth of trench):_____
☐	☐	Riprap
☐	☐	Seawall construction
☐	☐	Other (specify):

4. Has the entire project area previously been disturbed to the maximum depth and extent of proposed project disturbance? Y N
(Attach documentary evidence such as plans and profiles of prior trenching, utility street occupancy, historic photos, specifications from prior projects, etc.)
List attachments provided:_____

_____

☐ **Complete prior disturbance adequately documented; stop here, no further archeological assessment is required.** Assessed by: _____

☐ **Prior ground disturbance is unknown or cannot be adequately documented; continue to B.**

SFPUC Preliminary Archeological Checklist

B. ARCHIVAL AND ARCHEOLOGICAL DATA ASSESSMENT

1. ARCHIVAL AND DATA REVIEW

Dates of review:_____

Resources reviewed:

☐ Maher zone maps. Dates/ origin/ depth of fill if known_____

☐ Geotechnical data for project site and vicinity (Cite report_____)

☐ EP Archeological GIS maps (all layers or specify applicable layers)_____

_____

☐ Sanborn Insurance maps (1887-93, 1899-1900)

☐ U.S. Coast Survey maps (1853, 1857, 1869)

☐ Information Center archeological records search (attach request and response)

☐ USFS/ BLM/ NPS archeological files (upcountry projects)

☐ NAHC Sacred Lands File

☐ Native American/ Ethnic group consultation

☐ Other:

Findings:

☐ No previously documented resources present

☐ Archival research suggests resources are or may be present within or immediately adjacent to the project area where soils disturbance will occur

2. ARCHEOLOGICAL FIELD INVENTORY

☐ Not warranted; no exposed ground surface in project area

☐ Results negative

☐ Results positive

☐ Survey results inconclusive

Archeologist/ Firm_____ Date of Survey_____

Attach Archeological Survey Report/Memo; may combine with results of archival review.

3. SUMMARY OF RESULTS OF PROJECT ASSESSMENT

Site History/Formation:

_____

_____

_____

_____

_____

_____

Recorded/documented archeological sites/ investigations on/in the vicinity of the project site:

_____

_____

_____

C. SFPUC CONCLUSIONS AND RECOMMENDATIONS

1. NO EFFECTS TO ARCHEOLOGICAL RESOURCES EXPECTED:

☐ Project effects limited to previously-disturbed soils.

☐ Project effects limited to culturally sterile soils.

☐ Based on assessment under B, above, no potentially CEQA-significant archeological

resources are expected within project area affected soils.

2. AVOIDANCE AND TREATMENT MEASURES NECESSARY TO AVOID AN ADVERSE EFFECT TO SIGNIFICANT ARCHEOLOGICAL RESOURCES:

☐ Archeological Measure I, Discovery: low potential to adversely affect archeological resources; may be avoided by implementation of SFPUC Standard Archeological Measure I (Discovery during Construction), with implementation of Standard Archeological Measures II (Monitoring) and/or III (Testing/Data Recovery) in the event of a discovery during construction.

☐ Archeological Measure II, Monitoring: some potential for the project to adversely affect archeological resources; may be avoided by implementation of SFPUC Standard Archeological Measure II (Archeological Monitoring) during construction.

☐ Archaeological Measure III, Testing/Data Recovery: potential for the project to adversely affect archeological resources; may be avoided by implementation of SFPUC Standard Archeological Measure III (Archeological Testing/Data Recovery)

Implementation Required:

☐ prior to or ☐ during construction

☐ CEQA evaluation of the project requires preparation and implementation of an archeological research design and treatment plan (ARDTP) by a qualified archeological consultant. See attached scope of work for the ARDTP.

D. EP ARCHEOLOGIST/ ERO-ARCHEOLOGICAL DESIGNEE REVIEW

☐ I concur with the conclusions and recommendations provided in Section C, above.

☐ Additional/ alternative measures recommended (detail):

_____
_____
_____
_____
_____
_____
_____

☐ Meeting requested

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 08-0200

WHEREAS, the San Francisco Public Utilities Commission approved and adopted a Long-Term Strategic Plan for Capital Improvements, a Long-Range Financial Plan, and a Capital Improvement Program on May 28, 2002 under Resolution No. 02-0101; and

WHEREAS, the San Francisco Public Utilities Commission determined the need for the Water System Improvement Program (WSIP) to address water system deficiencies including aging infrastructure, exposure to seismic and other hazards, maintaining water quality, improving asset management and delivery reliability, and meeting customer demands; and

WHEREAS, Propositions A and E passed in November 2002 by San Francisco voters and Assembly Bill No. 1823 was also approved in 2002 requiring the City and County of San Francisco to adopt a capital improvement program designed to restore and improve the regional water system; and

WHEREAS, the San Francisco Public Utilities Commission staff developed a variant to the WSIP referred to as the Phased WSIP; and

WHEREAS, the two fundamental principles of the program are 1) maintaining a clean, unfiltered water source from the Hetch Hetchy system, and 2) maintaining a gravity-driven system; and

WHEREAS, the overall goals of the Phased WSIP for the regional water system include 1) Maintaining high-quality water and a gravity-driven system, 2) Reducing vulnerability to earthquakes, 3) Increasing delivery reliability, 4) Meeting customer water supply needs, 5) Enhancing sustainability, and 6) Achieving a cost-effective, fully operational system; and

WHEREAS, on October 30, 2008, the Planning Commission reviewed and considered the Final Program Environmental Impact Report (PEIR) in Planning Department File No. 2005.0159E, consisting of the Draft PEIR and the Comments and Responses document, and found that the contents of said report and the procedures through which the Final PEIR was prepared, publicized and reviewed complied with the provisions of the California Environmental Quality Act (CEQA), the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code ("Chapter 31") and found further that the Final PEIR reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Comments and Responses document contains no significant revisions to the Draft PEIR, and certified the completion of said Final PEIR in compliance with CEQA, the CEQA Guidelines and Chapter 31 in its Motion No. 17743; and

WHEREAS, this Commission has reviewed and considered the information contained in the Final PEIR, all written and oral information provided by the Planning

Department, the public, relevant public agencies, SFPUC and other experts and the administrative files for the WSIP and the PEIR; and

WHEREAS, the WSIP and Final PEIR files have been made available for review by the San Francisco Public Utilities Commission and the public, and those files are part of the record before this Commission; and

WHEREAS, San Francisco Public Utilities Commission staff prepared proposed findings, as required by CEQA, (CEQA Findings) and a proposed Mitigation, Monitoring and Reporting Program (MMRP), which material was made available to the public and the Commission for the Commission's review, consideration and action; and

WHEREAS, the Phased WSIP includes the following program elements: 1) full implementation of all WSIP facility improvement projects; 2) water supply delivery to regional water system customers through 2018; 3) water supply sources (265 million gallons per day (mgd) average annual from SFPUC watersheds, 10 mgd conservation, recycled water, groundwater in San Francisco, and 10 mgd conservation, recycled water, groundwater in the wholesale service area); 4) dry-year water transfers coupled with the Westside Groundwater Basin Conjunctive Use project to ensure drought reliability; 5) re-evaluation of 2030 demand projections, regional water system purchase requests, and water supply options by 2018 and a separate SFPUC decision by 2018 regarding water deliveries after 2018; and, 6) provision of financial incentives to limit water sales to an average annual 265 mgd from the SFPUC watersheds through 2018; and

WHEREAS, the SFPUC staff has recommended that this Commission make a water supply decision only through 2018, limiting water sales from the SFPUC watersheds to an average annual of 265 mgd; and

WHEREAS, before 2018, the SFPUC would engage in a new planning process to re-evaluate water system demands and water supply options. As part of the process, the City would conduct additional environmental studies and CEQA review as appropriate to address the SFPUC's recommendation regarding water supply and proposed water system deliveries after 2018; and

WHEREAS, by 2018, this Commission will consider and evaluate a long-term water supply decision that contemplates deliveries beyond 2018 through a public process; and

WHEREAS, the SFPUC must consider current needs as well as possible future changes, and design a system that achieves a balance among the numerous objectives, functions and risks a water supplier must face, including possible increased demand in the future; now, therefore, be it

RESOLVED, this Commission hereby adopts the CEQA Findings, including the Statement of Overriding Considerations, attached to this Resolution as Attachment A and incorporated herein as part of this Resolution by this reference thereto, and adopts the Mitigation Monitoring and Reporting Program attached to this Resolution as Attachment B and incorporated herein as part of this Resolution by this reference thereto; and, be it

FURTHER RESOLVED, this Commission hereby approves a water system improvement program that would limit sales to an average annual of 265 mgd from the watersheds through 2018, and the SFPUC and the wholesale customers would

collectively develop 20 mgd in conservation, recycled water, and groundwater to meet demand in 2018, which includes 10 mgd of conservation, recycled water, and groundwater to be developed by the SFPUC in San Francisco, and 10 mgd to be developed by the wholesale customers in the wholesale service area; and, be it

FURTHER RESOLVED, the San Francisco Public Utilities Commission shall set aggressive water conservation and recycling goals, shall bring short and long-term conservation, recycling, and groundwater programs on line at the earliest possible time, and shall undertake every effort to reduce demand and any further diversion from the San Francisco Public Utilities Commission watersheds; and, be it

FURTHER RESOLVED, San Francisco Public utilities Commission staff shall provide ongoing updates to this Commission about the progress and development of conservation, recycling, and groundwater programs, and shall provide annual figures and projections for water system demands and sales, and provide water supply options; and, be it

FURTHER RESOLVED, As part of the Phased WSIP, this Commission hereby approves implementation of delivery and drought reliability elements of the WSIP, including dry-year water transfers coupled with the Westside Groundwater Basin Conjunctive Use project, which meets the drought-year goal of limiting rationing to no more than 20 percent on a system-wide basis; and, be it

FURTHER RESOLVED, This Commission hereby approves the Phased Water System Improvement Program, which includes seismic and delivery reliability goals that apply to the design of system components to improve seismic and water delivery reliability, meet current and future water quality regulations, provide for additional system conveyance for maintenance and meet water supply reliability goals for year 2018 and possibly beyond; and, be it

FURTHER RESOLVED, This Commission hereby approves the following goals and objectives for the Phased Water System Improvement Program:

Phased WSIP GOALS AND OBJECTIVES

Program Goal	System Performance Objective
Water Quality – *maintain high water quality*	• Design improvements to meet current and foreseeable future federal and state water quality requirements. • Provide clean, unfiltered water originating from Hetch Hetchy Reservoir and filtered water from local watersheds. • Continue to implement watershed protection measures.

Program Goal	System Performance Objective
Seismic Reliability – *reduce vulnerability to earthquakes*	• Design improvements to meet current seismic standards. • Deliver basic service to the three regions in the service area (East/ South Bay, Peninsula, and San Francisco) within 24 hours after a major earthquake. Basic service is defined as average winter-month usage, and the performance objective for design of the regional system is 229 mgd. The performance objective is to provide delivery to at least 70 percent of the turnouts in each region, with 104, 44, and 81 mgd delivered to the East/South Bay, Peninsula, and San Francisco, respectively. • Restore facilities to meet average-day demand of up to 300 mgd within 30 days after a major earthquake.
Delivery Reliability – *increase delivery reliability and improve ability to maintain the system*	• Provide operational flexibility to allow planned maintenance shutdown of individual facilities without interrupting customer service. • Provide operational flexibility to minimize the risk of service interruption due to unplanned facility upsets or outages. • Provide operational flexibility and system capacity to replenish local reservoirs as needed. • Meet the estimated average annual demand of up to 300 mgd under the conditions of one planned shutdown of a major facility for maintenance concurrent with one unplanned facility outage due to a natural disaster, emergency, or facility failure/upset.
Water Supply – *meet customer water needs in non-drought and drought periods*	• Meet average annual water demand of 265 mgd from the SFPUC watersheds for retail and wholesale customers during non -drought years for system demands through 2018. • Meet dry-year delivery needs through 2018 while limiting rationing to a maximum 20 percent system-wide reduction in water service during extended droughts. • Diversify water supply options during non-drought and drought periods. • Improve use of new water sources and drought management, including groundwater, recycled water, conservation, and transfers.
Sustainability – *enhance sustainability in all system activities*	• Manage natural resources and physical systems to protect watershed ecosystems. • Meet, at a minimum, all current and anticipated legal requirements for protection of fish and wildlife habitat. • Manage natural resources and physical systems to protect public health and safety
Cost-effectiveness – *achieve a cost-effective, fully operational system*	• Ensure cost-effective use of funds. • Maintain gravity-driven system. • Implement regular inspection and maintenance program for all facilities.

And, be it

FURTHER RESOLVED, This Commission authorizes and directs SFPUC staff to

design and develop WSIP facility improvement projects consistent with the Phased WSIP Goals and Objectives.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of October 30, 2008

Michael Hoerth

Secretary, Public Utilities Commission

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. **12-0174**

WHEREAS, San Francisco Public Utilities Commission (SFPUC) staff developed a project description under the Water System Improvement Program (WSIP) for the improvements to the regional water supply system, otherwise known as Project No. CUW37403, San Antonio Backup Pipeline (Project) in the Sunol area of Alameda County, California; and

WHEREAS, the Project is an improvement facility project approved by the SFPUC as part of the WSIP; and

WHEREAS, a Final Program Environmental Impact Report (PEIR) was prepared for the WSIP and certified by the Planning Commission on October 30, 2008 by Motion No. 17734; and

WHEREAS, thereafter, the SFPUC approved the WSIP and adopted findings and a Mitigation Monitoring and Reporting Program (MMRP) as required by California Environmental Quality Act (CEQA) on October 30, 2008 by Resolution No. 08-200; and

WHEREAS, the PEIR has been made available for review by the SFPUC and the public, and is part of the record before this Commission;

WHEREAS, the objectives of the Project are to provide reliable conveyance capacity for emergency discharges of Hetch Hetchy water supplies during events that impair water quality or during facility outages, and increase operational flexibility and delivery reliability during emergencies and planned maintenance; and

WHEREAS, on September 20, 2012, the San Francisco Planning Commission reviewed and considered the Final Environmental Impact Report (FEIR) for the Project in Planning Department File No. 2007.0039E, consisting of the Draft Environmental Impact Report (EIR) and the Comments and Responses document, and found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed complied with the provisions of the CEQA, the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code and found further that the FEIR reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Comments and Responses document contains no significant revisions to the Draft EIR, and certified the completion of said FEIR in compliance with CEQA and the CEQA Guidelines in its Motion No. 18705; and

WHEREAS, the FEIR prepared for the Project is tiered from the PEIR, as authorized by and in accordance with CEQA and the CEQA Guidelines; and

WHEREAS, the FEIR analyzed three approaches to dewatering Pit F3-East after a discharge of quality-impaired Hetch Hetchy water. Under Approach 1, a two-step pumping method would be utilized, where water would first be pumped from Pit F3-East to a new Alameda Creek Pumping Station, which would in turn pump water to San Antonio Reservoir. Under Approach 2 (Pumping Variant 1) water would be pumped directly from Pit F3-East to

either San Antonio Reservoir or the Sunol Valley Water Treatment Plant (SVWTP). Under Approach 3 (Pumping Variant 2) water could either be pumped to a new Alameda Creek Pumping Station or to San Antonio Reservoir or the SVWTP directly. The current design of the Project includes Approach 2 (Pumping Variant 1), which is the staff recommended and preferred approach; and

WHEREAS, this Commission has reviewed and considered the information contained in the FEIR, all written and oral information provided by the Planning Department, the public, relevant public agencies, SFPUC and other experts and the administrative files for the Project and the EIR; and

WHEREAS, the Project and EIR files have been made available for review by the SFPUC and the public, and those files are part of the record before this Commission; and

WHEREAS, the Planning Department, Steven H. Smith, is the custodian of records, located in File No 2007.0039E , at 1650 Mission Street, Fourth Floor, San Francisco, California; and

WHEREAS, SFPUC staff prepared proposed findings, as required by CEQA, (CEQA Findings) and a proposed MMRP, which material was made available to the public and the Commission for the Commission's review, consideration and action; now, therefore, be it

RESOLVED, this Commission has reviewed and considered the FEIR, finds that the FEIR is adequate for its use as the decision-making body for the actions taken herein, and hereby adopts the CEQA Findings, including the statement of overriding considerations, attached hereto as Exhibit A and incorporated herein as part of this Resolution by this reference thereto, and adopts the MMRP attached to this Resolution as Attachment B and incorporated herein as part of this Resolution by this reference thereto; and be it

FURTHER RESOLVED, that this Commission authorizes the General Manager, or his designee, to obtain any necessary permits, consents from, and/or other agreements with the California Department of Water Resources and the Pacific Gas & Electric Company relating to proposed Project construction activities and the relocation of existing utilities owned or operated by these entities within or adjacent to the Project area. These permits or agreements shall be consistent with SFPUC existing fee or easement interests, where applicable. To the extent that the terms and conditions of the required permits, instruments, or agreements require SFPUC to indemnify other parties, those indemnity obligations are subject to review and approval by the San Francisco Risk Manager. The General Manager may agree to such other terms and conditions (e.g. maintenance, repair, and responsibility for relocation of utilities or improvements) that are in the public interest, are consistent with the SFPUC's existing rights, and in the judgment of the General Manager, in consultation with the City Attorney, are reasonable and appropriate; and be it

FURTHER RESOLVED, that this Commission authorizes the General Manager, or his designee, to (i) exercise any City or SFPUC right under any deed, easement, lease, permit, or license as required or advisable in connection with the Project, and (ii) negotiate and execute with owners or occupiers of property interests or utility facilities or improvements, on, along,

over, under, adjacent to, or in the vicinity of the SFPUC's watershed lands, new or amended easements, leases, permits, licenses, encroachment removal, or other project related agreements (each, a Use Instrument) with respect to uses and structures, fences, and other above-ground or subterranean improvements. The General Manager's authority so granted includes the authority, if necessary for the Project, to enter into, amend, or exercise rights under existing or new Use Instruments with any owner or occupier of property on, along, over, under, adjacent to, or in the vicinity of the SFPUC right-of-way, including Use Instruments required to accommodate project construction activities or schedule, or to implement Project mitigation measures. Any such new or amended Use Instrument will be in a form that the General Manager determines is in the public interest and is acceptable, necessary, and advisable to effectuate the purposes and intent of this Commission Resolution, and in compliance with the Charter and all applicable laws, and approved as to form by the City Attorney; and be it

FURTHER RESOLVED, that the General Manager or his designee is authorized to apply for, and if necessary, seek Board of Supervisors' approval, and, if approved, accept and execute required approvals by U.S. Army Corps of Engineers, U.S. Fish & Wildlife Service, California Department of Fish and Game, Bay Area Air Quality Management District, San Francisco Bay Regional Water Quality Control Board, and any other regulatory approvals as required. To the extent that the terms and conditions of the necessary approvals will require SFPUC to indemnify other parties, those indemnity obligations are subject to review and approval by the San Francisco Risk Manager. The General Manager is authorized to agree to such terms and conditions that are within the lawful authority of the agency to impose, in the public interest, and, in the judgment of the General Manager, in consultation with the City Attorney, are reasonable and appropriate for the scope and duration of the required approval, as necessary for the Project; and be it

FURTHER RESOLVED, that this Commission hereby approves Project No. CUW37403, San Antonio Backup Pipeline, and authorizes staff to proceed with actions necessary to implement the Project.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of September 25, 2012

Secretary, Public Utilities Commission

Attachment A

San Antonio Backup Pipeline Project

California Environmental Quality Act Findings: Findings of Fact, Evaluation of Mitigation Measures and Alternatives, and Statement of Overriding Considerations

San Francisco Public Utilities Commission

In determining to approve the San Antonio Backup Pipeline (SABPL) Project (project) described in Section I, Project Description, below, the San Francisco Public Utilities Commission (SFPUC) makes and adopts the following findings of fact and decisions regarding mitigation measures and alternatives, and adopts the statement of overriding considerations, based on substantial evidence in the whole record of this proceeding and under the California Environmental Quality Act ("CEQA"), California Public Resources Code Sections 21000 et seq., particularly Sections 21081 and 21081.5, the Guidelines for Implementation of CEQA ("CEQA Guidelines"), 14 California Code of Regulations Sections 15000 et seq., particularly Sections 15091 through 15093, and Chapter 31 of the San Francisco Administration Code.

This document is organized as follows:

Section I provides a description of the project proposed for adoption, the environmental review process for the project, the approval actions to be taken and the location of records;

Section II identifies the impacts found not to be significant that do not require mitigation;

Section III identifies potentially significant impacts that can be avoided or reduced to less-than-significant levels through mitigation and describes the disposition of the mitigation measures;

Section IV identifies significant impacts that cannot be avoided or reduced to less-than-significant levels and describes any applicable mitigation measures as well as the disposition of the mitigation measures**;**

Section V evaluates the different project alternatives and the economic, legal, social, technological, and other considerations that support approval of the project and the rejection of the alternatives, or elements thereof, analyzed; and

Section VI presents a statement of overriding considerations setting forth specific reasons in support of the Commission's actions and its rejection of the alternatives not incorporated into the project.

The Mitigation Monitoring and Reporting Program ("MMRP") for the mitigation measures that have been proposed for adoption is attached with these findings as **Attachment B to Resolution No. _____**. The MMRP is required by CEQA Section 21081.6 and CEQA Guidelines

Section 15091. Attachment B provides a table setting forth each mitigation measure listed in the Final Environmental Impact Report for the project ("Final EIR") that is required to reduce or avoid a significant adverse impact. Attachment B also specifies the agency responsible for implementation of each measure and establishes monitoring actions and a monitoring schedule. The full text of the mitigation measures is set forth in Attachment B.

These findings are based upon substantial evidence in the entire record before the Commission. The references set forth in these findings to certain pages or sections of the Draft Environmental Impact Report ("Draft EIR" or "DEIR") or the Comments and Responses document ("C&R") in the Final EIR are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

I. Approval of the Project

A. Project Description

By this action, the SFPUC adopts and implements the SABPL Project identified in the Final EIR, including Pumping Variant 1 (a one-step pumping process) in lieu of the two-step pumping process which would use the proposed Alameda Creek Pumping Station. Specifically, the Project adopted by the SFPUC includes the following:

- 7,000-foot-long San Antonio Backup Pipeline (backup pipeline)
- Discharge facility at Pit F3-East, including a discharge valve vault, an electrical control building, electrical transformer next to the electrical control building, a baffled outfall, and a reinforced-concrete splash pad
- Chemical facility for dechlorination and pH adjustment, including a 250-gallon propane tank
- Cutoff wall around quarry Pit F3-East
- Dewatering facilities and related equipment
- Other improvements, including power supply facilities, Supervisory Control and Data Acquisition (SCADA) transmitters, and drainage improvements
- Replacement of a 5,700-foot-long section of potable water pipeline to the town of Sunol
- Relocation of a 1,325-foot-long section of potable water pipeline and 1,400-foot-long section of raw water pipeline

B. Pumping Variant

The SFPUC has selected, and is adopting as part of the project, Pumping Variant 1, one of two pumping variants analyzed in the Final EIR in addition to the pumping under the proposed Project in the EIR (proposed project). Pumping Variant 1 would pump water using a one-step process directly from Pit F3-East to San Antonio Reservoir or the Sunol Valley Water Treatment

Plant (SVWTP) via two submersible high-pressure pumps adjacent to the concrete splash pad of the new discharge facility, instead of the two submersible low-pressure pumps under the proposed project. Similar to the proposed project, an approximately 150-foot-long segment of the existing Sunol Pump Station Pipeline would need to be replaced to allow for the connection with the dewatering pipeline (note that under the proposed project, replacement of this 150-foot-long segment is needed for the connection with the transfer and dewatering pipelines).

By approving the Project Variant as an element of the project, the Commission is not proceeding with the construction of Alameda Creek Pump Station and associated facilities as envisioned in the Final EIR (wet well, electrical control building, overhead power line between the Hetch Hetchy Water & Power (HHWP) Calaveras Substation to the pump station, electrical transformer, and retaining wall, facilities to enable dewatering of Pit F3-West), or the transfer pipeline, and Staging Area D would not be used during project construction. In addition, under Pumping Variant 1, the cutoff wall would enclose only Pit F3-East (as opposed to both Pits F3-East and F3-West).

This variant would generate an estimated 93,000 cubic yards of excess spoils, which is 27,000 cubic yards less than the proposed project. Overall, the construction schedule for Pumping Variant 1 would be similar to that of the proposed project (21 months).

Impact conclusions, significance determinations, and mitigation measures for all construction impacts would be the same as those for the proposed project. The operational impacts of Pumping Variant 1 would be the same as the proposed project's, except for the impact related to one topic area: energy use. Pumping Variant 1 would result in a reduction in operational energy use when compared to the proposed project. However, the overall significance determination for this impact would be the same that of as the proposed project. All impact conclusions, significance determinations, and mitigation measures for operational impacts would also be the same as those identified for the proposed project. Similarly, the alternatives selected and analyzed in the Final EIR and the findings related thereto in Section V, Evaluation of Project Alternatives, apply to the project with implementation of Pumping Variant 1.

C. Project Objectives

The two main objectives of the SABPL project are:

- Provide reliable conveyance capacity for emergency discharges of Hetch Hetchy water supplies during events that impair water quality or during facility outages

- Increase operational flexibility and delivery reliability during emergencies and planned maintenance

In addition, the project is part of the SFPUC's adopted Water System Improvement Program (WSIP) adopted by this Commission on October 30, 2008 (see Section C.1). The WSIP consists of over 70 local and regional facility improvement projects that would increase the ability of the SFPUC's water supply system to withstand major seismic events and prolonged droughts and to meet estimated water-purchase requests in the service areas. With the exception of the water supply goal, the overall WSIP goals and objectives are based on a planning horizon through 2030. The water supply goal to meet delivery needs in the SFPUC service area is based on a planning horizon through 2018. The overall goals of the WSIP for the regional water system are to:

- Maintain high-quality water
- Reduce vulnerability to earthquakes
- Increase water delivery reliability
- Meet customer water supply needs
- Enhance sustainability
- Achieve a cost-effective, fully operational system

The Project would increase water delivery reliability and help maintain high-quality water and would therefore contribute to the SFPUC's ability to meet the WSIP goals.

D. Environmental Review

1. Water System Improvement Program Environmental Impact Report

On October 30, 2008, the SFPUC approved the Water System Improvement Program (also known as the "Phased WSIP") with the objective of repairing, replacing, and seismically upgrading the system's aging pipelines, tunnels, reservoirs, pump stations, and storage tanks (SFPUC, 2008; SFPUC Resolution No. 08-0200). The WSIP improvements span seven counties—Tuolumne, Stanislaus, San Joaquin, Alameda, Santa Clara, San Mateo, and San Francisco (see SFPUC Resolution No. 08-0200).

To address the potential environmental effects of the WSIP, the San Francisco Planning Department prepared a Program EIR ("PEIR"), which was certified by the San Francisco Planning Commission on October 30, 2008 (Motion No. 17734). At a project-level of detail, the PEIR evaluated the environmental impacts of the WSIP's water supply strategy and, at a program level of detail, it evaluated the environmental impacts of the WSIP's facility improvement projects. The PEIR contemplated that additional project-level environmental review would be conducted for the facility improvement projects, including the San Antonio Backup Pipeline Project.

2. San Antonio Backup Pipeline Project Environmental Impact Report

In accordance with Sections 15063 and 15082 of the CEQA Guidelines, the San Francisco Planning Department, as lead agency, prepared a Notice of Preparation (NOP) and conducted a scoping meeting for the EIR. The San Francisco Planning Department released the NOP on October 5, 2007, and held a public scoping meeting on October 25, 2007, in the town of Sunol.

The NOP was distributed to the State Clearinghouse, Northwest Information Center at Sonoma State University, and libraries on the mailing list. Copies of the NOP or NOP Notice of Availability were mailed to wholesale water customers; responsible and trustee agencies; other agencies; SFPUC Citizen Advisory Committee members; other interested parties; local and bordering jurisdictions; media, libraries, and individuals; and owners and occupants of real properties surrounding the project area. The NOP was also posted on the San Francisco Planning Department's website. The scoping meeting was held at the Sunol Glen School in Sunol. Seven people attended. The purpose of the scoping meeting was to present the project description and receive oral comments regarding the scope of the Draft EIR for the proposed project.

The San Francisco Planning Department, Major Environmental Division (MEA), now named the Environmental Planning Division (EP), received comments on the NOP from August 3 through September 18, 2007. In addition to two verbal comments received during the scoping meeting, MEA received eight written comment letters. The comment inventory is included in the Scoping Report in Appendix B of the Draft EIR. Comments addressed environmental issues such as aesthetics, biological resources, hazardous materials, water quality, and recreation. Comments also addressed the project description and future project notice.

EP then prepared the Draft EIR, which described the project and the environmental setting, identified potential impacts, and presented mitigation measures for impacts found to be significant or potentially significant and evaluated project alternatives. The Draft EIR analyzed the impacts associated with each of the key components of the project, and identified mitigation measures applicable to reduce impacts found to be significant or potentially significant for each of those key components. It also included an analysis of three alternatives to the project. In assessing construction and operational impacts of the project, the EIR considered the impacts of the project as well as the cumulative impacts associated with the proposed project in combination with other past, present, and future actions that could affect the same resources.

Each environmental issue presented in the Draft EIR was analyzed with respect to significance criteria that are based on EP guidance regarding the environmental effects to be considered significant. EP guidance is, in turn, based on CEQA Guidelines Appendix G, with some modifications.

The Draft EIR was circulated to local, state, and federal agencies and to interested organizations and individuals for review and comment on January 25, 2012 for a 45-day public review period, which closed at 5:00 p.m. on March 12, 2012. Public hearings on the Draft EIR to accept written or oral comments were held at the Sunol Glen School in Sunol on February 22, 2012 and at the San Francisco Planning Commission meeting at San Francisco City Hall on February 23, 2012. During the public review period, EP received written comments sent through the mail, fax, or email. A court reporter was present at each of the public hearings, transcribed the public hearings verbatim, and prepared written transcripts.

EP then prepared the C&R document, which provided written responses to each comment received on the Draft EIR. The C&R document was published on September 6, 2012 and included copies of all of the comments received on the Draft EIR and individual responses to those comments. The C&R provided additional, updated information and clarification on issues raised by commenters, as well as SFPUC and Planning Department staff-initiated text changes to address project updates. The Planning Commission reviewed and considered the Final EIR, which includes the Draft EIR and the C&R document, and all of the supporting information. The Final EIR provided augmented and updated information on many issues presented in the Draft EIR, including (but not limited to) the following topics: project description, aesthetics, transportation and circulation, recreation, biological resources, hydrology and water quality, and alternatives. In certifying the Final EIR, the Planning Commission determined that the Final EIR did not add significant new information to the Draft EIR that would require recirculation of the EIR under

CEQA because the Final EIR contains no information revealing (1) any new significant environmental impact that would result from the project or from a new mitigation measure proposed to be implemented, (2) any substantial increase in the severity of a previously identified environmental impact, (3) any feasible project alternative or mitigation measure considerably different from others previously analyzed that would clearly lessen the environmental impacts of the project, but that was rejected by the project's proponents, or (4) that the Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. This Commission concurs in that determination.

The Final EIR fully analyzed the project proposed for approval herein. No new impacts have been identified that were not analyzed in the Final EIR.

E. Approval Actions

1. San Francisco Planning Commission Actions

On September 20, 2012, the Planning Commission certified the Final EIR.

2. San Francisco Public Utilities Commission Actions

The SFPUC is taking the following actions and approvals to implement the project:

- Adopt these CEQA findings and the attached Mitigation Monitoring and Reporting Program.

- Approve the project, as described herein, and authorization for the General Manager or his designee to obtain necessary permits, consents, agreements and approvals as set forth in the Commission's Resolution No._____ approving the project to which this Attachment A is attached.

3. San Francisco Board of Supervisors Actions

The Planning Commission's certification of the Final EIR may be appealed to the Board of Supervisors. If appealed, the Board of Supervisors will determine whether to uphold the certification or to remand the Final EIR to the Planning Department for further review.

The San Francisco Board of Supervisors approves an allocation of bond monies to pay for implementation of the project.

4. Other – Federal, State, and Local Agencies

Implementation of the project will involve consultation with or required approvals by other local, state, and federal regulatory agencies, including (but not limited to) the following:

- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- California Department of Transportation

- State Historic Preservation Officer
- California Occupational Safety and Health Administration
- California Department of Fish and Game
- State Water Resources Control Board
- San Francisco Bay Regional Water Quality Control Board
- State Department of Water Resources
- Bay Area Air Quality Management District
- Alameda County Department of Public Works

To the extent that the identified mitigation measures require consultation or approval by these other agencies, this Commission urges these agencies to assist in implementing, coordinating, or approving the mitigation measures, as appropriate to the particular measure.

F. Findings about Significant Environmental Impacts and Mitigation Measures

The following Sections II, III, and IV set forth the SFPUC's findings about the Final EIR's determinations regarding significant environmental impacts and the mitigation measures proposed to address them. These findings provide the written analysis and conclusions of the SFPUC regarding the environmental impacts of the project and the mitigation measures included as part of the Final EIR and adopted by the SFPUC as part of the project. To avoid duplication and redundancy, and because the SFPUC agrees with, and hereby adopts, the conclusions in the Final EIR, these findings will not repeat the analysis and conclusions in the Final EIR but instead incorporate them by reference herein and rely upon them as substantial evidence supporting these findings.

In making these findings, the SFPUC has considered the opinions of SFPUC staff and experts, other agencies, and members of the public. The SFPUC finds that the determination of significance thresholds is a judgment decision within the discretion of the City and County of San Francisco; the significance thresholds used in the EIR are supported by substantial evidence in the record, including the expert opinion of the EIR preparers and City staff; and the significance thresholds used in the EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the project. Thus, although, as a legal matter, the SFPUC is not bound by the significance determinations in the EIR (see Public Resources Code, Section 21082.2, subdivision (e)), the SFPUC finds them persuasive and hereby adopts them as its own.

These findings do not attempt to describe the full analysis of each environmental impact contained in the Final EIR. Instead, a full explanation of these environmental findings and conclusions can be found in the Final EIR and these findings hereby incorporate by reference the discussion and analysis in the Final EIR supporting the determination regarding the project impact and mitigation measures designed to address those impacts. In making these findings, the SFPUC ratifies, adopts and incorporates in these findings the determinations and conclusions of the Final EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

As set forth below, the SFPUC adopts and incorporates all of the mitigation measures set forth in the Final EIR and the attached MMRP to substantially lessen or avoid the potentially significant and significant impacts of the project. The SFPUC intends to adopt each of the mitigation measures proposed in the Final EIR. Accordingly, in the event a mitigation measure recommended in the Final EIR has inadvertently been omitted in these findings or the MMRP, such mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in these findings or the MMRP fails to accurately reflect the mitigation measures in the Final EIR due to a clerical error, the language of the policies and implementation measures as set forth in the Final EIR shall control. The impact numbers and mitigation measure numbers used in these findings reflect the information contained in the Final EIR.

In Sections II, III and IV below, the same findings are made for a category of environmental impacts and mitigation measures. Rather than repeat the identical finding dozens of times to address each and every significant effect and mitigation measure, the initial finding obviates the need for such repetition because in no instance is the SFPUC rejecting the conclusions of the Final EIR or the mitigation measures recommended in the Final EIR for the project.

II. Impacts Found Not To Be Significant and Thus Do Not Require Mitigation

Under CEQA, no mitigation measures are required for impacts that are less than significant (Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15126.4, subdivision (a)(3), 15091). Based on the evidence in the whole record of this proceeding, the SFPUC finds that implementation of the project will not result in any significant impacts in the following areas and that these impact areas therefore do not require mitigation:

Land Use

- Impact LU-1: Project construction would not have a substantial impact on the existing character of the vicinity.
- Impact LU-3: Project operations would not result in substantial long-term or permanent impacts on the existing character of the vicinity.

Aesthetics

- Impact AE-2: Project construction would not result in significant impacts related to a new source of substantial light or glare.
- Impact AE-4: The proposed project would not create a new permanent source of substantial light or glare.

Transportation and Circulation

- Impact TR-1: Construction of the proposed project would not substantially conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of travel.

- Impact TR-2: Project construction activities would not result in inadequate emergency access.

- Impact TR-4: Vehicle trips generated during project operations and maintenance activities would not substantially conflict with an applicable congestion management program.

Noise and Vibration

- Impact NO-3: Construction activities would not result in excessive ground-borne vibration.

- Impact NO-4: Project operations would not result in a substantial permanent increase in ambient noise levels in the project vicinity or significant impacts related to the exposure of people to noise levels in excess of standards established by the Alameda County Noise Ordinance.

Air Quality

- Impact AQ-2: Project construction would not expose sensitive receptors to substantial pollutant concentrations.

- Impact AQ-3: Project construction activities would not create objectionable odors affecting a substantial number of people.

- Impact AQ-4: Project operations would not violate air quality standards or contribute substantially to an existing air quality violation.

- Impact AQ-5: Project operations would not expose sensitive receptors to substantial pollutant concentrations.

- Impact AQ-6: Project operations would not create objectionable odors affecting a substantial number of people.

- Impact AQ-7: Implementation of the proposed project would not conflict with or obstruct implementation of the 2010 Clean Air Plan.

Greenhouse Gas Emissions

- Impact GG-1: Project construction would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

- Impact GG-2: Project operations would generate GHG emissions, but not at levels that would have a significant impact on the environment.

- Impact GG-3: Project operations would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

- Impact C-GG: The proposed project would not result in a cumulatively considerable contribution to cumulative GHG emissions.

Recreation

- Impact RE -2: The proposed project would not degrade existing recreational uses during project operations.

Utilities and Service Systems

- Impact UT-3: Project construction would not result in a substantial adverse effect related to landfill capacity.

- Impact UT-4: Project construction would not result in a substantial adverse effect related to compliance with federal, state, and local statutes and regulations pertaining to solid waste.

- Impact UT-5: Project operations would not have a substantial adverse effect related to the disruption or relocation of existing utilities or utility services.

Biological Resources

- Impact BI-5: The proposed project would not have a substantial adverse effect on wildlife corridors or wildlife nursery sites during construction.

- Impact BI-8: Project operations would not have a substantial adverse effect on jurisdictional waters, riparian habitat, or aquatic resources during project operations.

- Impact BI-9: The proposed project would not have a substantial adverse effect on sensitive habitats during project operations.

- Impact BI-10: The proposed project would not interfere with the movement of native resident trout and other native migratory fishes during project operations.

Geology and Soils

- Impact GE-3: The project would not expose people or structures to substantial adverse effects related to the risk of loss, injury, or death due to rupture of a known earthquake fault.

- Impact GE-4: The project would not expose people or structures to substantial adverse effects related to the risk of loss, injury, or death due to seismically induced ground-shaking.

- Impact GE-5: The project would not expose people or structures to substantial adverse effects related to the risk of loss, injury, or death due to seismically induced ground failure, including liquefaction, lateral spreading, or settlement.

- Impact GE-6: The project would not expose people or structures to substantial adverse effects related to the risk of property loss, injury, or death due to seismically induced landslides or other slope failures.

- Impact GE-7: The project would not create substantial risks to life or property due to expansive or corrosive soil.

- Impact GE-8: Project operations would not result in substantial soil erosion during project operations.

- Impact GE-9: The proposed project would not substantially change the topography or any unique geologic or physical features of the project area.

Hydrology and Water Quality

- Impact HY-2: Dewatering of excavated areas during project construction would not substantially deplete groundwater supplies.

- Impact HY-4: Discharges of treated water from existing and newly installed pipelines during project construction would not substantially degrade water quality.

- Impact HY-5: The placement of project facilities within a 100-year flood hazard zone would not substantially impede or redirect flood flows, or result in damage to SFPUC facilities or private property.

- Impact HY-6: Project implementation would not expose people or structures to a significant risk of loss, injury, or death involving flooding as a result of dam failure.

- Impact HY-7: Project implementation would not alter drainage patterns such that there would be a substantial increase in erosion, siltation, or the rate or amount of surface runoff.

- Impact HY-8: Future discharges from the backup pipeline would not substantially degrade water quality or exceed the capacity of Pit F3-East.

Hazards and Hazardous Materials

- Impact HZ-3: Project construction would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

- Impact HZ-4: Project construction would not expose people or structures to a significant risk of loss, injury, or death involving fires.

- Impact HZ-5: Project operations would not result in a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

- Impact HZ-6: Project operations would not expose people or structures to a significant risk of loss, injury, or death involving fires.

Mineral and Energy Resources

- Impact ME-1: Project construction would not result in the temporary loss of availability of known mineral resources that would be of value to the region or residents of the state, or the temporary loss of availability of a locally important mineral resource recovery site.

- Impact ME-3: Project implementation would not result in the permanent loss of availability of known mineral resources that would be of value to the region or residents of the state, or the permanent loss of availability of a locally important mineral resource recovery site.

- Impact ME-4: Project operations would not result in substantial adverse effects related to the long-term use of large amounts of fuel or energy, or the use of these resources in a wasteful manner.

III. Findings of Potentially Significant or Significant Impacts That Can Be Avoided or Reduced to a Less-Than-Significant Level through Mitigation and the Disposition of the Mitigation Measures

CEQA requires agencies to adopt mitigation measures that would avoid or substantially lessen a project's identified significant impacts or potential significant impacts if such measures are feasible (unless mitigation to such levels is achieved through adoption of a project alternative). The findings in this Section III and in Section IV concern mitigation measures set forth in the EIR. These findings discuss mitigation measures as proposed in the EIR and recommended for adoption by the SFPUC, which can be implemented by the SFPUC. The mitigation measures proposed for adoption in this section are the same as the mitigation measures identified in the Final EIR for the project. The full text of the mitigation measures is contained in the Final EIR and in Attachment B, the MMRP. The Commission finds that the impacts identified in this section would be reduced to a less-than-significant level through implementation of the mitigation measures contained in the Final EIR and set forth in Attachment B.

This Commission recognizes that some of the mitigation measures are partially within the jurisdiction of other agencies, including the U.S. Fish and Wildlife Service, the California Department of Fish and Game, the Regional Water Quality Control Board, and the U.S. Army Corps of Engineers. The Commission urges these agencies to assist in implementing these mitigation measures, and finds that these agencies can and should participate in implementing these mitigation measures.

Project Impacts

Impact LU-2: Project construction could substantially disrupt or displace existing land uses or

land use activities. (Less than Significant with Mitigation)

Temporary land use disturbance adjacent to construction activities could result from a combination of effects, including noise, vibration, dust, traffic delays, and/or access disruption. Land use displacement would occur if implementation of the project required temporary relocation of existing land uses to accommodate construction, or temporarily restricted land use activities.

The combination of construction-related noise and dust/exhaust emissions could adversely affect daytime land use activities (i.e., reading or watching television) at nearby residences. In addition, project construction would increase vehicle and truck traffic along Calaveras Road, which would generate noise and diesel emissions and potentially increase traffic safety risks for adjacent land uses (due to the increased potential for conflicts between construction vehicles and non-construction-related automobiles). Construction-related noise, air quality, and traffic safety effects along Calaveras Road could combine to substantially disrupt existing land uses, and the impact on existing land uses would be *potentially significant*.

- *Mitigation Measure M-TR-3, Traffic Control Plan*
- *Mitigation Measure M-NO-1, Administrative and Source Controls*
- *Mitigation Measure M-AQ-1a, BAAQMD Basic Construction Measures*
- *Mitigation Measure M-AQ-1b, BAAQMD Additional Construction Measures for NOx Reduction*

Impact AE-1: Project construction could result in substantial adverse effects on scenic vistas and temporarily degrade the visual character of the site and its surroundings. (Less than Significant with Mitigation)*

The SABPL project could result in temporary construction-related impacts on scenic vistas and the visual character of the project area and vicinity. Although construction activities associated with individual project components would be short term (i.e., would be completed within one year), overall construction is expected to last 21 months. Throughout this time, construction activities, equipment, and materials in work areas and staging areas would be visible from Calaveras Road. Because construction activities would be visible from this scenic route throughout the 21 months of construction, the visual character of the area could be substantially degraded, resulting in a *significant* impact.

- *Mitigation Measure M-AE-1, Site Maintenance*

Impact AE-3: Implementation of the proposed project could result in long-term adverse effects on scenic vistas and scenic resources, and degradation of the visual character of the site and its surroundings. (Less than Significant with Mitigation)*

The SABPL project would have a significant impact on scenic resources and the visual character of the site and its surroundings due to tree removal. Several mature and small native trees, including California buckeye and blue elderberry, located along the southern bank of San Antonio Creek and within Staging Area E would require removal during construction. Tree removal at this

site would occur as close as 450 feet from Calavaras Road, a designated scenic highway, and could be visible to motorists and bicyclists traveling northbound on this road. Dozens of small (2- to 6-inch dbh) native and non-native trees along the backup pipeline alignment and within the Calaveras Road right-of-way would be removed during construction, as well as mature native trees along the backup pipeline alignment that may require removal during construction. In addition, although construction activities associated with the relocation of the raw and potable water pipelines has been designed to minimize conflicts with mature oak trees that line the western shoulder of Calavaras Road in this area, it is possible that one to five of these oak trees could require trimming or removal. These trees provide partial screening of active quarry operations and SFPUC water supply facilities, and removal of these trees along the Calavaras Road right-of-way and other visible portions of the project area, would make these features, as well as the proposed earthen berm at Staging Area C, more visible to motorists and bicyclists traveling along Calaveras Road, which could be a *significant* impact.

- *Mitigation Measure M-BI-1f, Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation*

Impact CP-1: Project construction could cause a substantial adverse change in the significance of a historical resource. (Less than Significant with Mitigation)*

Two historic-period architectural resources identified in the C-APE could be affected by the proposed SABPL project: Alameda Siphons Nos. 1 and 2. The backup pipeline would be connected to Alameda Siphon No. 3, which is not considered a historical resource, but the connection would entail construction within approximately 10 feet of Alameda Siphon No. 2 and 20 feet of Alameda Siphon No. 1. Although the backup pipeline would have no physical connection with Alameda Siphons Nos. 1 and 2, construction activities could result in damage to these historical resources due to the project's proximity to the siphons, which could be a *significant* impact.

- *Mitigation Measure M-UT-1h, Measures to Protect Alameda Siphons Nos. 1, 2, and 3*

Impact CP-2: Project construction could cause a substantial adverse change in the significance of a historical or unique archaeological resource. (Less than Significant with Mitigation)*

No archaeological resources were recorded within the C-APE for the proposed project; however, prehistoric archaeological site SA-1 is located immediately east and adjacent to the project area. Although no active archaeological monitoring of project activities is warranted, avoidance measures would be applied. Although the surface inventory and extended archaeological surveys found no cultural resources within the C-APE, it is possible that previously unrecorded and buried (or otherwise obscured) archaeological deposits could be discovered during project construction. Excavation, grading, and the movement of heavy construction vehicles and equipment could expose and disturb or damage previously unrecorded archaeological resources. Although impacts are not anticipated, any disturbance to this resource during project construction activities could result in a *significant* impact.

- *Mitigation Measure M-CP-2a, Site Protection Measures for Prehistoric Archaeological Site SA-1*
- *Mitigation Measure M-CP-2b, Accidental Discovery of Archaeological Resources*

Impact CP-3: Project construction could result in a substantial adverse effect by directly or indirectly destroying a unique paleontological resource or site. (Less than Significant with Mitigation)*

No paleontological resources are known to exist within the project C-APE, but such resources have been found in the Sunol Valley and in the Alameda Creek watershed. It is probable that Pleistocene alluvium exists within the project area at relatively shallow depths beneath the ground surface. Because Pleistocene alluvium has a high paleontological potential, disturbance or destruction of a unique paleontological resource could occur if this unit is encountered during excavation or trenching. The Briones Formation has a high paleontological potential, and is a unique paleontological resource that could be disturbed or destroyed during excavation or trenching for the project. Unique and significant fossils could be disturbed or destroyed if either Pleistocene alluvium or the Briones Formation is encountered at greater depths during pipeline trenching and other project-related excavations. Thus, the construction-related impact on paleontological resources is considered *potentially significant*.

- *Mitigation Measure M-CP-3, Paleontological Resources Mitigation Program*

Impact CP-4: Project construction could result in a substantial adverse effect related to the disturbance of human remains. (Less than Significant with Mitigation)

Although no known human burial locations have been identified within the project C-APE, the possibility cannot be entirely discounted. Project construction could result in direct impacts on previously undiscovered human remains during any earthmoving activities. Although earthmoving associated with construction would be a comparatively short-term activity, impacts on human remains would constitute a long-term impact. The impact related to the disturbance of human remains during construction would be *potentially significant*.

- *Mitigation Measure M-CP-4, Accidental Discovery of Human Remains*

Impact TR-3: Project construction activities would decrease the safety of public roadways for vehicles, bicyclists, and pedestrians. (Less than Significant with Mitigation)

Construction vehicles traveling to and from the project area would share the roadway with other vehicles as well as with bicyclists and pedestrians. The use of Calaveras Road to access the project area during construction could increase traffic safety hazards due to potential conflicts between construction vehicles (with slower speeds and wider turning radii than autos) and automobiles, bicyclists, and pedestrians. Since project-generated vehicle trips would be greatest on weekdays (when there are few pedestrians and bicyclists on Calaveras Road), the potential for conflicts and increased traffic safety hazards would be limited. Regardless, this potential increase in traffic safety hazards during construction is considered to be a *potentially significant* impact.

- *Mitigation Measure M-TR-3, Traffic Control Plan*

Impact NO-1: Construction activities would result in substantial temporary increases in ambient noise levels that could interfere with nearby land uses. (Less than Significant with Mitigation)*

Project-related construction activities would result in temporary noise increases at sensitive receptors located adjacent to or near the project area. Construction noise levels would vary at any given receptor depending on the construction activity, equipment type, duration of use, distance between the noise source and receptor, and the presence or absence of barriers between the noise source and receptor.

Extended construction hours during air gap construction and connection with the backup pipeline, and during connection of the backup pipeline to Alameda Siphon No. 3, would result in nighttime construction noise for a combined total of six weeks. Backup alarms would not be used during evening and nighttime hours. However, project-related construction activities could exceed the 50-dBA sleep interference threshold at the SFPUC watershed keeper's residence east of Calaveras Road due to the use of heavy construction equipment, resulting in a *significant* impact.

- *Mitigation Measure M-NO-1, Administrative and Source Controls*

Impact NO-2: Construction activities would expose people to noise levels in excess of standards established by the Alameda County Noise Ordinance. (Less than Significant with Mitigation)*

For construction activities extending beyond the ordinance time limits on Saturdays or during the six weeks of extended construction, the Alameda County Noise Ordinance specifies exterior noise standards. Due to the possibility that certain types of construction equipment could operate beyond ordinance time limits at these minimum distances to the SFPUC watershed keeper's residence, the impact is considered significant.

In addition, if it is necessary to use equipment with backup alarms beyond the ordinance time limits, Lmax noise levels from backup alarms could exceed the ordinance noise limits. During these hours (7 a.m. to 8 a.m., and 5 p.m. to 7 p.m. on Saturdays), Lmax noise levels from backup alarms (53 to 73 dBA at 360 feet from the SFPUC watershed keeper's residence, 40 to 60 dBA at 1,550 feet from the Garcia residence, and 38 to 58 dBA at 2,100 feet from the two residences on Athenour Way) could periodically exceed the ordinance noise limits, which would be a *significant* impact.

- *Mitigation Measure M-NO-2, Noise Control Plan*

Impact RE-1: The proposed project could temporarily degrade existing recreational uses during construction. (Less than Significant with Mitigation)*

Calaveras Road, a popular bicycle route, forms the eastern boundary of the project area and provides the primary access to the project vicinity. The backup pipeline, the 12-inch-diameter water pipeline to the town of Sunol, and the raw water pipeline and potable water pipeline that would be rerouted around the eastern boundary of Staging Area C would be installed adjacent to the southbound lane of Calaveras Road. Construction equipment used during pipeline installation would generate noise and dust/exhaust emissions that could adversely affect the recreational experience of bicyclists traveling along Calaveras Road. In addition, project construction would increase vehicle and truck traffic along Calaveras Road, which would generate noise and diesel emissions and increase traffic safety risks compared to existing conditions. This increased traffic safety risk is due to the increased potential for conflicts between construction vehicles—which

have slower speeds and wider turning radii than automobiles—and non-construction-related automobiles and bicyclists. Construction traffic could also result in temporary delays of up to 10 minutes when large construction vehicles turn west into the quarry access roads from Calaveras Road due to the wide turning radii of construction vehicles; this could impede access to the nearby EBRPD parks and trails, the Sunol Water Temple, and the Sunol Valley Golf Course, which are accessed via Calaveras Road and other nearby roadways.

Construction-related air quality and traffic safety effects along Calaveras Road would combine to increase the overall impacts on the recreational experience of bicyclists, although these impacts would be limited in duration as the cyclists pass the project area. Project impacts on recreational bicycling along Calaveras Road could be *significant.*

- *Mitigation Measure M-AQ-1a, BAAQMD Basic Construction Measures*
- *Mitigation Measure M-AQ-1b, BAAQMD Additional Construction Measures for NO_X Reduction*
- *Mitigation Measure M-TR-3,Traffic Control Plan*

Impact UT-1: Project construction could result in a substantial adverse effect related to disruption of utility operations or accidental damage to existing utilities. (Less than Significant with Mitigation) *

Excavation activities and installation of the proposed pipelines and cutoff wall could result in accidental damage to existing regional or local utility lines or disruption of utility services. Accidental rupture of or damage to these utility lines during project construction could temporarily disrupt utility services and, in the case of high-priority utilities like the two PG&E high-pressure gas pipelines, could result in significant safety hazards for construction workers. For the above reasons, impacts on existing utilities and utility services during project construction are considered *significant*.

- *Mitigation Measure M-UT-1a, Confirm Utility Line Information*
- *Mitigation Measure M-UT-1b, Safeguard Employees from Potential Accidents Related to Underground Utilities*
- *Mitigation Measure M-UT-1c, Notify Local Fire Departments*
- *Mitigation Measure M-UT-1d, Emergency Response Plan*
- *Mitigation Measure M-UT-1e, Ensure Prompt Reconnection of Utilities*
- *Mitigation Measure M-UT-1f, Coordinate Final Construction Plans with Affected Utilities*
- *Mitigation Measure M-UT-1g, Avoidance of Utilities Constructed or Modified by Other SFPUC Projects*
- *Mitigation Measure M-UT-1h, Measures to Protect Alameda Siphons Nos. 1, 2, and 3*

Impact UT-2: Project construction could result in a substantial adverse effect related to the relocation of regional or local utilities. (Less than Significant with Mitigation)

The proposed alignments for the backup pipeline and the 12-inch-diameter water pipeline to the town of Sunol would cross beneath or above existing utilities at several locations. The SABPL project proposes to relocate a 1,325-foot-long segment of 12-inch diameter potable water pipeline and a 1,400-foot-long segment of 12-inch diameter raw water pipeline around the eastern boundary of Staging Area C. In addition, it is possible that relocation of other utility lines would be necessary once the locations and characteristics of conflicting utilities are confirmed. In addition, the utility poles along the backup pipeline alignment and within the limits of the pipeline trench might need to be relocated if they have not already been moved as part of another SFPUC project prior to construction of the SABPL project. Consequently, installation of the backup pipeline could require temporary or permanent relocation of utility lines that are owned and operated by other utility companies. For the above reasons, impacts related to utility relocation are considered *significant*.

- *Mitigation Measure M-UT-1a, Confirm Utility Line Information*
- *Mitigation Measure M-UT-1f, Coordinate Final Construction Plans with Affected Utilities*
- *Mitigation Measure M-UT-1g, Avoidance of Utilities Constructed or Modified by Other SFPUC Projects*

Impact BI-1: The proposed project could have a substantial adverse effect on special-status animal species during construction. (Less than Significant with Mitigation)*

Potential impacts on San Joaquin kit fox, burrowing owl, and western pond turtle during project construction activities are considered less than significant. Project construction activities would occur in areas that potentially serve as refugia or movement corridors for California tiger salamander (CTS), California red-legged frog (CRLF), and Alameda whipsnake. Site clearing and preparation for construction activities could remove habitat for these species, and construction equipment moving through the site could impede movement corridors and cause direct injury or mortality to individuals. In addition, accidental releases of hazardous construction materials could cause illness or mortality if individuals were to come into contact with these toxic materials. Much of the Project area has already been cleared, graded, and fenced for the New Irvington Tunnel (NIT) and Alameda Siphons Seismic Reliability Upgrade (Alameda Siphons) projects, thereby eliminating and excluding these areas from potential use by CTS, CRLF, and Alameda whipsnakes. However, areas where impacts could occur include the northern one-third of the backup pipeline alignment (particularly at the San Antonio Creek crossing). Construction of the proposed project could result in *potentially significant* impacts associated with the temporary and permanent loss of habitat and the potential for direct mortality of CRLF, CTS, and Alameda whipsnake.

Construction activities could remove the nesting and foraging habitat of special-status birds and other wildlife, or disrupt breeding and foraging. The removal of large mature trees in riparian and developed and ruderal areas such as Staging Area E would remove important nesting habitat for nesting birds, raptors, and bats. In addition, the two quarry buildings located east of Pit F3-East—the residential-type building and the shed-roofed barn structure—that are proposed for demolition and removal may provide roosting habitat for bats. The potential for temporary and permanent habitat loss and disruption of breeding and foraging habitat in the northern portion of the Project

area, and in the mature trees that were preserved in the vicinity of the southern backup pipeline alignment, would be a potentially significant impact.

- *Mitigation Measure M-BI-1a, General Protection Measures*
- *Mitigation Measure M-BI-1b, Worker Training and Awareness Program*
- *Mitigation Measure M-BI-1c, Minimize Disturbance to Riparian Habitat*
- *Mitigation Measure M-BI-1d, Prevent Movement of Specific Species through the Work Areas*
- *Mitigation Measure M-BI-1e, Preconstruction Surveys and Construction Monitoring and Protocols for California Tiger Salamander, California Red-Legged Frog, and Alameda Whipsnake*
- *Mitigation Measure M-BI-1f, Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation*
- *Mitigation Measure M-BI-1g, Measures to Minimize Disturbance to Special-Status Bird Species*
- *Mitigation Measure M-BI-1h, Conduct Preconstruction Surveys for Any Special-Status Bats Found and Implement Avoidance and Minimization Measures*
- *Mitigation Measure M-HY-1a, Preparation and Implementation of a SWPPP*
- *Mitigation Measure M-HY-1b, Creek Restoration and Revegetation*

Impact BI-2: The proposed project could have a substantial adverse effect on riparian habitat and other sensitive habitats during construction. (Less than Significant with Mitigation)*

The mule fat scrub riparian habitat along San Antonio Creek is a sensitive habitat because of its jurisdictional designation as riparian habitat under the State Fish and Game Code. Open-trench construction across San Antonio Creek during installation of the backup pipeline would temporarily remove approximately 0.35 acre of mule fat scrub and streambank vegetation. Dozens of small (2- to 6-inch dbh) native and non-native trees located along the backup pipeline alignment, along the 1,400-foot-long segment of raw water pipeline and 1,325-foot-long segment of potable water pipeline that would be rerouted around the eastern boundary of Staging Area C, and within the Calaveras Road right-of-way could be removed during construction (these trees are protected by the Alameda County Tree Ordinance). Other isolated, mature native trees, such as valley oak and California sycamore, that exist along the southern and northern portions of the backup pipeline alignment on the west side of Calaveras Road and in the vicinity of Staging Area C could also require removal during construction. Some trees are within the construction zone for the SABPL project and could be lost as a result of this project. In addition, the placement of spoils in the proposed earthen berms at the North Spoils Site and at the former nursery site located within Staging Area C, as well as the installation of pipelines at Staging Area C, could extend to areas within the dripline of the numerous native and planted oaks along Calaveras Road (although neither the North Spoils Site nor the former nursery site are within the Calaveras Road right-of-way). Earthmoving activities within the dripline of oaks could result in increased pathology and death of these oak trees. Impacts on riparian habitat along San Antonio Creek, native trees along Calaveras Road, and large, isolated, mature trees would be *potentially significant*.

- *Mitigation Measure M-BI-1a, General Protection Measures*

- *Mitigation Measure M-BI-1b, Worker Training and Awareness Program*
- *Mitigation Measure M-BI-1c, Minimize Disturbance to Riparian Habitat*
- *Mitigation Measure M-BI-1f, Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation*

Impact BI-3: The proposed project could have a substantial adverse effect on jurisdictional waters during construction. (Less than Significant with Mitigation)*

Construction-related impacts on federal and state jurisdictional waters could occur within or immediately adjacent to San Antonio Creek, in the unnamed ephemeral tributary located near pipeline station 18+00, and at the freshwater marsh located just west of the Sunol Valley Chloramination Facility and proposed chemical feedlines for the new chemical facility. Impacts on riparian habitat and jurisdictional waters associated with trenching across San Antonio Creek would be potentially significant.

Construction activities in or near these areas could potentially result in the temporary loss of habitat, discharge of fill into jurisdictional waters, erosion and sedimentation, and loss of water quality from pollution and dewatering discharges.

The proposed backup pipeline alignment near pipeline station 18+00 crosses an ephemeral drainage. Originally a tributary to Alameda Creek, the drainage now empties into Pit F6. Project construction activities would temporarily affect approximately 0.02 acre of unvegetated channel and streambank during the dry season when open-trench construction is used to install the backup pipeline and the water pipeline to the town of Sunol across this drainage. Because this ephemeral drainage was confirmed to be a water of the United States by the Corps, the impacts on this drainage would be significant.

A 0.07-acre area delineated as freshwater marsh is located west of the Sunol Valley Chloramination Facility and south of the Alameda Siphons. This area receives continual overflow water from a water sampling station at the Sunol Valley Chloramination Facility (SFPUC, 2009c). The Corps does not consider this freshwater marsh to be jurisdictional due to the lack of a significant nexus with Alameda Creek (SFPUC, 2009c), but the RWQCB does consider this feature to be jurisdictional (SFPUC, 2008) as it has a relatively high value for wildlife. Although the freshwater marsh would not be directly affected by construction activities, installation of chemical feedlines between the existing fluoride facility and the new chemical facility would involve construction in an area as close as 8 feet from the freshwater marsh at the closest point, and approximately 90 feet from the marsh at the farthest point. Construction activities in close proximity to the freshwater marsh could result in the inadvertent disturbance of or secondary impacts on the marsh. Because of the habitat value of this freshwater marsh, the potential for project construction activities to result in secondary impacts on this feature is considered a *significant* impact.

- *Mitigation Measure M-BI-3, Avoidance and Protection Measures for Jurisdictional Water Bodies*
- *Mitigation Measure M-BI-1a, General Protection Measures*
- *Mitigation Measure M-BI-1b, Worker Training and Awareness Program*
- *Mitigation Measure M-BI-1c, Minimize Disturbance to Riparian Habitat*

- *Mitigation Measure M-BI-1d, Prevent Movement of Specific Species through the Work Areas*
- *Mitigation Measure M-BI-1f, Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation*
- *Mitigation Measure M-HY-1a, Preparation and Implementation of a SWPPP*
- *Mitigation Measure M-HY-1b, Creek Restoration and Revegetation*

Impact BI-4: The proposed project could have a substantial adverse effect on resident trout and other native fishes during construction, either by impeding movement or adversely affecting aquatic habitat. (Less than Significant with Mitigation)*

Open-trench construction across San Antonio Creek would only occur during the dry season when San Antonio Creek is the least likely to contain flow. As a result, direct construction impacts on resident trout and other fishes in San Antonio Creek would be less than significant.

Construction activities outside of the Alameda and San Antonio Creek channels but adjacent to the creeks could adversely affect resident trout and other native fishes during construction if both flow and fish are present in the creeks. Disturbance could result from the movement of construction equipment and personnel, removal of riparian vegetation, grading activities, and construction of access roads and staging areas near creek channels. Disturbance of adjacent soils could increase erosion and cause sedimentation in the creeks; if the creeks are flowing, such soil disturbance could affect water quality by increasing turbidity (i.e., the relative clarity of water, which can be reduced by suspended sediment). This could in turn affect the behavior, growth, reproduction, and movement of fish and other aquatic organisms. Sediment deposition could potentially alter channel morphology by changing the shape or configuration of the creeks, which would affect the creek characteristics such as pools and riffles. Resident rainbow trout and other native fish species could also be affected if hazardous materials such as oil, lubricants, concrete, or other chemicals used during construction are released to the creeks. Assuming fish were present, the effect on fish would depend on several factors, including the concentration, duration, and frequency of exposure, as well as water temperature. Contaminants can reduce growth, reproduction, movement, and survival of fish. Potential impacts on aquatic habitat during construction are considered *significant*.

- *Mitigation Measure M-BI-1b, Worker Training and Awareness Program*
- *Mitigation Measure M-BI-1c, Minimize Disturbance to Riparian Habitat*
- *Mitigation Measure M-BI-3, Avoidance and Protection Measures for Jurisdictional Water Bodies*
- *Mitigation Measure M-HY-1a, Preparation and Implementation of a SWPPP*
- *Mitigation Measure M-HY-1b, Creek Restoration and Revegetation*

Impact BI-6: Construction activities associated with the proposed project could conflict with local policies or ordinances protecting biological resources. (Less than Significant with Mitigation)*

The relevant policies and ordinances protecting biological resources in the project area are the Alameda WMP and the Alameda County Tree Ordinance. This ordinance protects trees within the

Calaveras Road right-of-way. The actions and guidelines of the Alameda WMP were used to inventory the resources in the project area, assess the impact of the project, and develop appropriate mitigation where necessary to address potentially significant impacts. It is the standard practice of the SFPUC to conduct construction activities in accordance with the policies of the Alameda WMP. These standard practices include reviewing relevant information sources, conducting appropriate surveys, minimizing the extent of the construction zone in areas of sensitive biological features, and carrying out construction so as to minimize impacts on biological resources. Because the project could adversely affect trees within the Alameda County right-of-way, this impact would be *significant*.

- *Mitigation Measure M-BI-1f, Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation*

Impact BI-7: Project operations could have a substantial adverse effect on special-status animal species. (Less than Significant with Mitigation)

Although quarry Pits F3-East and F3-West do not provide breeding habitat for CRLF, the pits could provide aquatic refugia for this species. As part of future project operations, the SFPUC would discharge quality-impaired Hetch Hetchy water to quarry Pit F3-East during planned maintenance and emergency events. All discharges would be dechlorinated prior to discharge into the quarry pit. The backup pipeline would terminate at a baffled outfall, which would dissipate the energy and decrease the velocity of the water stream, and direct the flow onto a concrete splash pad constructed over the slope of the quarry pit. Discharged water would flow over the concrete splash pad and into the quarry pit. Since CRLF would not utilize a barren concrete slab, discharges from the backup pipeline are not expected to result in direct injury to, or mortality of, CRLF.

During project operations, following a discharge from the backup pipeline that raises water elevations in the quarry pit above 195 feet mean sea level (msl), the discharged water would be recovered by pumping the water to the wet well beneath the Alameda Creek Pump Station using submersible pumps in the concrete splash pad at Pit F3-East, and flexible hoses and pumps mounted on floating platforms in Pit F3-West. Should CRLF become entrained in the intakes for the dewatering pumps (e.g., the submersible pumps and the pumps mounted on floating platforms), it is likely that mortality of the CRLF would result. This would be a *significant* impact. However implementation of the mitigation measure below would reduce this impact to a less-than-significant level.

- *Mitigation Measure M-BI-7, Screen Dewatering Pump Intakes*

Impact GE-1: The project is located on a geologic unit that could become unstable as a result of project construction. (Less than Significant with Mitigation)*

Natural or constructed slopes can become destabilized during construction-related excavation and/or grading operations, particularly if material is added to the head of the slope or removed from the toe (or bottom) of the slope. The majority of the project area is relatively flat and is located on USGS-designated "flatland" (USGS, 1997); however, the proposed discharge facility would require construction of a baffled outfall and concrete splash pad on the southern edge of quarry Pit F3-East and a drainage outfall and riprap dissapator on the northeastern slope of Pit F3-East. Earthwork and excavation of the quarry pit wall during construction of these project

components could destabilize the slope and result in slope failure, which would be a *significant* impact.

- *Mitigation Measure M-GE-1, Shoring Plan for Pit F3-East*

Impact GE-2: The project could result in substantial soil erosion or the loss of topsoil during construction. (Less than Significant with Mitigation)

During construction, vegetation and groundcover that serve to stabilize site soils would be removed from portions of the project area. Without proper soil stabilization controls, construction activities such as excavation, backfilling, and grading could increase the potential for exposed soils to be eroded by wind or stormwater runoff, resulting in long-term soil loss—a potentially significant impact.

Project construction activities could also result in the loss of topsoil (a fertile soil horizon that typically contains a seed base) if there is a well-developed topsoil horizon and it is mixed with other soil horizons or otherwise lost during excavation and backfilling. The construction of project components south of San Antonio Creek could result in the loss of topsoil through the following activities: grading of the proposed staging areas; excavation for the proposed backup pipeline and 12-inch-diameter water pipeline to the town of Sunol; construction of the discharge valve vault and electrical control building, construction of the new chemical facility, and construction of ancillary structures. North of San Antonio Creek, excavation activities to reroute the raw water and potable water pipelines around the eastern boundary of Pit F3-East could also result in the loss of topsoil. Impacts related to the loss of topsoil during construction would be *significant*.

- *Mitigation Measure M-HY-1a, Preparation and Implementation of a SWPPP*
- *Mitigation Measure M-BI-1f, Prepare and Implement a Vegetation Restoration and Compensatory Mitigation Plan*

Impact HY-1: Project construction could substantially degrade water quality as a result of erosion and sedimentation or an accidental release of hazardous chemicals. (Less than Significant with Mitigation)*

Construction activities would generate an estimated total of 120,000 cubic yards of excess soil and rock material. Exposed soil from stockpiles, excavated areas, and other areas where ground cover has been removed could be transported by wind or water and, if not properly managed, could increase sediment loads in receiving water bodies. Installation of the backup pipeline across San Antonio Creek could destabilize the creek channel and increase channel erosion. Slurry and eroded materials generated during cutoff wall construction could migrate out of the work platform and into Alameda and San Antonio Creeks, increasing sediment loads in these creeks. Increased erosion and sediment loads in receiving waters and suspended sediment levels (turbidity) could adversely affect water quality and the designated beneficial uses of surface waters and groundwater, a *potentially significant* impact. *Potentially significant* water quality impacts could also result from accidental releases of hazardous construction chemicals into surface waters or groundwater.

- *Mitigation Measure M-HY-1a, Preparation and Implementation of a SWPPP*

- *Mitigation Measure M-HY-1b, Creek Restoration and Revegetation*

Impact HY-3: Discharges of dewatering effluent from excavated areas during project construction could substantially degrade water quality. (Less than Significant with Mitigation)*

Construction dewatering would be required to create a dry work area if surface water or groundwater is encountered in excavations. Dewatering effluent from excavated areas would be treated, as necessary, and discharged to a containment facility to allow sediment to settle out prior to discharging the effluent to vegetated upland areas, San Antonio Creek, or Alameda Creek. Depending on the site specific conditions and construction methods, high levels of suspended sediment and/or trace amounts of construction-related chemicals (e.g., fuels, lubricants, cement products) could be present in the dewatering effluent. The discharge of polluted dewatering effluent to creeks could degrade water quality and violate water quality standards. Depending on the rate of discharge, the discharged effluent could also cause erosion in the receiving water body. Potential water quality impacts from construction-related dewatering discharges would be *potentially significant*.

- *Mitigation Measure M-HY-3, Management of Dewatering Effluent Discharges*

Impact HZ-1: Project construction could result in a substantial adverse effect related to reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. (Less than Significant with Mitigation)*

Documented releases of hazardous materials at the San Antonio Pump Station and in the SMP-30 area are known to have affected soil quality. In addition, agricultural chemicals have historically been used in the Project area and vicinity for nursery operations. As a result of these documented releases and historical land uses, the potential exists for workers to encounter hazardous materials in excavated soil during construction.

Any hazardous materials encountered in excavated soil or groundwater during project construction could result in a release to the environment, potentially exposing construction workers and the public to hazardous materials and chemical vapors. Depending on the nature and extent of any contamination encountered, adverse health effects and nuisance vapors could result if proper precautions are not taken. Contaminated soil and groundwater could also require disposal as a restricted or hazardous waste. Areas where releases of hazardous materials have occurred (including leaking fuel or chemical storage tanks) present the greatest potential for exposure to contaminated soil and groundwater during construction. The impact related to reasonably foreseeable upset and/or accidental release of hazardous materials in soil during construction would be *potentially significant*.

In addition, the two quarry buildings constructed circa 1970 that would be demolished to facilitate construction of the cutoff wall could include hazardous building materials. Impacts related to disposal of electrical equipment that could contain PCBs, fluorescent light ballasts that could contain DEHP or PCBs, and fluorescent light tubes that contain mercury would be significant.

- *Mitigation Measure M-HZ-1a, Evaluate Soil Quality*
- *Mitigation Measure M-HZ-1b, Implement a Construction Risk and Spoils Management Plan*
- *Mitigation Measure M-HY-1a, Preparation and Implementation of a SWPPP*
- *Mitigation Measure M-HZ-1c, Hazardous Building Materials*

Impact HZ-2: Project construction could result in a substantial adverse effect related to accident conditions involving the release of hazardous construction chemicals into the environment. (Less than Significant with Mitigation)*

It is expected that fuels, lubricants, paints, and solvents would be used during construction activities. Storage and use of hazardous materials at the construction sites and staging areas could result in the accidental release of small quantities of hazardous materials, which could degrade soil, groundwater, and surface water in Alameda or San Antonio Creeks. This impact would be potentially significant.

The SFPUC would implement Alameda WMP actions that pertain to spills of hazardous materials. These include Action haz4, requiring regular servicing of fleet vehicles to minimize spills; Action haz6, requiring identification of high-risk spill areas; Action haz7, requiring development of spill response and containment measures for SFPUC vehicles; and Action haz8, requiring training of SFPUC staff members in spill response and containment measures. Even with these standard procedures, potential impacts on soil, groundwater, and surface water related to the accidental release of hazardous construction chemicals would be *significant*.

- *Mitigation Measure M-HY-1a, Preparation and Implementation of a SWPPP*

Impact ME-2: Project construction could result in substantial adverse effects related to the use of large amounts of fuel or energy, or the use these resources in a wasteful manner. (Less than Significant with Mitigation)*

Construction of the SABPL project would require the use of fuels (primarily gasoline, diesel, and motor oil) for a variety of construction activities, including excavation, grading, demolition, and vehicle travel. Fuel for construction worker commute trips would be minor in comparison to the fuel used by construction equipment and for hauling. The precise amount of construction-related energy consumption is uncertain. Although fuels would only be used during construction of the SABPL project, excessive idling and other inefficient site operations could result in the wasteful use of fuels, which would constitute a *potentially significant* impact.

- *Mitigation Measure M-AQ-1a, BAAQMD Basic Construction Measures*
- *Mitigation Measure M-AQ-1b, BAAQMD Additional Construction Measures for NOx Reduction*

Impact AG-1: Implementation of the proposed project would result in the conversion of Unique Farmland, as shown on the maps pursuant to the Farmland Mapping and Monitoring

Program of the California Resources Agency, to non-agricultural use. (Less than Significant with Mitigation)*

The former nursery site located within Staging Area C is designated as Unique Farmland. This 5-acre site would be used for construction staging during the initial phases of construction; however, during the later phases of construction, the SFPUC also proposes to use this site for permanent spoils disposal by placing excess spoils generated during construction in an earthen berm at this site. Thus, project implementation would preclude future use of this site for nursery operations. Therefore, project construction would result in the permanent conversion of Unique Farmland to non-agricultural use, and impacts at this former nursery site would be significant.

- *Mitigation Measure M-AG-1, Compensation for Loss of Unique Farmland*

Cumulative Impacts

Impact C-LU: Project construction would result in a cumulatively considerable contribution to cumulative impacts on existing land uses. (Less than Significant with Mitigation)*

The project and other proposed projects within the region have the potential to result in construction-related traffic, noise, dust, and/or diesel emissions in the Sunol Valley. Because these projects could cumulatively increase construction-related traffic, noise, dust, and diesel emissions in the Sunol Valley, cumulative impacts related to disruption of land uses in the Sunol Valley during construction of these projects would be significant, and the SABPL project's contribution to this cumulative impact would be cumulatively considerable. With implementation of project-level mitigation measures reducing construction-related noise, air emissions, traffic, and traffic safety hazards, the project's contribution to these cumulative impacts would not be cumulatively considerable (less than significant).

- *Mitigation Measures M-TR-3, Traffic Control Plan*
- *Mitigation Measures M-NO-1, Administrative and Source Controls*
- *Mitigation Measures M-AQ-1a , BAAQMD Basic Construction Measures*
- *Mitigation Measures M-AQ-1b, BAAQMD Additional Construction Measures for NO_X Reduction*
- *Mitigation Measure C-M-TR, Combined Sunol Valley Traffic Control Plan*

Impact C-AE: Implementation of the proposed project could result in a cumulatively considerable contribution to cumulative impacts on scenic vistas, scenic resources, and visual character. (Less than Significant with Mitigation)*

As multiple SFPUC projects would construct new aboveground structures in the vicinity of the SABPL project area and/or remove trees that screen existing views of the quarry operations and SFPUC water supply facilities, the long-term cumulative impact on the visual character of this area would be significant. The SABPL project's contribution to this cumulative impact would be cumulatively considerable. However with implementation of project-level mitigation measures,

the project's contribution to these cumulative impacts would not be cumulatively considerable (less than significant).

- *Mitigation Measure M-AE-1, Site Maintenance*
- *Mitigation Measure M-BI-1f, Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation*

Impact C-CP: Construction of the proposed project could result in a cumulatively considerable contribution to cumulative impacts on historical, archaeological, or paleontological resources, or human remains. (Less than Significant with Mitigation)*

The geographic scope of cumulative impacts on cultural resources includes the cultural resources C-APE for the project and the Sunol Valley region. The SABPL project would contribute to cumulative impacts on cultural resources, including historical, archaeological, and paleontological resources, if the SABPL project and other projects were to adversely affect the same cultural resources affected by the project or would cause impacts on other cultural resources in the project vicinity.

Construction of the new Alameda Siphon No. 4 has the potential to cause accidental damage to cultural resources Alameda Siphons Nos. 1 and 2. Because this construction and the construction activities under the SABPL project could result in damage to these historical resources, cumulative impacts on historical resources would be potentially significant, and the SABPL project's contribution to this impact would be cumulatively considerable.

Excavation associated with the SABPL project would have a significant impact related to the potential to encounter previously unrecorded archaeological resources and/or human remains interred outside of a formal cemetery. Other projects could also encounter previously unrecorded archaeological resources or human remains, which would be a potentially significant cumulative impact, and the SABPL project's contribution to this impact would be cumulatively considerable.

With implementation of project-level mitigation measures, the project's contribution to these cumulative impacts would not be cumulatively considerable (less than significant).

- *Mitigation Measure M-UT-1h, Measures to Protect Alameda Siphons Nos. 1, 2, and 3*
- *Mitigation Measures M-CP-2b, Accidental Discovery of Archaeological Resources*
- *Mitigation Measure M-CP-3, Paleontological Resources Mitigation Program*
- *Mitigation Measure M-CP-4, Accidental Discovery of Human Remains*

Impact C-TR: Construction of the proposed project would result in a cumulatively considerable contribution to cumulative traffic increases and safety hazards on local and regional roads. (Less than Significant with Mitigation)*

The cumulative traffic analysis did not identify any cumulatively significant traffic impacts from the project and other cumulative projects related to LOS. However, due to the possible overlap in cumulative project construction schedules in the Sunol Valley region, cumulative impacts associated with increased traffic and safety hazards for vehicles, bicycles, and pedestrians are

considered *significant*, and the SABPL project's contribution would be cumulatively considerable. With implementation of mitigation measures, the project's contribution to these cumulative impacts would not be cumulatively considerable (less than significant).

- *Mitigation Measure C-M-TR, Combined Sunol Valley Traffic Control Plan*
- *Mitigation Measure M-TR-3, Traffic Control Plan*

Impact C-NO: Construction of the proposed project would result in a cumulatively considerable contribution to cumulative noise impacts. (Less than Significant with Mitigation)

For cumulative construction-related noise and vibration impacts, the geographic scope encompasses the sensitive residential receptors in the vicinity of the project area. These sensitive receptors are: the currently unoccupied SFPUC watershed keeper's residence, located 225 feet east of Calaveras Road and the project area; the Garcia residence, located approximately 1,300 feet southwest of the project area; the two private residences on Athenour Way, located approximately 2,100 feet west of the project area; and the Sunol Regional Wilderness, with the closest trail located approximately 1.2 miles southeast of the project area. Noise impacts associated with the SABPL project would result from construction-related equipment and hauling activities.

Construction of the proposed project facilities in the southern project area would occur beyond the ordinance time limits of 7 a.m. to 7 p.m. on weekdays and 8 a.m. to 5 p.m. on Saturdays and Sundays during construction of the three air gaps, the connections between the air gaps and the backup pipeline, and the connection between the backup pipeline and Alameda Siphon No. 3, for a combined total of six weeks of extended construction hours. The SABPL project's maximum nighttime Leq noise level would be 48 dBA at the Garcia residence and 56 dBA at the SFPUC watershed keeper's residence. When combined with the NIT project's estimated nighttime noise levels of 49 dBA (Leq) at the Garcia residence and 50 dBA (Leq) at the SFPUC watershed keeper's residence (San Francisco Planning Department, 2009), cumulative nighttime noise levels could exceed the 50-dBA sleep interference threshold by 2 dBA at the Garcia residence and 7 dBA at the SFPUC watershed keeper's residence, a significant cumulative impact. The SABPL project's contribution of 48 dBA (Leq) at the Garcia residence and 56 dBA (Leq) at the SFPUC watershed keeper's residence is considered cumulatively considerable.

However, cumulative noise increases could also occur at the Garcia Residence and the SFPUC watershed keeper's residence on the east side of Calaveras Road as a result of on-site nighttime construction activities required for the SABPL project (described above) combined with cumulative truck traffic along Calaveras Road associated with the construction of other SFPUC projects in the Sunol Valley. The Environmental Impact Report (EIR) for the SFPUC Calaveras Dam Replacement project estimated cumulative nighttime traffic-related noise increases along Calaveras Road to be 52 dBA (Leq) at the Garcia residence and 50 dBA (Leq) at the SFPUC watershed keeper's residence located on the east side of Calaveras Road (San Francisco Planning Department, 2011). When combined with the nighttime construction noise generated by the SABPL project during the six weeks of extended construction hours, nighttime noise levels could reach 55 dBA (Leq) at the Garcia residence (a 3-dBA increase) and 58 dBA (Leq) at the SFPUC watershed keeper's residence (a 1-dBA increase). Therefore, a temporary but *significant* cumulative noise impact would result, and the SABPL project's contribution to cumulative nighttime noise impacts and cumulative impacts related to exposure of people to noise levels in

excess of standards established by the Alameda County Noise Ordinance would be cumulatively considerable.

With implementation of mitigation measures, the project's contribution to these cumulative impacts would not be cumulatively considerable (less than significant).

- *Mitigation Measure M-C-NO, Coordination of Nighttime Construction and Truck Traffic*
- *Mitigation Measure M-NO-1, Administrative and Source Controls*
- *Mitigation Measure M-NO-2, Noise Control Plan*

Impact C-RE: Construction of the proposed project could result in a cumulatively considerable contribution to cumulative impacts on recreational resources and uses. (Less than Significant with Mitigation) *

Construction of the SABPL project would generate construction-related noise, fugitive dust, diesel emissions, and traffic, which could have a significant impact on recreational bicycling along Calaveras Road. Increased traffic could also cause traffic delays and disrupt vehicular access to the nearby EBRPD parks and trails, the Sunol Water Temple, and the Sunol Valley Golf Course. Of the cumulative projects, the New Irvington Tunnel project, Upper Alameda Creek Filter Gallery project, Sunol Valley Water Treatment Plant Expansion and Treated Water Reservoir project, Calaveras Dam Replacement project, and SMP-30 Quarry Expansion and Cutoff Wall project, as well as routine pipeline inspections, could also generate construction-related noise, fugitive dust, diesel emissions, and traffic along Calaveras Road that could affect recreational uses of Calaveras Road and access to nearby recreational facilities, a *potentially* significant cumulative impact. The SABPL project's contribution to this cumulative impact would be cumulatively considerable. With implementation of mitigation measures, the project contribution to this cumulative impact would not be cumulatively considerable (less than significant).

- *Mitigation Measure M-AQ-1a, BAAQMD Basic Construction Measures*
- *Mitigation Measure M-AQ-1b, BAAQMD Additional Construction Measures for NO_X Reduction*
- *Mitigation Measure M-TR-3, Traffic Control Plan*
- *Mitigation Measure C-M-TR, Combined Sunol Valley Traffic Control Plan*

Impact C-UT: Construction of the proposed project could result in a cumulatively considerable contribution to cumulative impacts related to disruption or relocation of utilities. (Less than Significant with Mitigation)*

The SABPL project could have a significant impact related to the potential to damage existing utilities, disrupt utility services where utility lines would be crossed during construction, or require relocation of some utilities. Several of the cumulative projects could also result in damage to existing utilities, disruption of utility services, or relocation of utilities. In particular, the Alameda Siphons Seismic Reliability Upgrade project (Alameda Siphons project) installed new connections between the existing Alameda Siphons and the pipeline that delivers water to the town of Sunol, and constructed a GE pipeline to deliver water to a GE facility to the north. The

Alameda Siphons project also extended the Alameda East Portal Overflow Pipeline to SMP-30 Pit F6, and a portion of the existing overflow pipeline was abandoned in place. If the abandoned pipeline segment were encountered during installation of the proposed backup pipeline, it would be demolished at the crossing.

The Alameda Siphons project also relocated some overhead utilities to underground locations in the southern portion of the SABPL project area and installed Alameda Siphon No. 4 above the existing San Antonio Pipeline and below the Chevron Pipeline. Additionally, other SFPUC projects within the geographic scope of the SABPL project could cause service disruptions for the same set of customers within a short timeframe as a result of the concurrent implementation of SFPUC projects in the Sunol Valley area. Therefore, cumulative impacts related to disruption of utility operations or accidental damage to existing utilities and relocation of regional or local utilities would be significant and the SABPL project's contribution to this cumulative impact could be cumulatively considerable. However, with implementation of project-level mitigation measures, the project's contribution to this cumulative impact would not be cumulatively considerable (less than significant).

- *Mitigation Measures M-UT-1a , Confirm Utility Line Information*
- *Mitigation Measures M-UT-1b, Safeguard Employees from Potential Accidents Related to Underground Utilities*
- *Mitigation Measures M-UT-1c, Notify Local Fire Departments*
- *Mitigation Measures M-UT-1d, Emergency Response Plan*
- *Mitigation Measures M-UT-1e, Ensure Prompt Reconnection of Utilities*
- *Mitigation Measures M-UT-1f, Coordinate Final Construction Plans with Affected Utilities*
- *Mitigation Measures M-UT-1g, Avoidance of Utilities Constructed or Modified by Other SFPUC Projects*
- *Mitigation Measures M-UT-1h, Measures to Protect Alameda Siphons Nos. 1, 2, and 3*

Impact C-BI: Project implementation could result in a cumulatively considerable contribution to cumulative impacts on biological resources during project construction and operation. (Less than Significant with Mitigation)*

Past development, particularly in the northern part of the Sunol Valley near I-680 and elsewhere (such as roadways, mining, and water infrastructure), has resulted in the current condition of the project area, including the relative rarity of special-status species, the degraded state of riparian vegetation and other sensitive natural communities, and the reduced extent of wetlands and jurisdictional waters.

Construction of the SABPL project would result in potentially significant impacts associated with the temporary and permanent loss of habitat and the potential for direct mortality of CRLF, CTS, and Alameda whipsnake, as well as temporary and permanent habitat loss and disruption of breeding and foraging habitat for nesting birds, raptors, and bats. It is assumed that several of the cumulative projects, particularly those projects located in the Sunol Valley, could adversely affect some of the same special-status species, a potentially significant cumulative impact, and the SABPL project's contribution to this impact would be cumulatively considerable.

The proposed project could adversely affect riparian habitat along San Antonio Creek, native trees along Calaveras Road, as well as large, isolated, mature trees. The proposed project could degrade the habitat value of the freshwater marsh located west of the Sunol Valley Chloramination Facility and south of the Alameda Siphons. Several of the cumulative projects could also adversely affect riparian resources and native or mature trees in the region, jurisdictional waters, resident trout and other fishes in San Antonio Creek, trees within the Alameda County right-of-way and protected under the Alameda County Tree Ordinance resulting in a potentially significant cumulative impact, and the SABPL project's contribution to this impact would be cumulatively considerable. CRLF could become entrained in the intakes of the SABPL project dewatering pumps, potentially resulting in mortality of the CRLF. Operational discharges from Pits F3-East and F3-West by Hanson Aggregates could also result in mortality to this species resulting in a significant cumulative impact and the SABPL project's contribution would be cumulatively considerable. However, cumulative impacts would be reduced with project-level mitigation measures.

- *Mitigation Measure M-BI-1a, General Protection Measures*
- *Mitigation Measure M-BI-1b, Worker Training and Awareness Program*
- *Mitigation Measure M-BI-1c, Minimize Disturbance to Riparian Habitat*
- *Mitigation Measure M-BI-1d, Prevent Movement of Specific Species through the Work Areas*
- *Mitigation Measure M-BI-1e, Preconstruction Surveys and Construction Monitoring and Protocols for California Tiger Salamander, California Red-Legged Frog, and Alameda Whipsnake*
- *Mitigation Measure M-BI-1f, Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation*
- *Mitigation Measure M-BI-1g, Measures to Minimize Disturbance to Special- Status Bird Species*
- *Mitigation Measure M-BI-1h, Conduct Preconstruction Surveys for Any Special- Status Bats found and Implement Avoidance and Minimization Measures*
- *Mitigation Measure M-HY-1a, Preparation and Implementation of a SWPPP*
- *Mitigation Measure M-HY-1b, Creek Restoration and Revegetation*
- *Mitigation Measure M-BI-3, Avoidance and Protection Measures for Jurisdictional Water Bodies*
- *Mitigation Measure M-BI-7, Screen Dewatering Pump Intakes*

Impact C-GE: Project construction could result in a cumulatively considerable contribution to cumulative impacts related to the loss of topsoil. (Less than Significant with Mitigation)*

The geographic scope of potential cumulative geologic and seismic impacts consists of the project area and immediate vicinity. Geologic and seismic impacts are generally site-specific and depend on the local geology and soil conditions. Past projects, including previous SFPUC water supply projects, and ongoing mining operations, have modified the topographic and geologic landscape in the vicinity of the project area.

The SABPL project would have a significant impact related to soil erosion and loss of topsoil during construction. Most of the cumulative projects listed in Table 5.1-6 could also result in soil

erosion and loss of topsoil, resulting in a significant cumulative impact, and the SABPL project's contribution to this cumulative impact would be cumulatively considerable. However, with implementation of project-level mitigation measures, the project's contribution to this cumulative impact would not be cumulatively considerable (less than significant)

- *Mitigation Measure M-HY-1a, Preparation and Implementation of a SWPPP*
- *Mitigation Measure M-BI-1f, Prepare and Implement a Vegetation Restoration and Compensatory Mitigation Plan*

Impact C-HY: Project construction could result in a cumulatively considerable contribution to cumulative impacts on hydrology and water quality. (Less than Significant with Mitigation)*

Construction activities associated with the SABPL project could result in the degradation of water quality from increased soil erosion and associated sedimentation of water bodies, as well as an accidental release of hazardous materials. In addition, discharges of dewatering effluent from excavated areas and treated water in pipelines could also adversely affect water quality. Many of the cumulative projects would also require dewatering groundwater that enters open trenches during construction. Other SFPUC projects, including the Alameda Siphons Seismic Reliability Upgrades project, NIT project, and various pipeline inspection projects also involve discharges of treated water produced during pipeline draining and disinfection. These projects could result in a potentially significant cumulative impact related to degradation of water quality. The SABPL project's contribution to this cumulative impact would be cumulatively considerable. However, with implementation of project-level mitigation measures, the project's contribution to this cumulative impact would not be cumulatively considerable (less than significant).

- *Mitigation Measure M-HY-1a, Preparation and Implementation of a SWPPP*
- *Mitigation Measure M-HY-1b, Creek Restoration and Revegetation*
- *Mitigation Measure M-HY-3, Management of Dewatering Effluent Discharges*

Impact C-HZ: Construction of the proposed project would result in cumulatively considerable impacts related to hazards and hazardous materials. (Less than Significant with Mitigation)*

Cumulative impacts related to the presence of hazardous materials in the soil could occur if the SABPL project and cumulative projects would be implemented in the same area at the same time. The construction footprints of the Upper Alameda Creek Filter Gallery (Filter Gallery) project and NIT project would overlap geographically with the SABPL project area, and these projects could have overlapping construction schedules.

The SABPL project would be constructed in an area that was previously used for agricultural purposes and where pesticides were likely used historically; therefore, residual hazardous materials could be present in site soils. Construction of the Filter Gallery project and NIT project would also include excavation within areas that have been previously used for agricultural purposes. Therefore, cumulative impacts related to the exposure of workers and the public to hazardous materials in soil during construction of the SABPL project and these other cumulative projects are considered potentially significant, and the SABPL project's contribution would be cumulatively considerable.

Construction of the SABPL project, as well as construction of other cumulative projects in the Sunol Valley, could result in the accidental release of hazardous construction chemicals into the environment. Cumulative impacts related to the accidental release of hazardous construction chemicals into the environment during construction of the SABPL project and these other cumulative projects are considered potentially significant, and the SABPL project's contribution would be cumulatively considerable.

The SABPL project would involve demolition of two quarry buildings that could contain hazardous building materials. The Calaveras Dam Replacement project would also involve demolition of structures that could contain hazardous building materials. Therefore, cumulative impacts related to disposal of electrical equipment that could contain PCBs, fluorescent light ballasts that could contain DEHP or PCBs, and fluorescent light tubes that contain mercury would be potentially significant, and the SABPL project's contribution would be cumulatively considerable.

With implementation of project-level mitigation measures, the project's contribution to these cumulative impacts would not be cumulatively considerable (less than significant).

- *Mitigation Measures M-HZ-1a, Evaluate Soil Quality*
- *Mitigation Measures M-HZ-1b, Implement a Construction Risk and Spoils Management Plan*
- *Mitigation Measure M-HZ-1c, Hazardous Building Materials*
- *Mitigation Measure M-HY-1a, Preparation and Implementation of a SWPPP*

Impact C-ME: Project construction would result in a cumulatively considerable contribution to cumulative impacts related to mineral and energy resources. (Less than Significant with Mitigation) *

All of the proposed facilities and improvements would be constructed in an area mapped as MRZ-2 and could be underlain by aggregate resources. Several of the cumulative projects would also be located in areas designated as MRZ-2. All of these projects would include construction within an area that contains known aggregate resources, which could result in a significant cumulative impact. However, the SABPL project would not result in the construction of new structures in active mining areas or in areas that would otherwise be available for mining. Therefore, the project's contribution to cumulative impacts related to the loss of availability of mineral resources would not be cumulatively considerable (less than significant). The proposed project and all of the cumulative projects would use energy during construction, which could result in a significant cumulative impact. The SABPL project's contribution to this cumulative impact would be cumulatively considerable. However, with implementation of project-level mitigation measures, the project's contribution to this cumulative impact would not be cumulatively considerable (less than significant).

- *Mitigation Measures M-AQ-1a, BAAQMD Basic Construction Measures*
- *Mitigation Measures M-AQ-1b, BAAQMD Additional Construction Measures for NOx Reduction*

Impact C-AG: Implementation of the proposed project would result in a cumulatively considerable contribution to cumulative impacts related to the conversion of Unique Farmland to non-agricultural uses. (Less than Significant with Mitigation)*

The geographic scope of cumulative impacts on agricultural resources consists of areas of Unique Farmland within the Sunol Valley. Cumulative impacts on agricultural resources could result if the SABPL project and other cumulative projects in the Sunol Valley caused the permanent conversion of Unique Farmland to non-agricultural use, either through direct changes in land use or through permanent changes from existing conditions. Cumulative impacts related to the permanent conversion of Unique Farmland to non-agricultural use during construction of the SABPL project and Filter Gallery project would be significant, and the SABPL project's contribution to this cumulative impact would be cumulatively considerable. However with implementation of project-level mitigation, the project's contribution to this cumulative impact would not be cumulatively considerable (less than significant).

- *Mitigation Measure M-AG-1, Compensation for Loss of Unique Farmland*

Impacts of Mitigation Measures

Enhancement to grassland at the Goat Rock compensation site and riparian habitat at the San Antonio Creek compensation site that may occur under Measure M-BI-1f (Preparation and Implementation of a Vegetation Restoration Plan and Compensatory Mitigation) could result in environmental impacts. The Goat Rock compensation site and San Antonio Creek compensation site are proposed to provide compensatory mitigation for multiple SFPUC projects in the Sunol Valley, including the Calaveras Dam Replacement project. Selection of the final compensation sites would occur in consultation with USFWS and CDFG and may result in the implementation of habitat enhancement at a compensation site other than Goat Rock or San Antonio Creek.

Compensatory mitigation activities at these sites were previously addressed in the *Final Environmental Impact Report for the San Francisco Public Utilities Commission Calaveras Dam Replacement Project* (San Francisco Planning Department, 2011).

As described in the Calaveras Dam Replacement project EIR (beginning on page 5-14 in Chapter 5, Mitigation Measures), compensatory mitigation and associated ground disturbance could result in impacts on water quality, biological resources, and cultural resources, but these impacts on sensitive wildlife at the compensation sites would be avoided through implementation of measures adopted as conditions of approval for the Calaveras Dam Replacement project, including Mitigation Measure 5.7.1 (to protect and maintain water quality), Mitigation Measure 5.4.1 (to avoid impacts on sensitive wildlife through preconstruction surveys), and Mitigation Measure 5.4.2 (restoration of disturbed areas), and Mitigation Measure 5.10.2 (to mitigate for accidental discovery of archeological resources). In approving the Calavaras Dam Replacement project, the SFPUC adopted a mitigation monitoring and reporting program for the project (SFPUC Resolution No. 11-0015) which includes these mitigation measures); Attachment A to the MMRP identifies the mitigation measures that will be implemented to reduce the secondary impacts associated with construction activities undertaken in creating habitat mitigation sites. The

Commission's CEQA Findings in Resolution No. 11-0015 related to the impacts of implementing biological resources mitigation at Goat Rock and San Antonio Creek (San Antonio Mitigation Area), are incorporated into these findings by this reference, as though fully set forth in these CEQA Findings.

Significant impacts associated with habitat enhancement at an alternate compensation site would be subject to the mitigation measures identified throughout the SABPL Project EIR, as appropriate, to reduce the impacts to a less-than-significant level and would be implemented in accordance with the adopted MMRP.

IV. Significant Impacts That Cannot Be Avoided or Reduced to a Less-Than-Significant Level

Project Impacts

Based on substantial evidence in the whole record of these proceedings, the SFPUC finds that, where feasible, changes or alterations have been required or incorporated into the project to reduce the significant environmental impacts as identified in the Final EIR and listed below. The SFPUC finds that the mitigation measures in the Final EIR and described below are appropriate, and that changes have been required in or incorporated into the project that, pursuant to Public Resources Code section 21002 and CEQA Guidelines section 15091, may substantially lessen, but do not avoid (i.e., reduce to less than significant levels) the potentially significant environmental effect associated with implementation of the project. The SFPUC adopts all of the mitigation measures proposed in the Final EIR and set forth in the MMRP, attached hereto as Attachment B. The SFPUC further finds, however, for the impacts listed below, despite implementation of mitigation measures, the effects remain significant and unavoidable. Based on the analysis contained within the Final EIR, other considerations in the record, and the standards of significance, the SFPUC finds that because some aspects of the project could cause potentially significant impacts for which feasible mitigation measures are not available to reduce the impact to a less-than-significant level, the impacts are significant and unavoidable.

The SFPUC determines that the following significant impacts on the environment, as reflected in the Final EIR, are unavoidable, but under Public Resources Code Section 21081(a) (3) and (b), and CEQA Guidelines sections 15091(a) (3), 15092(b) (2) (B), and 15093, the SFPUC determines that the impacts are acceptable due to the overriding considerations described in Section VII below. This finding is supported by substantial evidence in the record of this proceeding.

Impact AQ-1: Emissions generated during project construction activities would violate air quality standards and would contribute substantially to an existing air quality violation. (Significant and Unavoidable even with implementation of feasible Mitigation)*

Criteria pollutants would be emitted during construction of all project components. Project construction would generate fugitive dust (including PM_{10} and $PM_{2.5}$) during various construction activities, including excavation, grading, demolition, and vehicle travel on both paved and unpaved surfaces. Other criteria pollutants would also be generated from the exhaust emissions of construction equipment and vehicles. Without controls, emissions of these criteria pollutants

could adversely affect the SFBAAB's attainment status relative to state and federal air quality standards.

The *BAAQMD CEQA Guidelines* require quantification of construction-related emissions (equipment exhaust). For all proposed projects, the BAAQMD recommends implementation of all Basic Construction Measures (these measures are included as Mitigation Measure M-AQ-1a, below). If the daily criteria pollutant thresholds of significance for construction activities are exceeded prior to implementing this mitigation, additional construction mitigation measures are recommended.

Emissions from the SABPL project's construction equipment and vehicles would be generated from multiple sources, including heavy mobile equipment and delivery/haul trucks, worker vehicles, and semi-stationary sources such as air compressors and generators. Construction related criteria pollutant emissions were calculated for the SABPL project as a function of construction activity, construction duration, average haul truck mileage, and worker trips (auto/light-truck mileage). The highest average daily quantity of pollutants would be emitted in 2013, the year when most project construction activities would occur. The estimated daily average construction emissions for 2014 would be lower than for 2013 because less construction would occur during these years. Based on the large anticipated heavy-equipment fleet and the worst-case assumption that daily construction activities could involve overlapping construction activities for up to four project elements in 2013 and three elements in 2014, the model results indicate average daily NO_X emissions would substantially exceed the BAAQMD CEQA significance thresholds in 2013 and 2014, a significant impact. Implementation of the mitigation measures identified below would reduce this impact, but not to a less-than-significant level, and the impact would be significant and unavoidable.

- *Mitigation Measure M-AQ-1a, BAAQMD Basic Construction Measures*
- *Mitigation Measure M-AQ-1b, BAAQMD Additional Construction Measures for NO_X Reduction*

Impact C-AQ: Construction of the proposed project would result in a cumulatively considerable contribution to cumulative air quality impacts associated with criteria pollutant emissions and health risks. (Significant and Unavoidable even with implementation of feasible Mitigation)*

To address cumulative impacts on regional air quality, the BAAQMD has established thresholds of significance for construction-related criteria pollutants and precursor emissions. These thresholds, which have been determined appropriate for use in the project's air quality analysis, represent the levels at which a project's individual emissions of criteria pollutants and precursors would result in a cumulatively considerable contribution to the SFBAAB's existing air quality violations. If average daily or annual emissions exceed these thresholds, the SABPL project would result in a cumulatively significant impact. Construction-related criteria pollutant and precursor emissions associated with the SABPL project would exceed the BAAQMD significance threshold for NO_X, and the SABPL project's contribution to this cumulative impact would be cumulatively considerable. In addition, the combined health risks from construction related emissions of the SABPL project and other cumulative projects would exceed the BAAQMD's cumulative significance thresholds of 100 excess cancer cases in a million.

Therefore, during construction, the cumulative health risk impacts related to excess cancer would be significant. Even with implementation of the project mitigation measures, NOx emissions and health risks would still exceed the BAAQMD thresholds, and no other feasible mitigation measures have been identified to reduce this impact. Therefore, the impact is considered significant and unavoidable.

- *Mitigation Measures M-AQ-1a, BAAQMD Basic Construction Measures*
- *Mitigation Measures M-AQ-1b, BAAQMD Additional Construction Measures for NO_x Reduction*

WSIP Impacts

The Project is a component of the WSIP and, therefore, will contribute to the significant and unavoidable impacts caused by the WSIP water supply decision. Three significant and unavoidable impacts were identified and discussed in this Commission's Resolution No. 08-0200 related to the WSIP water supply decision: ***Impact 5.4.1-2-*** *Stream Flow: Effects on flow along Alameda Creek below the Alameda Creek Division Dam*; ***Impact 5.5.5-1-****Fisheries: Effects on fishery resources in Crystal Springs reservoir (Upper and Lower);* and ***Impact 7-1-****Indirect growth inducing impacts in the SFPUC service area*. Mitigation measures that were proposed in the PEIR were adopted by this Commission for these impacts; however, the mitigation measures could not reduce all the impacts to a less than significant level, and these impacts were determined to be significant and unavoidable. This Commission has already adopted the mitigation measures proposed in the PEIR to reduce these impacts when it approved the WSIP in its Resolution No. 08-0200. This Commission also adopted a Mitigation Monitoring and Reporting Program as part of that approval. The findings regarding the three impacts and mitigation measures for these impacts set forth in Resolution No. 08-0200 are incorporated into these findings by this reference, as though fully set forth in these CEQA Findings.

Subsequent to the certification of the PEIR, the Planning Department has conducted more detailed, site-specific review of two of the significant and unavoidable water supply impacts identified in the PEIR. In the case of ***Impact 5.5.5.-1***, the project-level fisheries analysis in the Lower Crystal Springs Dam Improvement project Final EIR modifies the PEIR impact determination based on more detailed site-specific data and analysis and determined that impacts on fishery resources due to inundation effects would be less than significant. Project-level conclusions supersede any contrary impact conclusions in the PEIR. The SFPUC adopted CEQA Findings with respect to the approval of the Lower Crystal Springs Dam Improvement project in Resolution No. 10-0175. The CEQA Findings in Resolution No. 10-0175 related to the impacts on fishery resources due to inundation effects are incorporated into these findings by this reference, as though fully set forth in these CEQA Findings.

In the case of ***Impact 5.4.1-2***, the project level analysis in the Calavaras Dam Replacement project Final EIR modifies the PEIR determination and concludes that the impact related to stream flow along Alameda Creek between the diversion dam and the confluence with Calaveras Creeks (PEIR Impact 5.4.1-2) will be less than significant based on more detailed, site-specific modeling and data. Project-level conclusions supersede any contrary impact conclusions in the PEIR. The SFPUC adopted CEQA Findings with respect to the approval of the Calaveras Dam Improvement project in Resolution No. 11-0015. The CEQA Findings in Resolution No. 11-

0015 related to the impacts on fishery resources due to inundation effects are incorporated into these findings by this reference, as though fully set forth in these CEQA Findings.

The remaining significant and unavoidable water supply impact listed in Resolution No. 08-0200 is as follows, relating to ***Impact 7-1***:

Potentially Significant and Unavoidable WSIP Water Supply and System Operation Impact

- **Growth**: Indirect growth-inducement impacts in the SFPUC service area.

V. Evaluation of Project Alternatives

This Section describes the project as well as alternatives the reasons for approving the project and for rejecting the alternatives. CEQA mandates that an EIR evaluate a reasonable range of alternatives to the project or the project location that generally reduce or avoid potentially significant impacts of the project. CEQA requires that every EIR also evaluate a "No Project" alternative. Alternatives provide a basis of comparison to the project in terms of their significant impacts and their ability to meet project objectives. This comparative analysis is used to consider reasonable, potentially feasible options for minimizing environmental consequences of the project.

A. Reasons for Approval of the Project

The overall goals of the WSIP for the regional water system are to:

- Maintain high-quality water and a gravity-driven system
- Reduce vulnerability to earthquakes
- Increase delivery reliability
- Meet customer water supply needs through 2018
- Enhance sustainability
- Achieve a cost-effective, fully operational system

The project, as described herein and consisting of the components set forth in the Final EIR, including Pumping Variant 1(a one-step pumping process) in lieu of the two-step pumping process, contributes to achievement of these goals by making it possible to simultaneously discharge quality-impaired Hetch Hetchy water as well as access water supplies stored in San Antonio Reservoir during an emergency outage along the Hetch Hetchy system, which will increase water delivery reliability and help maintain high-quality water. Specific objectives of the Project are to:

- Provide reliable conveyance capacity for emergency discharges of Hetch Hetchy water supplies during events that impair water quality or during facility outages

- Increase operational flexibility and delivery reliability during emergencies and planned maintenance

B. Alternatives Rejected and Reasons for Rejection

The Commission rejects the alternatives set forth in the Final EIR and listed below because the Commission finds that there is substantial evidence, including evidence of economic, legal, social, technological, and other considerations described in this section in addition to those described in Section VI below under CEQA Guidelines 15091(a)(3), that make infeasible such Alternatives. In making these determinations, the Commission is aware that CEQA defines "feasibility" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors." The Commission is also aware that under CEQA case law the concept of "feasibility" encompasses (i) the question of whether a particular alternative promotes the underlying goals and objectives of a project, and (ii) the question of whether an alternative is "desirable" from a policy standpoint to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.

Alternative 1: No Project

Under the No Project Alternative, the San Antonio Pipeline would remain in operation and no improvements would be made to the pipeline. The SFPUC would have sufficient capacity to discharge the future maximum Hetch Hetchy flow of 315 mgd. As with existing operations, the SFPUC's preferred option would be to pump up to 160 mgd to San Antonio Reservoir or the SVWTP via the existing San Antonio Pipeline in order to conserve the water for future treatment and delivery to customers. However, as occurs under the existing condition, the SFPUC's ability to conserve the water would be limited by the capacity of the San Antonio Pump Station (160 mgd); when the discharge exceeded the pumping capacity and could not be pumped to the reservoir, flows of up to 230 mgd would instead be discharged by gravity flow to San Antonio Creek via the existing San Antonio Pipeline. At the future maximum flow of 315 mgd, the remaining 85 mgd would be discharged to quarry Pit F6 via the Alameda East Overflow Pipeline constructed as a component of the Alameda Siphons Seismic Reliability Upgrade project.

Without construction of the backup pipeline, the SFPUC would rely on the existing San Antonio Pipeline for both emergency and planned discharges, and the SFPUC would not have the ability to simultaneously discharge Hetch Hetchy water while also conveying 160 mgd of water from the San Antonio Reservoir to the SVWTP, thereby inhibiting the SFPUC's ability to achieve the WSIP level of service goals. Further, while emergency and planned discharges of up to 160 mgd could be pumped to San Antonio Reservoir via the existing San Antonio Pipeline for future treatment and distribution to customers, the SFPUC would not have the ability to conserve the future maximum flow of 315 mgd.

The maximum capacity of the San Antonio Pipeline is 230 mgd. Thus, when flows are greater than the 230 mgd capacity of the San Antonio Pipeline, the SFPUC would discharge up to 85 mgd of chlorinated water to quarry Pit F6, which would subsequently infiltrate to the groundwater.

The No Project Alternative would not meet either of the project objectives: to provide reliable conveyance capacity for emergency discharges of Hetch Hetchy water during water quality events or facility outages, and to increase the operational flexibility and delivery reliability during emergencies and planned maintenance.

The No Project Alternative would also not provide the operational flexibility and delivery reliability afforded by the Project. Without implementation of the Project, water service to downstream customers could potentially be disrupted, because SFPUC facility operators would not have the ability to simultaneously divert quality-impaired Hetch Hetchy water out of the regional water system while accessing water stored in San Antonio Reservoir to meet customer demand.

Further, the San Antonio Pipeline is susceptible to damage due to corrosion and breakage. If the San Antonio Pipeline failed, there would be no backup pipeline. In the event of failure of the San Antonio Pipeline, the Alameda East Portal Overflow Pipeline (with a capacity of 180 mgd) would be the only pipeline available to convey emergency discharges, and this pipeline alone could not accommodate the future maximum Hetch Hetchy flow of up to 315 mgd. Overall, the No Project Alternative would jeopardize the SFPUC's ability to meet the adopted WSIP goals and objectives.

The No Project Alternative would avoid all construction-related impacts of the Project, including the two significant unavoidable air quality impacts associated with NOx emissions and health risks. This is because the new backup pipeline, chemical facility cutoff wall along the perimeter of Pit F3-East, and ancillary features and other improvements would not be constructed under the No Project Alternative. The two quarry buildings located east of Pit F3-East would not be demolished, thereby eliminating impacts related to hazardous building materials. Similarly, since this alternative would not generate excess spoils, the No Project Alternative would also avoid impacts related the permanent conversion of Unique Farmland to non-agricultural uses.

Energy use during operation would be less under the No Project Alternative because discharges exceeding the capacity of the San Antonio Pump Station would be made to San Antonio Creek via gravity.

The Commission rejects the No Project Alternative because it would not meet any of the project objectives, and because it would jeopardize the SFPUC's ability to meet the adopted WSIP goals and objectives.

Alternative 2: SABPL Discharges to the Base of Turner Dam

Alternative 2 includes all project components originally proposed for the SABPL project, but represents an environmentally preferable variation of the original project in that it routes the backup pipeline beneath the Turner Dam access road to avoid prehistoric archaeological site SA-1 and to reduce impacts on sensitive biological resources.

Under this alternative, the backup pipeline would be 2 miles long (0.7 mile longer than under the proposed project) and extend between the San Antonio Pump Station and the existing discharge facility at San Antonio Creek at the base of Turner Dam. The backup pipeline would terminate at the existing discharge facility via a new cone valve and outfall to San Antonio Creek. A new electrical control building would be constructed on the south bank of San Antonio Creek. The existing stilling basin within the San Antonio Creek channel would be replaced with a larger stilling basin designed to handle the future maximum Hetch Hetchy flow, and the creek banks immediately downstream of the new and existing cone valves would be reinforced with riprap, or with an environmentally engineered bank stabilization alternative, to protect against bank erosion. As with the proposed project, a new chemical facility would be constructed near the San Antonio Pump Station to dechlorinate and pH-adjust the Hetch Hetchy water prior to discharge. The backup pipeline alignment, the modifications to the existing discharge facility, and the new chemical facility would be designed to accommodate the future maximum Hetch Hetchy flow of 315 mgd. Unlike the project, this alternative would not construct the new discharge facility at Pit F3-East, cutoff wall around Pit F3-East, transfer pipeline, dewatering pipeline, or new electrical transformer; nor would it include the replacement of a segment of potable water pipeline to the town of Sunol. No construction requiring excavations would be necessary in the vicinity of Pit F3-East. Since the cutoff wall would not be constructed, demolition of the two quarry buildings just east of Pit F3-East would not be required. However, like the project, excess spoils generated during construction could be permanently placed in an earthen berm at the North Spoils Site or former nursery site located east of Pit F3-East.

Alternative 2 would fully meet both project objectives. The facility improvements that would be implemented under this alternative would provide reliable conveyance capacity for emergency discharges of Hetch Hetchy water supplies during water quality events or during facility outages because the new facilities would have sufficient capacity to accommodate the maximum future flow of 315 mgd. This alternative would also meet the goal of increasing operational flexibility and delivery reliability during emergencies and planned maintenance because the new backup pipeline could be used for emergency discharges while the existing San Antonio Pipeline was simultaneously being used to convey water stored in San Antonio Reservoir to the SVWTP to meet water demand.

Compared to the project, this alternative would have less substantial impacts related to slope instability during construction because construction activities would not be conducted within the walls of Pit F3-East or any other slope that could become unstable. This alternative would also result in less use of energy during operation compared to the project because all flows exceeding 160 mgd would be discharged via gravity (under the project, all discharges would require pumping from Pit F3-East to San Antonio Reservoir or to the SVWTP). Despite the longer pipeline alignment, this alternative likely would require less excavation than the project because none of the facilities associated with operational discharges to Pit F3-East would be built (i.e., new discharge facility on the southern slope of Pit F3-East, cutoff wall, and dewatering pipeline). Alternative 2 would reduce the severity of Impacts AQ-1 and C-AQ, both of which were determined to be significant and unavoidable under the proposed project, but NOx emissions likely would still exceed the significance thresholds and the impacts would remain unavoidable even with

mitigation. In addition, the significant cumulative health risk impact under this alternative would be similar to the proposed project.

Overall, however, this alternative could result in greater magnitude long-term impacts when compared to the proposed project. That is, while the backup pipeline would be routed beneath the Turner Dam access road to minimize impacts on the riparian corridor of San Antonio Creek, excavation for the longer backup pipeline (2 miles long versus 1.3 miles long) would likely result in greater impacts on other biological resources. Further, the proposed improvements to the existing discharge facility at San Antonio Creek could result in greater construction-related impacts related to erosion, water quality, aquatic habitat, and special-status species. These improvements, including the new outfall, stilling basin, and riprap, would involve extensive construction within a reach of San Antonio Creek known to provide habitat for special status aquatic species, including California red-legged frog and western pond turtle. This Alternative would result in substantially greater construction-related impacts on water quality and resident trout and other native fish species along San Antonio Creek because of the extensive construction within the creek channel and proximity of pipeline construction activities to the creek.

Although the removal of riparian trees along the San Antonio Creek corridor would be avoided to the extent possible, it is likely that some mature riparian trees could be damaged or would require removal during construction due to their proximity to the access road. Like the project, the pipeline would be installed using open-trench construction methods. Where the alternative alignment crosses Calaveras Road, steel plates would be placed over the trench to maintain traffic flow, and at least one lane would remain open at all times. Construction-related impacts on archaeological site SA-1 would be the same as with the project. However, there could be a greater potential to encounter previously unidentified archaeological and paleontological resources and human remains, given the increased excavation associated with the longer pipeline alignment (2 miles versus 1.3 miles). When compared to the project, opportunities to conserve the discharged water for future delivery to customers would be greatly reduced because under the alternative, when Hetch Hetchy flow exceeded the capacity of the San Antonio Pump Station (160 mgd), the SFPUC would discharge the entire flow to San Antonio Creek.

The backup pipeline alignment under Alternative 2 would cross a Chevron crude oil pipeline that runs along the east side of Calaveras Road, resulting in an increased potential for conflicts with this pipeline. (The crude oil pipeline would not be affected by the project as the alignments do not intersect). Because this alternative would avoid construction near the quarry pits on the west side of Calavaras Road, it would avoid potential conflicts with the South Bay Aqueduct along the northern boundary of the quarry pits. This alternative would also avoid conflicts with the 36-inch-diameter PG&E high-pressure natural gas pipeline because the backup pipeline would veer east across Calaveras Road before this location. The need for groundwater dewatering would be reduced because excavation associated with the cutoff wall around Pit F3-East would not occur, resulting in less substantial water quality impacts related to the discharge of groundwater from construction dewatering. However, even with the use of steel plates across open trenches to maintain traffic flow on Calaveras Road, construction across Calaveras Road and within the access road to Turner Dam could impede access for emergency response vehicles and increase

traffic safety hazards. In addition, in the event of an earthquake, lateral spreading (the horizontal movement of soil due to liquefaction of underlying sediments) could occur along the portion of the pipeline alignment closest to San Antonio Creek, potentially requiring a retaining wall. Like the project, the permanent placement of spoils in an earthen berm at the former nursery site located east of Pit F3-East could result in the permanent conversion of Unique Farmland to non-agricultural uses.

Although this alternative would meet the SFPUC's project objectives, the Commission rejects this alternative as infeasible because it would not result in a substantial environmental improvement as compared to the project. While Alternative 2 would eliminate some significant biological resource impacts identified as a result of the project, this alternative would result in other increased environmental impacts to special-status species and wetland habitat. Moreover, with mitigation, all of the significant biological resource impacts resulting from the project can be reduced to a less than significant level. Alternative 2 would require more maintenance because of its greater length. The significant and unavoidable air quality impacts associated with the project would still occur under Alternative 2. In addition, as compared to the project, Alternative 2 opportunities to conserve discharged water for future delivery to customers would be reduced.

Alternative 3: Aboveground SABPL

Alternative 3 includes all of the same facility components as the project, and the new backup pipeline would be constructed along the same alignment but it would be constructed entirely aboveground instead of below ground. Alternative 3 would substantially reduce earthwork associated with pipeline installation and would reduce disturbance to vegetated areas along the backup pipeline alignment.

The Aboveground SABPL alternative would construct the new backup pipeline along the same alignment, but entirely aboveground. The aboveground backup pipeline would sit on pipe supports approximately 2 to 3 feet in height, and the total height of the 66-inch-diameter pipeline would be approximately 7 to 8 feet above ground surface. The vaults and manhole risers along the backup pipeline alignment would also be constructed above ground. The 12-inch-diameter water pipeline to the town of Sunol would not be constructed under this alternative, but could require replacement at a later date under a separate project. With the exception of the water pipeline to the town of Sunol, this alternative includes all of the same facility components as the Project. As with the Project, all project facilities would be designed with sufficient capacity to accommodate the future maximum Hetch Hetchy flow of 315 mgd.

This alternative would substantially reduce earthwork associated with pipeline installation and would reduce disturbance to vegetated areas along the backup pipeline alignment. Construction of this alternative probably would generate a smaller fraction of excess spoils associated with construction of the backup pipeline under the project. Like the project, excess spoils generated during construction could be permanently placed in an earthen berm at the North Spoils Site or former nursery site located east of Pit F3-East.

Project operations would be the same as those under the project. Alternative 3 would meet the project objectives. Like the project, this alternative would enable the SFPUC to conserve future Hetch Hetchy flow for treatment and distribution to customers. Alternative 3 would meet both project objectives. The new aboveground backup pipeline and associated facilities would provide reliable conveyance capacity for planned and emergency discharges of Hetch Hetchy water because these facilities would be designed to accommodate the future maximum flow of 315 mgd. This alternative would also meet the goal of increasing operational flexibility and delivery reliability during emergencies and planned maintenance because the SFPUC would be able to convey discharges through the new backup pipeline while simultaneously using the existing San Antonio Pipeline to convey water stored in San Antonio Reservoir to the SVWTP to meet water demand. Implementation of Alternative 3 would reduce construction-related impacts in some areas relative to the project. Most importantly, this alternative would reduce the severity of the two significant and unavoidable impacts of the Project - construction-related NOx emissions and the project's contribution to cumulative construction-related NOx emissions and health risk impacts—because the aboveground pipeline would require less excavation and earthwork and would result in a decrease in construction-related NOx emissions when compared to the project. Mitigated emissions in 2013 likely would still exceed the significance threshold of 54 lbs/day assuming concurrent construction of the backup pipeline and facilities associated with operational discharges to Pit F3-East; however, mitigated emissions in 2014 could be reduced to below the significance threshold. The contribution of Alternative 3 to the significant and unavoidable cumulative health risk would also be reduced.

There also would be less potential to encounter previously unidentified archaeological and paleontological resources and human remains because of the reduced excavation associated with the backup pipeline and because the water pipeline to the town of Sunol would not be constructed. Similarly, construction-related impacts on biological resources, including special-status species and sensitive habitats, as well as impacts related to soil erosion, sedimentation of San Antonio and Alameda Creeks, and construction-related effects on resident trout and other native fish species, would be less substantial relative to the project because of the reduced excavation. The need for groundwater dewatering could also be reduced as a result of the reduced amount of excavation, resulting in less substantial water quality impacts related to the discharge of groundwater from construction dewatering. This alternative could avoid conflicts with the PG&E high-pressure natural gas pipelines because the pipeline supports could be placed to avoid these natural gas pipelines.

Like the project, the future maximum Hetch Hetchy flow of 315 mgd would be discharged to Pit F3-East and subsequently pumped to San Antonio Reservoir or the SVWTP. Therefore, operational impacts would be similar to those of the project: there would be no direct discharges to San Antonio or Alameda Creeks, and there would be no related significant adverse effects on resident trout and other native fish species or on water quality from direct discharges. Energy use during operation under this alternative would be the same as under the project. Like the project, the permanent placement of spoils in an earthen berm at the former nursery site would result in the permanent conversion of Unique Farmland to non-agricultural uses. The SFPUC would need

space to inspect and maintain the pipeline, and would not be able to fully screen the 7- to 8-foot-high aboveground backup pipeline from Calaveras Road using vegetation because of the limited space between the pipeline right-of-way and Calaveras Road, and due to restrictions outlined in the SFPUC's Right-of-Way Integrated Vegetation Management Policy, which would prohibit trees from being planted within the right-of-way of the backup pipeline. Therefore, the aboveground pipeline would be visible from Calaveras Road, a designated scenic roadway, particularly along the 6,200 feet where the backup pipeline would parallel the road. Since the opportunities to screen the backup pipeline are limited, the visibility of the aboveground backup pipeline from Calaveras Road would result in a significant and unavoidable impact on scenic resources and could also adversely affect the character of the project vicinity.

In addition, the aboveground backup pipeline would be less secure than the belowground pipeline planned under the Project, making it more vulnerable to vandalism.

The Commission rejects this alternative as infeasible because it decreases delivery reliability due to more above-ground pipes; the additional above-ground pipes pose security issues which could adversely affect operation of the regional water system pursuant to the goals and objectives of the WSIP; and the visibility of the above-ground pipelines would permanently degrade scenic views from Calavaras Road and could adversely affect the character of the project vicinity.

VI. Statement of Overriding Considerations

Pursuant to CEQA section 21081 and CEQA Guidelines Section 15093, the Commission hereby finds, after consideration of the Final EIR and the evidence in the record, that each of the specific overriding economic, legal, social, technological and other benefits of the project as set forth below independently and collectively outweighs the significant and unavoidable impacts and is an overriding consideration warranting approval of the project. Any one of the reasons for approval cited below is sufficient to justify approval of the project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the Commission will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the Record of Proceedings, as defined in Section I.

On the basis of the above findings and the substantial evidence in the whole record of this proceeding, the Commission specifically finds that there are significant benefits of the project in spite of the unavoidable significant impacts, and therefore makes this Statement of Overriding Considerations. The Commission further finds that, as part of the process of obtaining project approval, all significant effects on the environment from implementation of the project have been eliminated or substantially lessened where feasible. All mitigation measures proposed in the Final EIR for the project are adopted as part of this approval action. Furthermore, the Commission has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the following specific overriding economic, technical, legal, social, and other considerations.

The project will have the following benefits:

- The project will enable system operators to address emergency water quality issues that occur east of the Sunol Valley by diverting quality impaired Hetch Hetchy water out of the regional system.

- The new chemical facility will increase the existing treatment capacity of the system, and allow for pH adjustment and removal of chlorine residual prior to discharges to Pit F3-East or diversions to San Antonio Reservoir.

- The replacement of a portion of the oversized 36-inch diameter segment of a pipeline that serves the town of Sunol will address potential water quality issues associated with "water aging." Water aging can occur when oversized facilities restrict flow and water exchange in the system. As water ages, its quality degrades because residual disinfectant levels decrease and the formation of some disinfection byproducts increases, and low residual chlorine levels can allow bacteria to colonize in pipes.

- The project will improve response times and allow for faster redirection of flow, minimizing the potential for chlorinated discharges to water bodies. Under existing conditions and without implementation of the SABPL project, during both planned and emergency operations, system operators are required to manually adjust transfer control valves to redirect flow to San Antonio Creek. In addition, if water facilities located west of the Sunol Valley were temporarily unable to convey the entire capacity of system flows following a seismic event, chlorinated Hetch Hetchy water will exit the system through the Alameda East Portal Overflow Pipeline until operators were able to redirect the flow. With the project, the transfer control valves will be automated, allowing operators to more quickly redirect flow and to treat the water prior to discharge, thus minimizing the potential for chlorinated discharges to water bodies.

- The project will provide a partial backup transmission pipeline for the 5,400-foot-long segment of the existing San Antonio Pipeline along Calaveras Road. Installation of the cross-connecting air gaps between the existing San Antonio Pipeline and the proposed backup pipeline will allow sections of either pipeline to be isolated for maintenance or repairs while making it possible for system operators to direct flow to or from San Antonio Reservoir.

In addition, the project will further the WSIP's goals and objectives. In particular, this project helps to implement the following benefits of the WSIP:

- The project will improve system operators' ability to respond to emergencies, thus helping the SFPUC to fulfill the WSIP objective of minimizing the risk of service interruption due to unplanned facility upsets or outages.

- The project will assist the SFPUC in fulfilling the WSIP objective of providing clean, unfiltered water originating from Hetch Hetchy Reservoir. As part of the requirements for maintaining its "filtration avoidance" status the SFPUC seeks to proactively identify potential sources of quality-impaired water and develop operational procedures either to prevent contamination from occurring or to divert the water out of the system. With implementation of the SABPL project, SFPUC system operators would be able to divert quality-impaired Hetch Hetchy water out of the regional system under future flow conditions via the proposed backup pipeline to Pit F3-East, thereby maintaining the filtration avoidance status.

- The new chemical facility will assist the SFPUC in fulfilling the WSIP system performance objective of continuing to implement watershed protection measures by preventing discharges of treated water supplies into waters of the United States or waters of the state. Both with and without project implementation, an emergency discharge of Hetch Hetchy water could be necessary following a seismic event west of the Sunol Valley (e.g., on the Hayward fault) if water facilities in this area were temporarily unable to convey system flows. Implementation of the project could make it possible to simultaneously discharge quality-impaired Hetch Hetchy water as well as access water supplies stored in San Antonio Reservoir during an emergency outage along the Hetch Hetchy system, thereby helping the SFPUC to achieve the WSIP level of service objective for 2030 of providing 300 mgd when one water source is unavailable.

- The project will also assist the SFPUC in achieving the WSIP objective of providing operational flexibility to allow for planned maintenance and shutdown of individual facilities, without interrupting customer service.

Having considered these benefits, including the benefits discussed in Section I above, the Commission finds that the benefits of the project and the project's furtherance of the WSIP goals and objectives outweigh the unavoidable adverse environmental effects, and that the adverse environmental effects are therefore acceptable.

-ATTACHMENT B
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Land Use						
LU-2	Project construction could substantially disrupt or displace existing land uses or land use activities.	Implement Mitigation Measures M-TR-3 (Traffic Control Plan), M-NO-1 (Administrative and Source Controls), M-AQ-1a (BAAQMD Basic Construction Measures), and M-AQ-1b (BAAQMD Additional Construction Measures for NOx Reduction).	-	-	-	-
C-LU	Project construction would result in a cumulatively considerable contribution to cumulative impacts on existing land uses.	Implement Mitigation Measures M-TR-3 (Traffic Control Plan), M-NO-1 (Administrative and Source Controls), M-AQ-1a (BAAQMD Basic Construction Measures), M-AQ-1b (BAAQMD Additional Construction Measures for NOx Reduction), and M-C-TR (Combined Sunol Valley Traffic Control Plan).	-	-	-	-
Aesthetics						
AE-1	Project construction could result in substantial	***Mitigation Measure M-AE-1: Site Maintenance*** The SFPUC shall require the contractor to ensure that construction-related activity is as clean and inconspicuous as practical by storing construction	1) SFPUC EMB 2) CM Team	1) SFPUC BEM 2) SFPUC BEM	1) Ensure that contract documents include site maintenance requirements. 2) Monitor to ensure that the	1) Design 2) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
	adverse effects on scenic vistas and temporarily degrade the visual character of the site and its surroundings.	materials and equipment at the proposed construction staging areas or in areas that are generally away from public view, and by removing construction debris promptly at regular intervals. This measure does not apply to temporary spoils placement in quarry Pit F6, at the SMP-30 aggregate processing facility, or alongside pipeline trenches.			contractor implements site maintenance requirements. Report noncompliance and ensure corrective action if necessary.	
AE-3	Implementation of the proposed project could result in long-term adverse effects on scenic vistas and scenic resources, and degradation of the visual character of the site and its surroundings.	Implement Mitigation Measure M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation).	-	-	-	-
C-AE	Implementation of the proposed project could result in a	Implement Mitigation Measures M-AE-1 (Site Maintenance) and M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory	-	-	-	-

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
	cumulatively considerable contribution related to cumulative impacts on scenic vistas, scenic resources, and visual character.	Mitigation).				
Cultural and Paleontological Resources						
CP-1	Project construction could cause a substantial adverse change in the significance of a historical resource.	Implement Mitigation Measure M-UT-1h (Measures to Protect Alameda Siphons Nos. 1, 2, and 3).	-	-	-	-

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Cultural and Paleontological Resources (cont.)						
CP-2	Project construction could cause a substantial adverse change in the significance of a historical or unique archaeological resource.	***Mitigation Measure M-CP-2a: Site Protection Measures for Prehistoric Archaeological Site SA-1*** All archaeological work performed under this mitigation measure shall be subject to review by the Environmental Review Officer (ERO) or designee. To protect prehistoric archaeological site SA-1, the SFPUC shall place exclusionary signage on the existing locked gate(s) and install orange-barrier construction fencing between archaeological site SA-1 and the construction work areas. Construction personnel shall be informed that, due to the sensitive nature of the area, it is off-limits to all equipment, staging, and other activities. The exclusionary signage and fencing required by this measure shall be maintained throughout project-related construction activities.	1) SFPUC EMB 2) CM Team 3) CM Team	1) SFPUC BEM 2) SFPUC BEM 3) SFPUC BEM	1) Ensure that contract documents include the specified site protection requirements. 2) Ensure that all personnel attend environmental training prior to beginning work, receive the ALERT sheet, and sign training sign-in sheet. 3) Monitor to ensure that the contractor implements measures in contract documents. Report noncompliance and ensure corrective action.	1) Design 2) Preconstruction/ Construction 3) Preconstruction/ Construction
		Mitigation Measure M-CP-2b: Accidental Discovery of Archaeological Resources. To avoid any potential adverse effects on accidentally discovered buried cultural resources, as defined in CEQA Guidelines Section 15064.5(a)(c), the SFPUC shall distribute the San Francisco Planning	1) SFPUC EMB 2) CM Team 3) CM Team (qualified archaeologi	1) SFPUC BEM 2) SFPUC BEM/ERO 3) SFPUC BEM 4) SFPUC BEM	1) Ensure that the contract documents include measures related to archaeological discoveries. 2) Ensure that all personnel attend environmental training prior to	1) Design 2) Preconstruction/ Construction 3) Construction 4) Postconstruction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		Department's archaeological resource "ALERT" sheet to the project prime contractor; to any subcontractors (including firms subcontracted to perform demolition, excavation, grading, foundation, pile driving, etc.); and/or to any utilities firm involved in soil-disturbing activities within the project area. Prior to any soil-disturbing activities, each contractor shall be responsible for ensuring that the ALERT sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, supervisory personnel, etc. The SFPUC shall provide the ERO with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) confirming that all field personnel have received copies of the ALERT sheet. If the ERO determines that an archaeological resource may be present within the project area, the SFPUC shall retain the services of a qualified archaeological consultant. The archaeological consultant shall advise the ERO as to whether the discovery is an archaeological resource that retains sufficient integrity and is of potential scientific/historical/cultural significance. If an archaeological resource is present, the consultant shall identify and evaluate the	st) 4) CM Team (qualified archaeologist)		beginning work, receive the ALERT sheet, and sign the training sign-in sheet. Maintain file of signature sheets for submittal to ERO. Monitor to ensure that the contractor implements measures in contract documents. Report noncompliance and ensure corrective action. 3) Evaluate the potential discovery and advise the ERO as to the significance of the discovery. If warranted, proceed with measures that may include the following: a. On-site preservation of resource; b. Archaeological monitoring program with prior review/approval of ERO; or c. Archaeological testing program with prior	

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		archaeological resource. The archaeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the SFPUC. Measures might include: preservation in situ of the archaeological resource; an archaeological monitoring program; or an archaeological evaluation program. If an archaeological monitoring program or archaeological testing program is required, it shall be subject to review by the ERO. The ERO may also require that the SFPUC immediately implement a site security program if the archaeological resource is at risk from vandalism, looting, or other damaging actions.			review/approval of ERO. 4) Prepare a Final Archaeological Resources Report. Submit to ERO for review and approval. Submit to others as required once approved by ERO.	
Cultural and Paleontological Resources (cont.)						

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
CP-2 (cont.)		For any accidental discovery, the archaeological consultant shall submit an archaeological data recovery report (ADRR) to the ERO which, in addition to the usual contents of the ADRR, shall include an evaluation of the historical significance of any discovered archaeological resource; describe the archaeological and historical research methods employed in the archaeological monitoring/data recovery program(s) undertaken; and present, analyze, and interpret the recovered data. Information that may put at risk any archaeological resource shall be provided in a separate removable insert within the final report. Once approved by the ERO, copies of the ADRR shall be distributed as follows: the relevant California Historical Resources Information System Information Center shall receive one copy, and the ERO shall receive one copy of the transmittal letter of the ADRR to the Information Center. The San Francisco Planning Department, Environmental Planning Division shall receive three copies of the ADRR along with copies of any formal site recordation forms (California Department of Parks and Recreation Form 523 series) and/or documentation for nomination to the National Register/California Register. The SFPUC shall receive copies of the ADRR in the number requested. In instances of high public interest in or high interpretive value of a resource, the ERO may require a different final report content, format, and distribution than that presented above. All archaeological work performed under this mitigation measure shall be subject to review by the ERO or designee.				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
CP-3	Project construction could result in a substantial adverse effect by directly or indirectly destroying a unique paleontological resource or site.	***Mitigation Measure M-CP-3: Paleontological Resources Mitigation Program.*** Prior to the initiation of any site preparation or start of construction, the SFPUC shall retain a qualified professional paleontologist or a California Registered Professional Geologist (California RPG) with appropriate paleontological expertise, as defined by the Society of Vertebrate Paleontology's Conformable Impact Mitigation Guidelines Committee (SVP 1995 Guidelines), to carry out a paleontological resources training program for construction workers and to develop a paleontological mitigation program. The SFPUC shall require the paleontologist to be "on-call" throughout the duration of ground-disturbing activities. At a minimum, the mitigation program shall include: • *Preparation of a Preconstruction Paleontological Assessment Based on Final Project Design*. The professional paleontologist shall prepare a preconstruction assessment, including a review of the information presented in this EIR, existing fossil localities in the region, and project geological/geotechnical reports, to determine with greater precision the depth and extent of geologic	1) SFPUC EMB 2) CM Team (qualified paleontologist) 3) CM Team (qualified paleontologist or California Registered Geologist) 4) CM Team (qualified paleontologist or California Registered Geologist) 5) CM Team (qualified	1) SFPUC BEM 2) SFPUC BEM 3) SFPUC BEM/ERO 4) SFPUC BEM 5) SFPUC BEM/SF Planning	1) Ensure that contract documents include requirement that contractor implement measures related to paleontological resources including discoveries. 2) Obtain and review resume or other documentation of paleontologist's qualifications. Ensure that all personnel attend environmental training prior to beginning work and sign the training sign-in sheets. 3) Obtain and review resume or other documentation of California RG's or professional paleontologist's qualifications. Perform literature review and field assessment as required and prepare a technical memorandum. Submit report to ERO for review and approval. 4) Obtain and review resume or other documentation of	1) Design 2) Preconstruction/ Construction 3) Preconstruction 4) Preconstruction 5) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		units of high paleontological potential (Pleistocene alluvium and Briones Formation) within the areas to be excavated. The results shall be documented in a report along with recommendations for appropriate and feasible procedures to avoid or minimize damage to any paleontological resources present. Based on the volume and depth of soil excavations and the professional judgment of the paleontologist, he or she shall make recommendations regarding the need, if any, for paleontological monitoring of ground-disturbing activities in geologic units of high paleontological potential. The SFPUC shall review and approve the report in consultation with the ERO.	paleontologist)		California RG's or professional paleontologist's qualifications. Perform avoidance and/or salvage activities as required. 5) File documentation of paleontologist's qualifications (e.g., resume). If monitoring is required in the technical memorandum, document, paleontological monitoring activities in logs. In the event of a discovery, confirm suspension of work, examine fossil, and report as required.	

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Cultural and Paleontological Resources (cont.)						

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
CP-3 (cont.)		• *Paleontological Resources Training.* All construction forepersons and field supervisors shall be trained in the recognition of potential fossil materials prior to the initiation of any site preparation or start of construction. Training on paleontological resources shall also be provided to all other construction workers, but may include videotape of the initial training and/or the use of written materials rather than in-person training by the qualified paleontologist. In addition to fossil recognition, the training shall convey procedures to follow if construction crews encounter potential fossil materials in the course of earthwork, excavation, or grading, as described below. • *Assessment and Salvage of Potential Fossil Finds*. If construction crews discover potential fossils, all earthwork or other types of ground disturbance within 50 feet of the find shall stop immediately until the qualified professional paleontologist can assess the nature and importance of the find. Based on the scientific value or uniqueness of the find, the monitor may record the find and allow work to continue, or recommend salvage and recovery of the fossil. The monitor may also propose modifications to the stop-work radius based on the nature of the find, site geology, and the activities occurring on the site. Recommendations for any necessary treatment shall be consistent with the SVP 1995 Guidelines (SVP Conformable Impact Mitigation Guidelines Committee, 1995) and currently accepted scientific practices. If required, treatment for fossil remains may include preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection, and may also include preparation and publication of a report describing the finds. The monitor's recommendations shall be subject to review and approval by the ERO or designee. The SFPUC shall be responsible for ensuring that treatment is			Monitor to ensure that the contractor implements measures in contract documents, report noncompliance and ensure corrective action.	

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CWTeam = (SFPUC) Construction Management Bureau
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Cultural and Paleontological Resources (cont.)						

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
CP-4	Project construction could result in a substantial adverse effect related to the disturbance of human remains.	***Mitigation Measure M-CP-4: Accidental Discovery of Human Remains.*** The treatment of any human remains and associated or unassociated funerary objects discovered during soil-disturbing activities shall comply with applicable state laws. Such treatment would include immediate notification of the Alameda County coroner and, in the event of the coroner's determination that the human remains are Native American, notification of the NAHC, which would appoint a Most Likely Descendant (MLD) (PRC Section 5097.98). The archaeological consultant, SFPUC, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of any human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5[d]). The agreement would take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The PRC allows 48 hours to reach agreement on these matters. If the MLD and the other parties could not agree on the reburial method, the SFPUC shall follow Section 5097.98(b) of the PRC, which states that "the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance." All archaeological work performed under this mitigation measure shall be subject to review by the ERO or designee.	1) SFPUC EMB 2) CM Team (qualified archaeologist) 3) CM Team	1) SFPUC BEM 2) SFPUC BEM 3) SFPUC BEM	1) Ensure that contract documents include measures related to discovery of human remains. 2) If potential human remains are encountered, mobilize an archaeologist to confirm existence of human remains. If human remains are confirmed, perform required coordination and notifications. 3) Monitor to ensure that the contractor implements measures in contract documents including insuring that all potential human remains are reported as required and that contractor suspends work in the vicinity. Report noncompliance and ensure corrective action.	1) Design 2) Construction 3) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
C-CP	Construction of the proposed project could result in a cumulatively considerable contribution related to cumulative impacts on historical, archaeological, or paleontological resources, or human remains.	Implement Mitigation Measures M-UT-1h (Measures to Protect Alameda Siphons Nos. 1, 2, and 3); M-CP-2a (Site Protection Measures for Prehistoric Archaeological Site SA-1); M-CP-2b (Accidental Discovery of Archaeological Resources); M-CP-3 (Paleontological Resources Mitigation Program); and M-CP-4 (Accidental Discovery of Human Remains).	-	-	-	-
Transportation and Circulation						
TR-3	Project construction activities would decrease the safety of public roadways for vehicles, bicyclists, and	***Mitigation Measure M-TR-3: Traffic Control Plan.*** The SFPUC or its contractor(s) shall prepare and implement a traffic control plan prior to mobilization for project construction and shall implement the traffic control plan during project construction. The plan shall conform to the state's *Manual of Traffic Controls for Construction and Maintenance Work Areas* (Caltrans,	1) SFPUC EMB 2) SFPUC Communications 3) CM Team	1) SFPUC BEM 2) SFPUC BEM 3) SFPUC BEM 4) SFPUC BEM	1) Ensure that the contract documents include the requirement to prepare a Traffic Control Plan incorporating all applicable measures included in contract document. 2) Develop and implement a	1) Design 2) Preconstruction 3) Preconstruction/ Construction 4) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
	pedestrians.	2006), where applicable. Elements of the traffic control plan shall include, but not be limited to, the following: • Prior to construction mobilization, the SFPUC and/or its construction contractor shall notify the East Bay Regional Park District Supervisor for the Sunol and Ohlone Regional Wilderness parks of lane or road closures along Calaveras Road that would impede access to the parks. • Advance warning signs shall be installed on Calaveras Road (to the south and north of the access points) advising motorists, bicyclists, and pedestrians of the construction zone ahead in order to minimize hazards associated with construction activities	4) CM Team		notification program to notify public as required. 3) Ensure that contractor submits a Traffic Control Plan and verify that it complies with the requirements. Ensure that the contractor coordinates with Alameda County, Caltrans, and EBMUD for affected roadways and intersections. 4) Monitor to ensure that the contractor implements measures in Traffic Control Plan and contract documents. Report noncompliance and ensure corrective action.	
Transportation and Circulation (cont.)						
TR-3 (cont.)		immediately adjacent to Calaveras Road, including the entry and egress of project-related construction vehicles. • Pedestrian and bicycle access and circulation shall be maintained during project construction where it is				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		safe to do so. • A public information program shall be developed and implemented to advise motorists, bicyclists, and nearby properties of the impending construction activities (e.g., media coverage, direct distribution of flyers to affected properties, email notices, portable message signs, and informational signs). • All equipment and materials shall be stored within the designated work areas as to avoid obstructing traffic. • Hauling of excavated materials shall be limited to weekdays, excluding federal and state holidays, to reduce potential conflicts with recreational bicycling on Calaveras Road. • Adequate driving and bicycling conditions on Calaveras Road shall be maintained throughout the construction period. • The SFPUC and its contractors shall coordinate individual traffic control plans for SFPUC projects in the Sunol Valley.				
C-	Construction of	***Mitigation Measure M-C-TR: Combined Sunol Valley***	1) SFPUC	1) SFPUC BEM	1) Ensure that contract documents	1) Design

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
TR	the proposed project would result in a cumulatively considerable contribution to cumulative traffic increases and safety hazards on local and regional roads.	***Traffic Control Plan.*** The SFPUC or its construction contractor(s) shall coordinate and comply with the ongoing Regional Traffic Coordination Plan for the Sunol Valley region; this plan coordinates the project-specific traffic control plans for SFPUC projects developed as part of Mitigation Measure M-TR-3 (Traffic Control Plan) and identifies additional measures to minimize the impacts of construction traffic on Calaveras Road and I-680.	EMB 2) CM Team (traffic coordinator)	2) SFPUC BEM	include the requirement to coordinate and comply with the Regional Traffic Coordination Plan. 2) Monitor to ensure that the contractor implements measures in Regional Traffic Coordination Plan. Report noncompliance and ensure corrective action.	2) Construction
Noise and Vibration						
NO-1	Construction activities would result in substantial temporary increases in ambient noise levels that could interfere with nearby land uses.	***Mitigation Measure M-NO-1: Administrative and Source Controls.*** The SFPUC shall include in construction contract specifications the requirement that the construction contractor conform to the sleep interference threshold of 50 dBA (Leq) between 10 p.m. and 7 a.m. when operating equipment within 1,000 feet of the SFPUC watershed keeper's residence east of Calaveras Road (if it is occupied at the time of construction). Measures to maintain noise levels at or below this performance standard shall include implementation of best available	1) SFPUC EMB 2) SFPUC Communications 3) CM Team	1) SFPUC BEM 2) CM Team 3) SFPUC BEM	1) Ensure that the contract documents include the specified noise control requirements. 2) Designate project liaison responsible for responding to noise complaints. Develop procedures for receiving and responding to questions and complaints. Provide SFPUC watershed keeper's residence with contact information for	1) Design 2) Preconstruction/ Construction 3) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		noise control techniques (including mufflers, intake silencers, ducts, engine enclosures, acoustically attenuating shields or shrouds, and enclosures around stationary equipment such compressors or generators) for all equipment used at night. The name and phone number of a designated project liaison shall be provided to the inhabitant(s) of the SFPUC watershed keeper's residence in the event that noise disturbance occurs. This liaison shall take steps to resolve any complaints received, including modifying construction practices as necessary to address the noise complaint.			designated liaison. Maintain records of notice. Ensure public questions and complaints are responded to and corrective actions taken as needed. 3) Monitor to ensure that the contractor implements the specified noise control measures. Report noncompliance and ensure corrective action.	
Noise and Vibration (cont.)						
NO-2	Construction activities would expose people to noise levels in excess of standards established by the Alameda County Noise	***Mitigation Measure M-NO-2: Noise Control Plan.*** The SFPUC shall include in construction contract specifications the requirement that the construction contractor prepare a Noise Control Plan. The contract specifications shall stipulate that before the start of mobilization or construction, the contractor must submit to the SFPUC for review and approval a noise control plan prepared by a qualified noise consultant. For work performed beyond local ordinance time limits (e.g.,	1) SFPUC EMB 2) CM Team 3) CM Team	1) SFPUC BEM 2) SFPUC BEM 3) SFPUC BEM	1) Ensure that contract documents include noise performance standards and the requirement that contractor's qualified noise consultant prepare and implement a noise control plan. 2) Ensure that contractor's qualified noise consultant prepares and submits a noise control plan that	1) Design 2) Preconstruction 3) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
	Ordinance.	construction of air gaps and connection to Alameda Siphon No. 3), the noise control plan shall also ensure that noise levels do not exceed the following noise performance standards: **e Period** / **Maximum Noise Level** kdays; n. to 10 p.m. — One-hour Leq of 58 dBA at nearest residence; Lmax of 65 dBA at project boundary rdays; n. to 8 a.m. and n. to 7 p.m. — One-hour Leq of 58 dBA at nearest residence; Lmax of 65 dBA at project boundary ays; m. to 7 a.m. — One-hour Leq of 50 dBA [a] at nearest residence; Lmax of 65 dBA at project boundary ther than the one-hour Leq of 53 dBA from the Alameda unty Construction Ordinance, the more restrictive sleep erion limit of 50 dBA is applicable during these hours. To achieve the above Leq performance standards, the			complies with noise performance standards. 3) Monitor to ensure that the contractor implements noise control plan. Report noncompliance and ensure corrective action.	

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		contractor shall incorporate noise and source controls listed under Mitigation Measure M-NO-1 (Administrative and Source Controls), as necessary. To achieve the above Lmax standards, the contractor may use administrative controls instead of audible backup alarms, subject to safety priorities and consistent with state and federal worker safety laws. Such administrative controls shall provide backup warning on all vehicles that operate in areas where backward movement would constitute a hazard to employees working in the area on foot, and where the operator's vision is obstructed to the rear of the vehicle (earthmoving equipment) (California Code of Regulations, Title 8, Section 1592). Administrative controls may include designing traffic patterns in the project area to minimize the need for backward movement, or requiring a spotter or flagger in clear view of the operator to direct the backing operation or requiring the operator to dismount and circle the vehicle immediately prior to starting a backup operation.				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Noise and Vibration (cont.)						

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
NO-2 (cont.)		Alternatively, the SFPUC shall consult with Cal/OSHA to determine whether additional noise reductions may be achieved through Cal/OSHA-approved alternatives to backup alarms without compromising site safety. If Cal/OSHA indicates that such alternatives are a viable option and the SFPUC, in consultation with the contractor, determines that site safety would not be compromised, then the contractor shall apply for a variance from Cal/OSHA and use such alternatives consistent with Cal/OSHA requirements. Such alternatives could include, but are limited to: • "Smart" alarms that have an audible range of 77 to 97 (dBA but limit the warning signal to 5 dBA over ambient noise levels) • Radar presence-sensing alarms, which identify objects in the reversing path of a truck • Use of "bbs-tek" broadband backup alarm systems, which use a broadband sound instead of a more noticeable single-frequency sound • Use of strobe lights instead of audible alarms (which are particularly effective at night) The administrative source controls and alternatives identified above that are approved by Cal/OSHA shall be included in the noise control plan. If none of these alternatives to backup alarms can be implemented, the use of backup alarms shall be avoided during the evening and nighttime hours to achieve the Lmax performance standard (e.g., by routing trucks and equipment to eliminate the need to back up, or by eliminating truck and heavy equipment use at night).				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
C-NO	Construction of the proposed project would result in a cumulatively considerable contribution to cumulative noise impacts.	***Mitigation Measure M-C-NO: Coordination of Nighttime Construction and Truck Traffic.*** The SFPUC shall coordinate the nighttime construction activities of the SABPL project with the nighttime construction activities and haul traffic of other SFPUC projects in the Sunol Valley, including the NIT project, Filter Gallery project, and Calaveras Dam Replacement project, to ensure that maximum nighttime noise levels do not cumulatively exceed the 50-dBA sleep interference criterion or the noise performance standards of the Alameda County Noise Ordinance at the Garcia residence or SFPUC watershed keeper's residence (when occupied). Alternatively, to mitigate impacts on the watershed keeper's residence, the SFPUC can elect to temporarily relocate its inhabitants (restrictions on maximum nighttime noise levels above would still apply at the Garcia residence).	1) SFPUC EMB 2) CM Team (traffic coordinator/ noise specialist) 3) CM Team	1) SFPUC BEM 2) SFPUC BEM 3) SFPUC BEM	1) Ensure that contract documents include requirement that contractor coordinate nighttime construction and hauling activities with other SFPUC projects as directed by SFPUC. 2) Review and coordinate individual noise control plans and develop a coordinated noise control plan that includes measures that address noise resulting from multiple projects in the same vicinity. 3) Monitor to ensure that the contractor implements measures in the contract documents. Report noncompliance and ensure corrective action.	1) Design 2) Design 3) Construction
		Implement Mitigation Measure M-NO-1 (Administrative and Source Controls) and M-NO-2 (Noise Control Plan).	-	-	-	-

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Air Quality						

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
AQ-1	Emissions generated during project construction activities would violate air quality standards and would contribute substantially to an existing air quality violation.	***Mitigation Measure M-AQ-1a: BAAQMD Basic Construction Measures.*** The SFPUC shall post one or more publicly visible signs with the telephone number and person to contact at the SFPUC with complaints related to excessive dust or vehicle idling. This person shall respond to complaints and, if necessary, take corrective action within 48 hours. The telephone number and person to contact at the BAAQMD's Compliance and Enforcement Division shall also be provided on the sign(s) in the event that the complainant also wishes to contact the applicable air district. In addition, to limit dust, criteria pollutants, and precursor emissions associated with project construction, the following BAAQMD-recommended Basic Construction Measures shall be included in all construction contract specifications for the proposed project: • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material offsite shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • Vehicle speeds on unpaved areas shall be limited to 15 miles per hour. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • Idling times for construction equipment (including	1) SFPUC EMB 2) SFPUC Communications 3) CM Team	1) SFPUC BEM 2) CM Team 3) SFPUC BEM	1) Ensure that the contract documents include specified dust control measures and exhaust control measures, including signage requirements. 2) Designate project liaison responsible for handling complaints related to dust or vehicle idling. Develop procedures for receiving and responding to complaints. Post contact information for the liaison and the BAAQMD Compliance and Enforcement Division on publicly visible signs in the project area. Ensure questions and complaints are responded to and corrective actions taken as needed. 3) Monitor to ensure that the contractor implements measures in contract documents, including the requirement to post signage regarding dust complaints and idling times. Report noncompliance and corrective action.	1) Design 2) Preconstruction/ Construction 3) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		Mitigation Measure M-AQ-1b: BAAQMD Additional Construction Measures for NOx Reduction. To reduce NOx emissions during construction, the following provisions shall be included in all construction contractor specifications for the proposed project: • To reduce NOx during construction, 40 percent of the total horsepower-hours from diesel-powered off-road equipment with engines greater than 50 horsepower shall be from equipment that satisfies United States Environmental Protection Agency (USEPA) Tier 3 NOx emission standards. The SFPUC shall demonstrate this to the San Francisco Planning Department by presenting an inventory of all equipment with engines over 50 horsepower that will be used and an estimate of the number of hours each piece of equipment will operate to calculate the total number of horsepower-hours for project construction (equipment horsepower multiplied by the hours of operation).	1) SFPUC EMB 2) CM Team	1) SFPUC BEM/SF Planning 2) SFPUC BEM	1) Ensure that the contract documents include provisions to reduce NOx emissions during construction, including the requirement that the contractor prepare and submit a monthly off-road equipment inventory that demonstrates compliance with measures for NOx reduction. 2) Monitor to ensure that the contractor implements measures in contract documents related to reducing NOx emissions. Report noncompliance and ensure corrective action.	1) Design 2) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Air Quality (cont.)						
AQ-1 (cont.)		• The inventory shall also identify which equipment meets Tier 3 NOx emissions and demonstrate that they constitute 40 percent of the total horsepower-hours. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-market products, and/or other options as they become available. • All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and DPM, including all generators meeting Tier 4 standards. • All contractors shall use equipment that meets the certification standard for off-road heavy-duty diesel engines for a given model year engine.				
C-AQ	Construction of the proposed project would result in a cumulatively	Implement Mitigation Measures M-AQ-1a (BAAQMD Basic Construction Measures) and M-AQ-1b (BAAQMD Additional Construction Measures for NOx Reduction).	-	-	-	-

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
	considerable contribution to cumulative air quality impacts associated with criteria pollutant emissions and health risks.					
Recreation						
RE-1	The proposed project could temporarily degrade existing recreational uses during construction.	Implement Mitigation Measures M-AQ-1a (BAAQMD Basic Construction Measures); M-AQ-1b (BAAQMD Additional Construction Mitigation Measures for NOX Reduction); and M-TR-3 (Traffic Control Plan).	-	-	-	-
C-RE	Construction of the proposed project could result in a cumulatively considerable	Implement Mitigation Measures M-AQ-1a (BAAQMD Basic Construction Measures); M-AQ-1b (BAAQMD Additional Construction Measures for NOX Reduction); M-TR-3 (Traffic Control Plan); and M-C-TR (Combined Sunol Valley Traffic Control Plan).	-	-	-	-

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
	contribution to cumulative impacts on recreational resources and uses.					
Utilities and Service Systems						
UT-1	Project construction could result in a substantial adverse effect related to disruption of utility operations or accidental damage to existing utilities.	***Mitigation Measure M-UT-1a: Confirm Utility Line Information.*** The SFPUC or its contractors shall locate overhead and underground utility lines that may be encountered during excavation work prior to opening an excavation. Information regarding the size, color, and location of existing utilities shall be confirmed before excavation activities commence. These utilities shall be highlighted on all construction drawings.	1) SFPUC EMB	1) SFPUC BEM	1) Coordinate final construction plans and specifications during the design phase and ensure utility lines are identified on all construction drawings. Ensure that the contract documents include the requirement that contractor coordinate and notify utility service providers.	1) Design

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Utilities and Service Systems (cont.)						
UT-1 (cont.)		***Mitigation Measure M-UT-1b: Safeguard Employees from Potential Accidents Related to Underground Utilities.*** While any excavation is open, the SFPUC or its contractors shall protect, support, or remove underground utilities as necessary to safeguard employees. As part of contractor specifications, the contractor(s) shall be required to provide updates on planned excavations for the upcoming week, and to specify when construction will occur near a high-priority utility—specifically the 36-inch-diameter and 22-inch-diameter PG&E gas pipelines as well as any other high-priority utility lines that are identified. At the beginning of each week when this work will take place, SFPUC construction managers shall attend tailgate meetings with contractor staff, as required by the California Occupational Safety and Health Administration, to record all protective and avoidance measures regarding such excavations.	1) SFPUC EMB 2) CM Team 3) CM Team	1) SFPUC BEM 2) SFPUC CMB 3) SFPUC CMB	1) Ensure that contract documents include applicable requirements to safeguard employees from potential accidents. 2) Conduct weekly tailgate meetings with contractor prior to any work near high-priority utility lines, and record all protective and avoidance measures that will be implemented in such excavations. 3) Monitor to ensure that the contractor implements measures in contract documents and the protective and avoidance measures identified at tailgate meetings. Report noncompliance and ensure corrective action.	1) Design 2) Construction 3) Construction
		Mitigation Measure M-UT-1c: Notify Local Fire Departments.	1) SFPUC EMB	1) SFPUC BEM	1) Ensure that contract documents include the requirement that the	1) Design

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		In the event that construction activities result in damage to high-priority utility lines, including leaks or suspected leaks, the SFPUC or its contractors shall immediately notify local fire departments to protect worker and public safety.	2) CM Team	2) SFPUC CMB	contractor notify local fire departments in the event of damage to high-priority utility lines. 2) Obtain report from contractor documenting notification of local fire departments if damage to a gas utility results in a leak or suspected leak, or whenever damage to any utility results in a threat to public safety.	2) Construction
		Mitigation Measure M-UT-1d: Emergency Response Plan. Prior to commencing construction activities, the SFPUC shall develop an emergency response plan that outlines procedures to follow in the event of a leak or explosion. The emergency response plan shall identify the names and phone numbers of PG&E staff who would be available 24 hours per day in the event of damage or rupture of the high-pressure PG&E natural gas pipelines. The plan shall also detail emergency response protocols including notification, inspection, and evacuation procedures; any equipment and	1) SFPUC EMB 2) CM Team 3) CM Team	1) SFPUC BEM 2) SFPUC BEM 3) SFPUC CMB	1) Ensure that contract documents include applicable measures including requirement to prepare emergency response plan. 2) Ensure that contractor prepares the emergency response plan and verify compliance with requirements. 3) Monitor to ensure that contractor implements measures in contract documents and emergency response plan. Report non-	1) Design 2) Preconstruction 3) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		vendors necessary to respond to an emergency, such as an alarm system; and routine inspection guidelines.			compliance, and ensure corrective action.	
		***Mitigation Measure M-UT-1e**: **Ensure Prompt Reconnection of Utilities**.* The SFPUC or its contractors shall promptly notify utility providers to reconnect any disconnected utility lines as soon as it is safe to do so.	1) SFPUC EMB 2) CM Team	1) SFPUC BEM 2) SFPUC CMB	1) Ensure that applicable measure is in contract documents. 2) Monitor to ensure that contractor notifies utility providers as necessary. Report noncompliance and ensure corrective action is taken.	1) Design 2) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Utilities and Service Systems (cont.)						
UT-1 (cont.)		***Mitigation Measure M-UT-1f: Coordinate Final Construction Plans with Affected Utilities.*** The SFPUC or its contractors shall coordinate final construction plans and specifications with affected utilities.	1) SFPUC EMB 2) CM Team	1) SFPUC BEM 2) SFPUC CMB	1) Coordinate final construction plans and specifications during the design phase. Ensure that requirement for the contractor to coordinate final construction plans and specifications with affected utilities is included in contract documents. 2) Monitor to ensure that contractor notifies utility providers as necessary. Report noncompliance and ensure corrective action is taken.	1) Design 2) Construction
		Mitigation Measure M-UT-1g: Avoidance of Utilities Constructed or Modified by Other SFPUC Projects. The final construction drawings for the SABPL project shall reflect any changes in utility locations as well as the locations of any new utilities installed during construction of other SFPUC projects in the Sunol Valley whose disturbance areas overlap with the SABPL project area. These overlapping projects include the Alameda Siphons	1) SFPUC EMB 2) CM Team	1) SFPUC BEM 2) SFPUC CMB	1) Coordinate final project construction plans and specifications with final construction plans and specifications of other overlapping SFPUC projects and verify that any changes in utility locations are shown.	1) Design 2) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		Seismic Reliability Upgrade, Sunol Valley Water Treatment Plant Expansion and Treated Water Reservoir, San Antonio Pump Station Upgrade, and New Irvington Tunnel projects.			2) Monitor to ensure that contractor notifies utility providers as necessary. Report noncompliance and ensure corrective action is taken.	
		Mitigation Measure M-UT-1h: Measures to Protect Alameda Siphons Nos. 1, 2, and 3. SFPUC engineers and the construction contractor's engineers shall evaluate the structural integrity of Alameda Siphons Nos. 1, 2, and 3 in the vicinity of the proposed connection with the backup pipeline and identify the specific design and construction techniques to be implemented during connection of the backup pipeline to Alameda Siphon No. 3 to prevent damage to Alameda Siphons Nos. 1, 2, and 3. Particular attention shall be paid to Alameda Siphons Nos. 1 and 2, which are historical resources. The SFPUC shall incorporate protective measures into the construction contract specifications if applicable to prevent damage to Alameda Siphons Nos. 1, 2, and 3. Potential measures include shoring excavated areas around the siphons, using low-impact tunneling equipment, prohibiting unnecessary equipment movement over or near the siphons, and/or securing or enclosing the siphons to	1) SFPUC EMB 2) SFPUC EMB (qualified structural engineer) 3) CM Team	1) SFPUC BEM 2) SFPUC BEM 3) SFPUC BEM	1) Ensure that contract documents include protection measures and the requirement that contractor's qualified structural engineer evaluate the structural integrity of Alameda Siphons Nos. 1, 2, and 3, and identify the specific design and construction techniques, as needed. 2) Ensure that contractor's qualified structural engineer evaluates structural integrity of Alameda Siphons Nos. 1, 2, and 3 and identify protective measures to be implemented during construction. 3) Monitor to ensure that contractor implements the identified	1) Design 2) Design 3) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		prevent movement or damage during connection with the proposed backup pipeline.			protective measures. Report noncompliance and ensure corrective action.	
UT-2	Project construction could result in a substantial adverse effect related to the relocation of regional or local utilities.	Implement Mitigation Measures M-UT-1a (Confirm Utility Line Information); M-UT-1f (Coordinate Final Construction Plans with Affected Utilities); and M-UT-1g (Avoidance of Utilities Constructed or Modified by Other SFPUC Projects).	-	-	-	-
C-UT	Construction of the proposed project could result in a cumulatively considerable contribution to cumulative impacts related to disruption or relocation of	Implement Mitigation Measures M-UT-1a (Confirm Utility Line Information); M-UT-1b (Safeguard Employees from Potential Accidents Related to Underground Utilities); M-UT-1c (Notify Local Fire Departments); M-UT-1d (Emergency Response Plan); M-UT-1e (Ensure Prompt Reconnection of Utilities); M-UT-1f (Coordinate Final Construction Plans with Affected Utilities); M-UT-1g (Avoidance of Utilities Constructed or Modified by Other SFPUC Projects); and M-UT-1h (Measures to Protect Alameda Siphons Nos. 1, 2, and 3).	-	-	-	-

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
	utilities.					

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Biological Resources						

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
BI-1	The proposed project could have a substantial adverse effect on special-status animal species during construction.	***Mitigation Measure M-BI-1a: General Protection Measures*.** The SFPUC shall ensure that the following general measures are implemented by the contractor(s) during construction to minimize or avoid impacts on biological resources: • Construction contractor(s) shall minimize the extent of the construction disturbance as much as feasible. • Prior to the start of construction, the construction contractor, in coordination with a qualified biologist, shall install 4-foot-tall fencing at the limits of construction. In addition, fencing shall be installed outside the driplines of all trees to be retained that are located within 50 feet of any grading, road improvements, underground utilities, or other construction activity. A qualified biologist and the SFPUC must first approve any encroachment beyond these fenced areas. The contractor shall maintain the temporary fencing until all construction activities are completed. No construction activities, parking, or staging shall occur beyond the fenced areas. • Project-related vehicles shall observe a 15-mile-per-hour speed limit on unpaved roads in the work area, or as otherwise determined by the applicable regulatory agencies. • The contractor shall provide closed garbage containers for the disposal of all food-related trash items (e.g., wrappers, cans, bottles, food scraps). All garbage shall be removed daily from the project site and placed in a closed container, from which garbage shall be removed weekly.	1) SFPUC EMB 2) CM Team	1) SFPUC BEM 2) SFPUC BEM	1) Ensure that the contract documents includes the general protection measures. 2) Monitor to ensure that contractor implements measures in contract documents. Report noncompliance and ensure corrective action.	1) Design 2) Preconstruction 3) Construction
		• Construction personnel shall not feed or otherwise attract fish or wildlife in the project area. • No pets shall be allowed in the project area. • No firearms shall be allowed in the project area.				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		***Mitigation Measure M-BI-1b: Worker Training and Awareness Program*.** The SFPUC shall ensure that mandatory biological-resources awareness training is provided to all construction personnel as follows: • The training shall be developed and provided by a qualified biologist or construction compliance manager familiar with the sensitive species that may occur in the project area. If a consulting biologist prepares the training program, SFPUC staff shall approve the program prior to implementation.	1) SFPUC EMB 2) SFPUC CMB (qualified biologist) 3) CM Team	1) SFPUC BEM 2) SFPUC BEM 3) SFPUC BEM	1) Ensure the contract documents include the requirement that all construction personnel attend training. 2) Prepare biological-resources awareness program. Include documentation of qualifications of the consulting biologist developing the training program (e.g., resume). 3) Monitor to ensure that all personnel attend training prior to beginning work and sign training sign-in sheet. Maintain file of sign-in sheets. Report noncompliance and ensure corrective action.	1) Design 2) Preconstruction 3) Preconstruction/ Construction
Biological Resources (cont.)						
BI-1 (cont.)		• The training shall be provided before any work, including vegetation clearing and grading, occurs within the work area boundaries. • The training shall provide education on the natural				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		history of the special-status species potentially occurring in the project area, and discuss the required mitigation measures to avoid impacts on the special-status species and the penalties for failing to comply with biological mitigation requirements. • If new construction personnel are added to the project, the contractor shall ensure that they receive training prior to starting work. The subsequent training of personnel can include a videotape of the initial training and/or the use of written materials rather than in-person training by a biologist.				
		***Mitigation Measure M-BI-1c: Minimize Disturbance to Riparian Habitat*.** To minimize disturbance to creeks and riparian habitat, the SFPUC and its contractors shall conduct in-channel work in San Antonio Creek during the dry season.	1) SFPUC EMB 2) CM Team	1) SFPUC BEM 2) SFPUC BEM	1) Ensure construction schedule and phasing in contract documents include the requirement to conduct in-channel work in San Antonio Creek during the dry season. 2) Monitor to ensure contractor complies with timing restrictions for construction in San Antonio Creek. Report noncompliance and ensure corrective action.	1) Design 2) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		***Mitigation Measure M-BI-1d: Prevent Movement of Specific Species through the Work Areas*.** To prevent CTS, CRLF, Alameda whipsnake, and other special-status species from moving through the project area, the SFPUC or its contractors shall install temporary exclusion fencing at selected locations along the work area boundaries (including access roads, staging areas, etc.) prior to the start of project construction activities. Fencing locations will be based on observations of these specific species or the presence of habitats that are likely to support higher densities of these species. Other portions of the work area boundaries would not be fenced, based on coordination with the CDFG and USFWS. The SFPUC shall monitor disturbance areas to determine whether additional fencing is necessary to minimize potential impacts. The SFPUC shall ensure that the temporary fencing is continuously maintained until all construction activities are completed and that construction equipment is confined to the designated work areas. The fencing shall be made of suitable material that does not allow any of the animals listed above to pass through, and the bottom shall be buried to a depth of 6 inches (or to a sufficient depth as specified by the applicable resource agencies) so that these	1) SFPUC EMB 2) CM Team (qualified biologist) 3) CM Team	1) SFPUC BEM 2) SFPUC BEM 3) SFPUC BEM	1) Ensure that contract documents include wildlife exclusionary fencing measures. 2) Obtain and review resume or other documentation of consulting biologist's qualifications. Conduct monitoring and relocation as required. Document activities in monitoring logs. 3) Monitor to ensure that the contractor implements measures in contract documents. Report noncompliance and ensure corrective action.	1) Design 2) Construction 3) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		species cannot crawl under the fence. During fence installation, a qualified biological monitor shall be present onsite to relocate any animals to outside the work area boundaries. The biologist must be authorized by the federal (USFWS) and/or state (CDFG) regulatory agencies to relocate animals. After construction is completed, the exclusion fencing shall be removed.				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Biological Resources (cont.)						

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
BI-1 (cont.)		***Mitigation Measure M-BI-1e: Preconstruction Surveys and Construction Monitoring and Protocols for California Tiger Salamander, California Red-Legged Frog, and Alameda Whipsnake*.** ***Preconstruction Surveys*** Prior to initial ground-disturbing activities in the project area, a qualified biologist shall survey the construction areas as well as undeveloped areas in the immediate vicinity for the presence of CTS, CRLF, and Alameda whipsnake, as follows: *California tiger salamander and California red-legged frog*. Not more than two weeks prior to the onset of work activities (including equipment mobilization) and immediately prior to commencing work, the qualified biologist shall survey upland habitat in the project area for CTS and CRLF, and potential refuge or burrow/estivation sites. As feasible, burrow/estivation areas identified within the project boundaries shall be temporarily fenced (per Mitigation Measure M-BI-1d) and avoided. At locations where potential refuge/estivation burrows are identified and cannot be avoided, the burrows shall be excavated by hand or by other means approved by the CDFG and USFWS prior to construction. If a burrow is occupied, the individual animal shall be moved to a natural burrow or artificial burrow constructed of PVC pipe within 0.25 mile of the project area or other location as agreed to by the appropriate agencies. *Alameda whipsnake*. Not more than two weeks prior to the onset of work activities (including equipment mobilization) and immediately prior to commencing work, a qualified biologist shall conduct a reconnaissance survey of suitable upland habitat for Alameda whipsnake in the project area. If an	1) SFPUC EMB 2) CM Team (qualified biologist) 3) CM Team	1) SFPUC BEM 2) SFPUC BEM 3) SFPUC BEM	1) Ensure that contract documents include the appropriate language. 2) Obtain and review resume or other documentation of consulting biologist's qualifications. Conduct surveys, monitoring, burrow excavation and relocation activities. Document activities in monitoring logs. 3) Monitor to ensure that the contractor implements measures in contract documents. Report noncompliance and ensure corrective actions.	1) Design 2) Preconstruction/ Construction 3) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Biological Resources (cont.)						

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
BI-1 (cont.)		• Any CTS, CRLF, or Alameda whipsnakes found along and inside the fence shall be closely monitored until they move away from the construction area. • All open trenches or holes and areas under parked vehicles shall be checked for the presence of CTS, CRLF, and whipsnakes. • All excavated or deep-walled holes or trenches greater than 2 feet shall be covered at the end of each workday using plywood or similar materials, or escape ramps shall be constructed of earth fill or wooden planks. Before such holes are filled, they shall be thoroughly inspected for trapped animals. • Project personnel shall be required to immediately report any harm, injury, or mortality of a special-status species during construction (including entrapment) to the construction foreman or biological monitor, and the construction foreman or biological monitor shall immediately notify the SFPUC. The SFPUC shall provide verbal notification to the USFWS Endangered Species Office in Sacramento, California and/or to the local CDFG warden or biologist (as applicable) within one working day of the incident. The SFPUC shall follow up with written notification to the USFWS and/or CDFG (as applicable) within five working days of the incident. All observations of federally and state-listed species shall be recorded on CNDDB field sheets and sent to the CDFG by the SFPUC or representative biological monitor. While it is not necessary that the biological monitor stay onsite for the entire day, the monitor shall remain on-call in case any of these animals are discovered and it is necessary to move them. The SFPUC shall designate an SFPUC representative as the point of contact in the event that a CTS, CRLF, or Alameda whipsnake is discovered onsite when the biological monitor is not present. If the biological monitor or construction personnel find				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Biological Resources (cont.)						

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
BI-1 (cont.)		**Mitigation Measure M-BI-1f: Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation.** The SFPUC shall prepare and implement a vegetation restoration plan with detailed specifications for minimizing the introduction of invasive weeds and restoring all temporarily disturbed areas, and shall ensure that the contractor successfully implements the plan. The plan shall indicate the best time of year for seeding to occur. To facilitate preparation of the plan, the SFPUC shall ensure that, prior to construction, a qualified botanist (i.e., one experienced in identifying sensitive plant species in the project area) performs additional preconstruction surveys of the areas to collect more detailed vegetation composition data, including species occurrence, vegetation characterization (tree diameter size, etc.), and percent cover of plant species. Photo documentation shall be used to show pre-project conditions. If required, the SFPUC shall provide the vegetation restoration plan to the Corps, the CDFG, the RWQCB, and the USFWS during the permitting process, as any vegetation to be removed may provide habitat for special-status species and may also be within areas under the jurisdiction of the Corps and the RWQCB. The minimum avoidance, minimization, and restoration measures as well as success criteria to be included in the vegetation restoration plan are described below: ***Invasive Weed Control Measures*** Invasive weeds such as yellow star-thistle, purple star-thistle, Italian thistle, bull thistle, and stinkwort readily colonize soils that have been disturbed by grading or other mechanical disturbance. Although the project area has an extensive weed infestation and relatively few native species, the SFPUC shall incorporate the following measures into the construction plans and	1) SFPUC BEM (qualified botanist) 2) SFPUC EMB 3) CM Team 4) CM Team 5) SFPUC NRLMD 6) SFPUC BEM 7) SFPUC BEM 8) SFPUC NRLMD	1) SFPUC BEM 2) SFPUC BEM 3) SFPUC BEM 4) SFPUC BEM 5) SFPUC NRLMD 6) SFPUC BEM 7) SFPUC BEM 8) SFPUC NRLMD	1) Develop vegetation restoration plan in accordance with mitigation requirements, include documentation of qualifications of botanist (e.g., resume), and perform detailed vegetation surveys. Submit to applicable agencies for approval. 2) Ensure that contract documents include on-site restoration requirements, including invasive weed control measures. 3) Ensure that environmental training includes information on invasive weed control measures. 4) Monitor to ensure that the contractor implements measures in contract documents. Report noncompliance and ensure corrective action. Implement vegetation restoration plan. 5) Perform and document long-term monitoring of on-site restoration. Provide documentation to resource agencies as required. 6) Design habitat compensation in accordance with mitigation requirements. Submit to applicable agencies for approval. 7) Implement habitat compensation. 8) Perform and document long-term monitoring of compensatory mitigation. Provide documentation to resource agencies as required.	1) Design 2) Design 3) Construction 4) Construction 5) Postconstruction 6) Design 7) Construction, or as determined by applicable agencies 8) Postconstruction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Biological Resources (cont.)						

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
BI-1 (cont.)		• Before construction equipment leaves the project area, any accumulation of plant debris, soil, and mud shall be washed off the equipment or otherwise removed onsite, and air filters shall be blown out. • The restoration plan shall specify measures to remove and/or control weeds in the project area. • No invasive species shall be used in any restoration plantings. • Implementation of these measures during construction and site restoration activities shall be verified and documented by a biological or environmental monitor. ***Minimum Restoration Measures*** Restoration areas are areas within the project area that would be disturbed during project-related construction activities but would subsequently be restored to their preconstruction conditions as defined by the success criteria described below. In order to restore these areas, the SFPUC shall ensure the following: • The SFPUC shall ensure that topsoil is salvaged during grading and earthmoving activities (including during the preparation of spoils sites), stockpiled separately from subsoils, and protected from erosion (e.g., covered or watered); that composting amendments are added, if needed; and that potentially compacted construction work areas are properly prepared prior to reuse of the soil in the post-construction restoration of temporarily disturbed areas. The SFPUC shall ensure that a minimum of 12 inches of topsoil is salvaged, or if there is less than 12 inches of topsoil, as much as practicable.				
		• For grassland and ruderal areas, the affected areas shall be reseeded with a native or non-invasive grass and forb seed mix. High seed application rates shall be used to help compete with the weedy seed bank.				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Biological Resources (cont.)						

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
BI-1 (cont.)		- Trees shall be replaced within the first year after the completion of construction or as soon as possible in an area where construction is completed during a favorable time period as determined by a qualified arborist or biologist. - Replacement trees shall be planted in or near the area experiencing surface disturbance from project construction and in locations suitable for the replacement species. - Selection of replacement sites and installation of replacement plantings shall be supervised by a qualified arborist or biologist. Irrigation of trees during the initial establishment period shall be provided as deemed necessary by a qualified arborist or biologist. - A qualified arborist or biologist shall monitor newly planted trees at least twice a year for 5 years (7 years for oaks, 10 years for trees in riparian habitat). - Any trees planted as remediation for failed plantings shall be planted as stipulated here for original plantings, and shall be monitored for a period of 5 years (7 years for oaks and 10 years for trees in riparian habitat) following installation, or as otherwise determined by the applicable resource agencies. - To replace trees removed from the Calaveras Road right-of-way, the SFPUC shall plant replacement trees along Calaveras Road where feasible. If additional mitigation trees are required but their spacing cannot be accommodated along Calaveras Road, the trees shall be planted in the vicinity of the project area. - For non-native trees that are between 2 and 6 inches dbh within the Calaveras Road right-of-way, replacement trees shall be planted on a one-to-one basis for any trees removed. ***Minimum Success Criteria***				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM = (SFPUC) Construction Management Bureau
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Biological Resources (cont.)						

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
BI-1 (cont.)		• Restoration areas shall be monitored for target invasive plants quarterly in the first 5 years following replanting. If invasive plants are found during the 5-year monitoring period, they shall be removed as necessary to support meeting the cover and vegetation composition success criteria. • Monitoring and maintenance shall continue until the minimum success criteria specified in the table below are met, or as otherwise determined by the applicable resource agencies. **MINIMUM SUCCESS CRITERIA FOR VEGETATION RESTORATION** **Field Indicator/Measurement** **Grassland:** 70 percent absolute cover of typical native naturalized grassland species known from the Sunol R end of the fifth monitoring year. **Individual Native Mature Trees:** 65 percent plant surv the fifth monitoring year (by the seventh monitoring yea and tenth monitoring year for trees in riparian habitat). **San Antonio Creek Channel and Riparian Habitat:** G or equal to 45 percent canopy cover of target riparian s end of the fifth monitoring year. No more than 10 percent absolute cover of target invas shall remain in any given restoration area by the end o monitoring year. ***Compensatory Mitigation*** The SFPUC shall fully compensate for permanent losses of non-native grassland and ruderal habitat that provide potential low-quality upland refugial and dispersal habitat for CTS and CRLF, as well as potential low quality foraging and dispersal habitat for Alameda whipsnake (approximately 0.7 acre). Compensatory mitigation may occur through habitat enhancements at two of the SFPUC's Bioregional				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Biological Resources (cont.)						

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
BI-1 (cont.)		***Mitigation Measure M-BI-1g: Measures to Minimize Disturbance to Special-Status Bird Species*.** As feasible, the SFPUC shall conduct tree and shrub removal in the project area and the habitat compensation areas during the nonbreeding season (generally August 16 through February 14) for migratory birds, raptors, and special-status bat species. If construction activities must occur during the breeding season for special-status birds (February 15 to August 15), the SFPUC shall retain a qualified wildlife biologist who is experienced in identifying birds and their habitat to conduct nesting-raptor surveys in and within 500 feet of the project area. Migratory bird surveys shall be conducted within 100 feet of all work areas (as feasible) unless otherwise directed by CDFG. All migratory bird and active raptor nests within these areas shall be mapped. These surveys must be conducted within two weeks prior to initiation of construction activities at any time between February 15 and August 15. If no active nests are detected during surveys, no additional mitigation is required. If migratory bird and/or active raptor nests are found in the project area or in the adjacent surveyed area, the SFPUC shall establish a no-disturbance buffer around the nesting location to avoid disturbance or destruction of the nest site until after the breeding season or after a wildlife biologist determines that the young have fledged (usually late June through mid-July). The extent of these buffers would be determined by a wildlife biologist in consultation with CDFG and would depend on the species' sensitivity to disturbance (which can vary among species); the level of noise or construction disturbance; line of sight between the nest and the disturbance; ambient levels of noise and other disturbances; and consideration of other topographical or artificial barriers. The wildlife biologist shall analyze and use these factors to assist the CDFG in making an appropriate decision on buffer distances.	1) SFPUC EMB 2) CM Team (qualified biologist) 3) CM Team	1) SFPUC BEM 2) SFPUC BEM 3) SFPUC BEM	1) Ensure that contract documents include the appropriate language. 2) Obtain and review resume or other documentation of consulting biologist's qualifications. Conduct surveys, mapping, and agency coordination. Document activities in monitoring logs. 3) Monitor to ensure that the contractor implements measures in contract documents. Report noncompliance and ensure corrective action.	1) Design 2) Preconstruction/ Construction 3) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		***Mitigation Measure M-BI-1h: Conduct Preconstruction Surveys for Any Special-Status Bats Found and Implement Avoidance and Minimization Measures*.** Not more than one week prior to tree removal and demolition of the two quarry buildings located to the east of Pit F3-East, a qualified biologist (i.e., one familiar with the identification of bats and signs of bats) shall survey the trees to be removed and the buildings to be demolished for the presence of roosting bats. Bats may be present any time of the year. The biologist shall thoroughly search the two buildings and any trees that provide appropriate habitat (trees with foliage or cavities or that are hollow) for the presence of roosting bats or evidence of bats. If no roosting bats or evidence of bats are found in the trees, tree removal may proceed. Similarly, if no roosting bats or evidence of bats are found in the quarry buildings, demolition may proceed. If bats are found or evidence of use by bats is present, the biologist shall map and mark the trees and/or locations within the buildings with flagging. As appropriate, the SFPUC shall ensure that the trees are not removed and/or the buildings are not demolished until the CDFG has been consulted for guidance on measures to avoid and minimize disturbance of the	1) SFPUC EMB 2) CM Team (qualified biologist) 3) CM Team	1) SFPUC BEM 2) SFPUC BEM 3) SFPUC BEM	1) Ensure contract documents include the appropriate language. 2) Obtain and review resume or other documentation of consulting biologist's qualifications. Conduct surveys, mapping, and agency coordination and monitoring. Document activities in monitoring logs. 3) Monitor to ensure that the contractor implements measures in contract documents. Report noncompliance and ensure corrective action.	1) Design 2) Preconstruction 3) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		special-status bats. Measures may include: monitoring trees or structures and excluding bats from the tree(s) or structures to be removed/demolished; timing tree removal and building demolition to minimize disturbance to bats; and/or use of a construction buffer to avoid disturbance of young before they are able to fly (for pallid bats, this period is between April and August).				
Biological Resources (cont.)						
BI-1 (cont.)		Implement Mitigation Measures M-HY-1a (Preparation and Implementation of a SWPPP) and M-HY-1b (Creek Restoration and Revegetation).	-	-	-	-
BI-2	The proposed project could have a substantial adverse effect on riparian habitat and other sensitive habitats during construction.	Implement Mitigation Measures M-BI-1a (General Protection Measures); M-BI-1f (Preparation and Implementation of a Vegetation Restoration Plan and Compensatory Mitigation); M-BI-1b (Worker Training and Awareness Program); and M-BI-1c (Minimize Disturbance of Riparian Habitat).	-	-	-	-
BI-3	The proposed project could	***Mitigation Measure M-BI-3: Avoidance and Protection Measures for Jurisdictional Water***	1) SFPUC	1) SFPUC BEM	1) Design project to minimize disturbance to waters of the	1) Design

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
	have a substantial adverse effect on jurisdictional waters during construction.	***Bodies.*** The SFPUC and its contractors shall minimize impacts on waters of the United States and waters of the state, including wetlands, by implementing the following measures: • Construction activities in saturated or ponded wetlands and streams (typically during the spring and winter) shall be avoided to the maximum extent feasible. Where wetlands or other water features must be disturbed, the minimum area of disturbance necessary for construction shall be identified and the area outside avoided. • Where feasible, a silt fence shall be installed adjacent to all wetlands and drainages to be avoided within 50 feet of any proposed construction activity, and signs installed indicating the required avoidance. No equipment mobilization, grading, clearing, or storage of equipment or machinery, or similar activity, shall occur until a representative of the SFPUC has inspected and approved the fencing installed around these features. This restriction applies to both onsite construction and any offsite mitigation area. The SFPUC shall ensure that the	EMB 2) CM Team	2) SFPUC BEM	United States and state. Ensure appropriate language is included in contract documents. 2) Monitor to ensure that the contractor implements measures in contract documents. Report noncompliance and ensure corrective action.	2) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		temporary fencing is continuously maintained until all construction activities are completed. No construction activities, including equipment movement, material storage, or temporary spoil stockpiling, shall be allowed within the fenced areas protecting wetlands. • In areas where a 50 foot buffer from the freshwater marsh is not feasible, the following measures shall be employed during installation of the chemical feedlines: - Biological monitor or environmental inspector shall be on-site during installation of the chemical feedlines if work is within the 50-foot buffer. The purpose of the biological monitor is to ensure that construction activities are kept outside of the marsh and that precautionary measures are taken to avoid impacts to the marsh. - Sidecasting for the trench shall be deposited on the side of the trench furthest from the wetland or imported to a designated staging area or other area within the construction footprint. • To minimize the degradation of wetland soils and vegetation where avoidance is infeasible, protective				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		practices such as geotextile cushions and other materials (e.g., timber pads, prefabricated equipment pads, geotextile fabric) or vehicles with balloon tires shall be employed in saturated conditions (e.g., when there is noticeable rutting due to saturated conditions and mixing of topsoil and subsoil).				
Biological Resources (cont.)						
BI-3 (cont.)		• In areas of temporary disturbance the bed and banks of the ephemeral drainage and San Antonio Creek shall be restored to pre-construction conditions after construction is complete. • Exposed slopes and streambanks shall be stabilized immediately upon the completion of construction activities. • The banks of San Antonio Creek shall be stabilized (if disturbed during construction) using a non-vegetative material that will bind the soil initially and break down within a few years (e.g., jute mat). More aggressive erosion control treatments shall be implemented as needed for stabilization, such as geotextile mats, excelsior blankets, or other soil				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		stabilization products. The following bank stabilization materials shall not be used below the mean high water mark: hydraulic mulch, tackifiers, hydroseeding, soil binders, and straw mulch.				
		Implement Mitigation Measures M-BI-1a (General Protection Measures); M-BI-1b (Worker Training and Awareness Program); M-BI-1c (Minimize Disturbance of Riparian Habitat); M-BI-1d (Prevent Movement of Specific Species through the Work Areas); M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation); M-HY-1a (Preparation and Implementation of a SWPPP); and M-HY-1b (Creek Restoration and Revegetation).	-	-	-	-
BI-4	The proposed project could have a substantial adverse effect on resident trout and other native fishes during construction, either by impeding movement or adversely	Implement Mitigation Measures M-HY-1a (Preparation and Implementation of a SWPPP); M-HY-1b (Creek Restoration and Revegetation); M-BI-1b (Worker Training and Awareness Program); M-BI-1c (Minimize Disturbance of Riparian Habitat); and M-BI-3 (Avoidance and Protection Measures for Jurisdictional Water Bodies).	-	-	-	-

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
	affecting aquatic habitat.					
BI-6	Construction activities associated with the proposed project could conflict with local policies or ordinances protecting biological resources.	Implement Mitigation Measure M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation).	-	-	-	-
BI-7	Project operations could have a substantial adverse effect on special-status animal species during project operations.	***Mitigation Measure M-BI-7: Screen Dewatering Pump Intakes.*** The SFPUC shall screen the intake pipes for the submersible pumps at Pit F3-East, and the intakes for the pumps on floating platforms in Pit F3-West to prevent the entrainment of CRLF into these pipes. The screens shall be made of wire mesh with openings not larger than 5 millimeters.	1) SFPUC EMB	1) SFPUC BEM	1) Design intake pumps in accordance with specifications.	1) Design

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Biological Resources (cont.)						
C-BI	Project implementation could result in a cumulatively considerable contribution to cumulative impacts on biological resources during project construction and operation.	Implement Mitigation Measures M-BI-1a (General Protection Measures); M-BI-1b (Worker Training and Awareness Program); M-BI-1c (Minimize Disturbance to Riparian Habitat); M-BI-1d (Prevent Movement of Specific Species through the Work Areas); M-BI-1e (Preconstruction Surveys and Construction Monitoring and Protocols for California Tiger Salamander, Red-Legged Frog, and Alameda Whipsnake); M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation); M-BI-1g (Measures to Minimize Disturbance to Special-Status Bird Species); M-BI-1h (Conduct Preconstruction Surveys for Any Special-Status Bats Found and Implement Avoidance and Minimization Measures); M-BI-7 (Screen Dewatering Pump Intakes); M-HY-1a (Preparation and Implementation of a SWPPP); M-HY-1b (Creek Restoration and Revegetation); and M-BI-3 (Avoidance and Protection Measures for Jurisdictional Water Bodies).	-	-	-	-
Geology and Soils						
GE-	The project is located on a	***Mitigation Measure M-GE-1: Shoring Plans for Pit F3-East.***	1) SFPUC EMB	1) SFPUC BEM	1) Obtain and review resume and qualifications of consulting	1) Design

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
1	geologic unit that could become unstable as a result of project construction.	The SFPUC shall contract with a licensed geotechnical engineer to develop shoring plans assessing potential slope instability risks associated with the final design for construction of the outfall and splash pad on the southern slope of quarry Pit F3-East, and the drainage outfall and riprap dissipater on the northeastern slope of Pit F3-East. Each shoring plan shall specify measures to minimize the potential for slope failure during construction and shall include: a dimensioned site plan showing the location of the shoring; data regarding the expected loads on the shoring (surcharge); details of the shoring system; a soils report; and structural calculations for the shoring system. A qualified geotechnical or civil engineer shall prepare the soils report, and a civil and/or structural engineer shall prepare structural plans and calculations for the shoring. The SFPUC shall ensure that the construction contractor implements the plans; that the shorings are inspected by a qualified civil or structural engineer for compliance with the provisions of the shoring plans prior to beginning construction; and that construction activities are periodically observed to verify that all work conforms to the approved shoring plans.	(licensed geotechnical/civil/ structural engineers) 2) SFPUC EMB 3) CM Team (civil/structural engineer) 4) CM Team	2) SFPUC BEM 3) SFPUC CMB 4) SFPUC CMB	geotechnical and civil and/or structural engineers retained for the shoring plan. Develop shoring plans (including soils reports) specifying measures to minimize potential for slope failure. 2) Ensure final construction plans and specifications include the requirement that the contractor implement the shoring plans. 3) Inspect shorings for compliance with shoring plans. 4) Monitor to ensure that construction activities conform to shoring plans. Report noncompliance and ensure corrective action.	2) Design 3) Construction 4) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
GE-2	The project could result in substantial soil erosion or loss of topsoil during construction.	Implement Mitigation Measures M-HY-1a (Preparation and Implementation of a SWPPP) and M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation).	-	-	-	-
C-GE	Project construction could result in a cumulatively considerable contribution to cumulative impacts related to the loss of topsoil.	Implement Mitigation Measure M-HY-1a (Preparation and Implementation of a SWPPP) and M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation).	-	-	-	-

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Hydrology and Water Quality						

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
HY-1	Project construction could substantially degrade water quality as a result of erosion and sedimentation or an accidental release of hazardous chemicals.	***Mitigation Measure M-HY-1a: Preparation and Implementation of a SWPPP.*** Consistent with the requirements of the NPDES General Permit for Storm Water Discharges Associated with Construction Activity, the SFPUC or its contractor(s) shall submit a notice of intent to the SWRCB's Division of Water Quality, develop a SWPPP, and implement site-specific BMPs to prevent discharges of nonpoint-source pollutants in construction-related stormwater runoff into downstream water bodies, including Alameda and San Antonio Creeks. The San Francisco Bay RWQCB, the primary agency responsible for protecting water quality in the project area, would review the SWPPP to ensure compliance with the general permit. The BMPs contained in the SWPPP are also subject to review and approval by the RWQCB. The recommended BMPs are listed below. However, the measures themselves may be altered, supplemented, or deleted during the review process, since the RWQCB has final authority over the terms of the SWPPP. <u>Scheduling</u> • Schedule construction to minimize ground disturbance during the rainy season. • Stabilize all disturbed soils as soon as possible following the completion of soil-disturbing work in the project area. • Provide plans to stabilize soil with vegetation or physical means in the event rainfall is expected. • Install erosion and sediment control BMPs prior to the start of any ground-disturbing activities. <u>Erosion and Sedimentation</u> • Preserve existing vegetation in areas where no construction activity is planned or where construction activity will occur at a later date.	1) SFPUC EMB 2) CM Team/SFPUC PMB 3) CM Team	1) SFPUC BEM 2) SFPUC BEM 3) SFPUC BEM	1) Ensure that contract documents require that the contractor design, install, and maintain stormwater controls and prepare a SWPPP. 2) Review SWPPP to ensure that it complies with the requirements and submit to RWQCB. 3) Monitor to ensure the contractor implements the measures in the contract documents and SWPPP. Report noncompliance and ensure corrective action.	1) Design 2) Preconstruction 3) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Hydrology and Water Quality (cont.)						
HY-1 (cont.)		• Detain and treat water produced by construction site dewatering using sedimentation basins, sediment traps (when water is flowing and there is sediment), or other measures to ensure that discharges to receiving waters meet applicable water quality objectives. <u>Tracking Controls</u> • Grade and stabilize construction site entrances and exits to prevent runoff from the site and to prevent erosion. • Install a trackout control device (e.g., gravel pad, grizzlie, wash facility, etc.) at site access points to allow for carryout and trackout prevention when vehicles exit the site. This provision may be omitted if the RWQCB determines that vacuum sweepers, as required by Mitigation Measure M-AQ-1a (BAAQMD Basic Construction Measures), are sufficient to prevent trucks from tracking dirt. • Remove any soil or sediment tracked off paved roads during construction by employing street sweeping.				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		Instream Construction BMPs • Minimize disturbance of the ground surface and substrate within San Antonio Creek during installation of the backup pipeline. • Limit the use of construction vehicles in the San Antonio Creek channel not actively involved in construction across the creek. • Monitor instream construction activity and coordinate with the contractor to identify periods when localized increases in turbidity may occur. • Prevent raw cement, concrete or concrete washings, asphalt, paint or other coatings, oil or other petroleum products, or any other substances that could be hazardous to aquatic life from contaminating the soil or entering watercourses. • Any physical barriers within San Antonio Creek that are needed to isolate the construction area for dewatering purposes or for erosion and sediment control shall be installed under the direction of a qualified biologist to minimize stress, injury, and mortality to wildlife. • Keep visible oil, grease, or foam from forming on soil				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		or water surfaces. • In the event that construction activities create a visible plume in surface waters, initiate monitoring of turbidity concentrations at the discharge site and 50 feet downstream while the visible plume persists, and initiate corrective action to reduce construction-related turbidity so that it complies with turbidity criteria specified in the Basin Plan for the coldwater fish habitat beneficial use, as measured in surface waters 50 feet downstream of the working area. Implement corrective actions as needed to ensure construction activities are within the Basin Plan's surface water quality objective for turbidity, which states that turbidity increases shall not be greater than 10 percent in areas where natural turbidity is greater than 50 NTU. Corrective actions would depend on the cause of the sediment discharge and could include installing additional silt fences and other erosion control devices, covering stockpiled material, and improving the system for treating water from the dewatering operation.				
Hydrology and Water Quality (cont.)						
HY-1		• Avoid operation of construction vehicles and				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
(cont.)		equipment in flowing water. <u>Non-stormwater Control</u> • Keep construction vehicles and equipment clean; do not allow excessive build-up of oil and grease. • Check construction vehicles and equipment daily at startup for leaks, and repair any leaks immediately. • Do not refuel vehicles and equipment within 100 feet of surface waters to prevent run-on and runoff and to contain spills. • Conduct all refueling and servicing of equipment with absorbent material or drip pans underneath to contain spilled fuel. Collect any fluid drained from machinery during servicing in leak-proof containers and deliver to an appropriate disposal or recycling facility. • Cover all storm drain inlets when paving or applying seals or similar materials to prevent the offsite discharge of these materials. <u>Waste Management and Hazardous Materials Pollution Control</u> • Remove trash and construction debris from the				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		project area regularly. Provide an adequate number of waste containers with lids or covers to keep rain from out of the containers and to prevent trash and debris from being blown away during high winds. • Locate sanitary facilities a minimum of 200 feet from Alameda and San Antonio Creeks. • Ensure the containment of sanitation facilities (e.g., portable toilets) to prevent discharges of pollutants to the storm water drainage system or receiving water. • Maintain sanitary facilities regularly. • Store all hazardous materials in an area protected from rainfall and stormwater run-on and prevent the offsite discharge of leaks or spills. • Minimize the potential for contamination of surface water bodies, including Pits F3-East and F3-West, and Alameda and San Antonio Creeks, by maintaining spill containment and cleanup equipment onsite, and by properly labeling and disposing of hazardous wastes. • Locate waste collection areas close to construction entrances and away from roadways, Alameda and San Antonio Creeks, and Pits F3-East and F3-West.				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		• Inspect dumpsters and other waste and debris containers regularly for leaks, and remove and properly dispose of any hazardous materials and liquid wastes placed in these containers. • Train construction personnel in proper material delivery, handling, storage, cleanup, and disposal procedures.				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Hydrology and Water Quality (cont.)						

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
HY-1 (cont.)		BMP Inspection, Maintenance, and Repair • Inspect all BMPs on a regular basis to confirm proper installation and function. • Inspect all stormwater BMPs daily during storms. • Inspect sediment basins, sediment traps, and other detention and treatment facilities regularly throughout the construction period. • Provide sufficient devices and materials (e.g., silt fence, fiber rolls, erosion blankets, etc.) throughout project construction to enable immediate repair or replacement of failed BMPs. • Inspect all seeded areas regularly for failures, and remediate or repair as soon as feasible. Permitting, Monitoring, and Reporting • Obtain and comply with the RWQCB Section 401 Water Quality Certification and California Department of Fish and Game Streambed Alteration Agreement. • Provide the required documentation for SWPPP inspections, maintenance, and repair requirements. • Maintain written records of inspections, spills, BMP-related maintenance activities, corrective actions, and visual observations of any offsite discharge of sediment or other pollutants, as required by the RWQCB. • Monitor water quality to assess the effectiveness of control measures. • Notify the RWQCB and other agencies as required (e.g., California Department of Fish and Game) if the criteria for turbidity, oil/grease, or foam are exceeded, and undertake corrective actions. • Immediately notify the RWQCB and other agencies as required (e.g., California Department of Fish and Game) of any spill of petroleum products or other organic or earthen materials, and undertake				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
Hydrology and Water Quality (cont.)						
HY-1 (cont.)		***Mitigation Measure M-HY-1b: Creek Restoration and Revegetation*.** Following installation of the backup pipeline at the San Antonio Creek crossing, the SFPUC shall revegetate the disturbed creek banks with native vegetation and restore the geometry of the disturbed creek channel to pre-existing conditions. Plantings shall be monitored and maintained for up to five years to ensure stabilization of the creek channel. This mitigation measure shall be implemented in conjunction with Mitigation Measure M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation).	1) SFPUC EMB 2) CM Team 3) SFPUC NRLMD	1) SFPUC BEM 2) SFPUC BEM 3) SFPUC NRLMD	1) Ensure that contract documents include creek restoration and revegetation measures per the vegetation restoration plan prepared under Mitigation Measure M-BI-1f, above. 2) Monitor to ensure contractor implements measures in contract documents. Report noncompliance and ensure corrective action. 3) Perform and document monitoring of on-site restoration. Provide documentation to resource agencies as required.	1) Design 2) Construction 3) Postconstruction
HY-3	Discharges of dewatering effluent from excavated areas during project construction	***Mitigation Measure M-HY-3: Management of Dewatering Effluent Discharges*.** To address potential impacts on receiving water quality during the construction period related to dewatering effluent discharges and to comply with NPDES requirements, the construction contractor(s) shall	1) SFPUC EMB 2) CM Team/SFPUC PMB	1) SFPUC BEM 2) SFPUC BEM 3) SFPUC BEM	1) Ensure that contract documents include the requirement for the contractor to prepare a dewatering plan in accordance with NPDES general construction permit	1) Design 2) Preconstruction (prior to dewatering activities)

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
	could substantially degrade water quality.	prepare and implement a project-specific dewatering plan. Discharges of dewatering effluent during project construction shall be conducted in accordance with NPDES general construction permit requirements. ***Construction Dewatering Plan*** The dewatering plan shall specify how the water will be collected, contained, treated, monitored, and discharged to vegetated areas, Alameda Creek, and San Antonio Creek. Subject to review and approval by the RWQCB, the plan shall at a minimum: • Identify methods and locations for collecting and handling water onsite prior to discharge, determine treatment requirements, and determine the capacity of settling basins, treatment ponds, and/or holding tanks. • Identify methods for treating water onsite prior to discharge, such as filtration, coagulation, sedimentation settlement areas, oil skimmers, pH adjustment, and other BMPs. • Establish procedures and methods for maintaining and monitoring dewatering operations to ensure that no breach in the process occurs that could result in an	3) CM Team		requirements. 2) Review dewatering plan to ensure it complies with NPDES requirements and submit to RWQCB for approval. 3) Monitor to ensure the contractor implements measures in contract documents and dewatering plan. Report noncompliance and ensure corrective action.	3) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		exceedance of applicable water quality objectives. • Identify discharge locations and include details regarding how the discharge will be conducted to minimize erosion and scour. ***Relevant Water Quality Objectives*** At a minimum, the project discharges to surface waters shall not exceed the water quality objectives for receiving waters included in the current San Francisco Bay Basin Plan, including (but not limited to): • pH shall not be depressed below 6.5 nor raised above 8.5. • Turbidity shall not be greater than 10 percent in areas where natural turbidity is greater than 50 NTU. • Temperature shall not be increased by more than 5 °F (2.8 °C) above natural receiving water temperature.				
Hydrology and Water Quality (cont.)						
HY-3 (con		• Waters shall be free of coloration that causes nuisance or adversely affects beneficial uses. • Waters shall not contain floating material, including				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
t.)		solids, liquids, foams, or scum, in concentrations that cause nuisance or adversely affect beneficial uses. • Waters shall not contain oils, greases, waxes, or other materials in concentrations that: result in a visible film or coating on the surface of the water or on objects in the water, cause nuisance, or otherwise adversely affect beneficial uses. • All waters shall be maintained free of toxic substances in concentrations that are lethal to or that produce other detrimental responses in aquatic organisms. Construction contractor(s) shall comply with all monitoring and reporting requirements established by the RWQCB. Any exceedences of established narrative or numeric water quality objectives shall be reported to the RWQCB and corrective action taken. Corrective action may include an increase in residence time in treatment features (e.g., longer holding time in settling basins) and/or incorporation of additional treatment measures (e.g., addition of sand filtration prior to discharge).				
C-HY	Project construction	Implement Mitigation Measures M-HY-1a (Preparation and Implementation of a SWPPP); M-HY-1b (Creek	-	-	-	-

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
	could result in a cumulatively considerable contribution to cumulative impacts on hydrology and water quality.	Restoration and Revegetation); and M-HY-3 (Management of Dewatering Effluent Discharges).				
Hazards and Hazardous Materials						
HZ-1	Project construction could result in a substantial adverse effect related to reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	***Mitigation Measure M-HZ-1a: Evaluate Soil Quality*.** Prior to project construction, the SFPUC shall perform a soil investigation to determine the presence of chemical residues within shallow soils in proposed construction work areas where sampling has not been previously conducted, and in the area south of the Alameda Siphons (in the vicinity of the San Antonio Pump Station, where a release of diesel and waste oil was previously remediated and concentrations of total oil and grease are reported to be ubiquitous). Samples shall be collected from surface soils (from the ground surface to 1.5 feet below the surface) in each of the proposed work areas and spoils sites that will be disturbed during project construction, and to the depth	1) SFPUC EMB (qualified professional) 2) CM Team	1) SFPUC BEM 2) SFPUC BEM/CM Team	1) Perform soil sampling and analysis. Document results. Present sampling results and procedures in a report or technical memo. 2) Ensure sampling results and appropriate soils management and handling requirements are incorporated into the construction risk and spoils management plan (CRSMP) that is prepared under Mitigation Measure M-HZ-1b, below.	1) Preconstruction 2) Preconstruction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		of the planned excavation in the vicinity of the San Antonio Pump Station. At a minimum, surface soil samples shall be analyzed for total copper, arsenic, lead, mercury, and organochlorine pesticides. To evaluate the potential for petroleum products and semivolatile organic compounds to be present, subsurface soil samples from the vicinity of the San Antonio Pump Station shall be analyzed for total petroleum hydrocarbons (as gasoline, diesel, and waste oil) and for semivolatile organic compounds. The results of the soil investigation shall be incorporated into the construction risk and spoils management plan prepared in accordance with Mitigation Measure M-HZ-1b (Implement a Construction Risk and Spoils Management Plan) to determine whether: specific soils management and disposal procedures for contaminated materials are required; excavated soils are suitable for reuse; and appropriate construction worker health and safety procedures for working with contaminated materials are required.				
Hazards and Hazardous Materials (cont.)						
HZ-1 (con		***Mitigation Measure M-HZ-1b: Implement a Construction Risk and Spoils Management Plan*.**	1) SFPUC EMB	1) SFPUC BEM 2) SFPUC BEM	1) Ensure that contract documents include the requirement that the contractor prepare and	1) Design 2) Preconstruction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
t.)		The SFPUC shall require the construction contractor to prepare and implement a construction risk and spoils management plan (CRSMP), subject to review by the SFPUC, to address hazardous materials and other worker health and safety issues during construction of the proposed project. The CRSMP shall include all necessary procedures to ensure that excavated materials are stored, managed, and disposed of in a manner that is protective of human health and in accordance with applicable laws and regulations. The SFPUC shall ensure that the CRSMP includes the following information: • Results of previous soil sampling within the construction work areas as well as sampling conducted in accordance with Mitigation Measure M-HZ-1a (Evaluate Soil Quality). • A site-specific health and safety plan (HASP) prepared by a qualified environmental professional in accordance with federal OSHA regulations (29 CFR 1910.120) and Cal/OSHA regulations (8 CCR 5192). The HASP shall include all required measures to protect construction workers and the general public by including engineering controls, monitoring, and	2) CM Team/SFPUC PMB 3) CM Team	3) SFPUC CMB	implement a construction risk and spoils management plan (CRSMP). 2) Review CRSMP to ensure that it complies with requirements cited in both Mitigation Measures M-HZ-1a and M-HZ-1b. 3) Monitor to ensure that the contractor implements the measures in the contract documents and the CRSMP. Report noncompliance and ensure corrective action.	3) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		security measures to prevent unauthorized entry to the construction area and to reduce hazards outside of the construction area. If prescribed contaminant exposure levels are exceeded, personal protective equipment shall be required for workers in accordance with state and federal regulations. Submission of the CRSMP to the SFPUC, or any review of the contractor's CRSMP or HASP by the SFPUC, shall not be construed as approval of the adequacy of the contractor's health and safety professional, the contractor's HASP, or any safety measure taken in or near the construction site. The contractor shall be solely and fully responsible for compliance with all laws, rules, and regulations applicable to health and safety during the performance of the construction work. • Step-by-step procedures for evaluation, handling, stockpiling, storage, testing, and disposal of excavated material, including criteria for: reuse within the pipeline trenches; placement at the North Spoils Site; temporary storage in SMP-30 Pit F6 or aggregate processing facility prior to processing for resale and reuse; and offsite disposal. All excavated materials shall be inspected prior to initial stockpiling,				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		and spoils that are visibly stained and/or have a noticeable odor shall be stockpiled separately to minimize the amount of material that may require special handling. In addition, excavated materials shall be stored away from Alameda and San Antonio Creeks and other water features in accordance with the storm water pollution prevention plan (SWPPP) prepared in accordance with Mitigation Measure M-HY-1a (Preparation and Implementation of a SWPPP) and inspected for buried building materials, debris, and evidence of underground storage tanks; if identified, these materials shall be stockpiled separately and characterized in accordance with landfill disposal requirements. The chemical quality of the spoils intended for reuse shall be characterized, and spoils may be permanently placed at the North Spoils Site, or temporarily placed in Pit F6 or at the SMP-30 aggregate processing facility if they are found to meet the reuse criteria				
Hazards and Hazardous Materials (cont.)						
HZ-1 (con		established in the CRSMP. Any spoils that do not meet the reuse criteria shall be segregated and disposed of at a permitted landfill facility.				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
t.)		• Procedures to be implemented if unknown subsurface conditions or contamination are encountered, such as previously unreported tanks, wells, or contaminated soils. • Detailed control measures for use and storage of hazardous materials to prevent the release of pollutants to the environment, and emergency procedures for the containment and cleanup of accidental releases of hazardous materials to minimize the impacts of any such release. These procedures shall also include reporting requirements in the event of a reportable spill or other emergency incident. At a minimum, the SFPUC or its contractor shall notify applicable agencies in accordance with guidance from the California Office of Emergency Services as well as the Alameda County Water District. • Fire-prevention measures, including cigarette smoking in disturbed areas only and disposing of cigarette butts in waste bins, parking in non-vegetated areas, and complying with the requirements of the California PRC, beginning with Section 4427.				

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
		• Required worker health and safety provisions for all workers potentially exposed to contaminated materials, in accordance with state and federal worker safety regulations, and designated personnel responsible for implementation of the CRSMP.				
		Mitigation Measure M-HZ-1c: Hazardous Building Materials. Prior to demolishing the residential-style building and associated shed, the SFPUC shall ensure that a qualified environmental professional survey the buildings for electrical equipment containing polychlorinated biphenyls (PCBs), fluorescent lights containing mercury vapors or fluorescent light ballasts containing PCBs or Di (2-ethylhexyl) phthalate (DEHP). Any of these materials shall be removed and disposed of properly prior to demolition of the buildings.	1) SFPUC EMB (qualified professional) 2) SFPUC EMB 3) CM Team	1) SFPUC BEM 2) SFPUC BEM 3) SFPUC BEM	1) Conduct hazardous building materials survey. Document results and develop appropriate abatement practices. 2) Ensure that contract documents include requirement that contractor implement the applicable abatement practices. 3) Monitor to ensure that contractor implements the abatement practices and measures in contract documents. Report noncompliance and ensure corrective action.	1) Design 2) Design 3) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
HZ-2	Project construction could result in a substantial adverse effect related to accident conditions involving the release of hazardous construction chemicals into the environment.	Implement Mitigation Measure M-HY-1a (Preparation and Implementation of a SWPPP).	-	-	-	-
Hazards and Hazardous Materials (cont.)						
C-HZ	Construction of the proposed project would result in a	Implement Mitigation Measure M-HZ-1a (Evaluate Soil Quality); M-HZ-1b (Implement a Construction Risk and Spoils Management Plan); M-HZ-1c (Hazardous Building Materials); and M-HY-1a (Preparation and	-	-	-	-

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
	cumulatively considerable contribution related to cumulative impacts related to hazards and hazardous materials.	Implementation of a SWPPP).				
Minerals and Energy Resources						
ME-2	Project construction could result in substantial adverse effects related to the use of large amounts of fuel or energy, or the use of these resources in a wasteful manner.	Implement Mitigation Measures M-AQ-1a (BAAQMD Basic Construction Measures) and M-AQ-1b (BAAQMD Additional Construction Measures for NOx Reduction).	-	-	-	-

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
C-ME	Project construction would result in a cumulatively considerable contribution to cumulative impacts related to mineral and energy resources.	Implement Mitigation Measures M-AQ-1a (BAAQMD Basic Construction Measures) and M-AQ-1b (BAAQMD Additional Construction Measures for NOx Reduction).	-	-	-	-
Agriculture and Forest Resources						
AG-1	Implementation of the proposed project would result in the conversion of Unique Farmland, as shown on the maps pursuant to the Farmland Mapping and Monitoring	***Mitigation Measure M-AG-1: Compensation for Loss of Unique Farmland*.** The SFPUC shall compensate for the conversion of Unique Farmland to non-agricultural use as follows: • As compensation for the permanent loss of Unique Farmland at the former nursery site, the SFPUC shall dedicate a permanent agricultural conservation easement equal in area to the Unique Farmland converted to non-agricultural use.	1) SFPUC Real Estate/SFPUC PMB	1) SFPUC BEM	1) Document equivalent agricultural conservation easement or funding contribution to local agricultural land conservancy.	1) Construction

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
	Program of the California Resources Agency, to non-agricultural use.	• As an alternative to the permanent agricultural easement described above, the SFPUC shall contribute funds to a local agricultural land conservancy to establish a conservation easement to protect an equivalent acreage of similarly valued land in the area. Should the Farmland Mapping and Monitoring Program remove the Unique Farmland designation from the former nursery site before the earthen berm is constructed, this mitigation measure would no longer be warranted and would not be required.				
Agriculture and Forest Resources (cont.)						
C-AG	Implementation of the proposed project would result in a cumulatively considerable contribution to	Implement Mitigation Measure M-AG-1 (Compensation for Loss of Unique Farmland).	-	-	-	-

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District
SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management
NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division
CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

ATTACHMENT B (Continued)
SAN ANTONIO BACKUP PIPELINE PROJECT (SF PLANNING DEPARTMENT CASE NO. 2007.0039E) – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Monitoring and Reporting Program			
			Implementation and Reporting			
			Responsible Party	Reviewing and Approval Party	Monitoring and Reporting Actions	Implementation Schedule
	cumulative impacts related to the conversion of Unique Farmland to non-agricultural uses.					

USFWS = U.S. Fish and Wildlife Service
CDFG = California Department of Fish and Game
RWQCB = California Regional Water Quality Control Board
BAAQMD = Bay Area Air Quality Managment District

SFPUC = San Francisco Public Utilities Commission
CM Team = (SFPUC) Construction Management Team
EMB = (SFPUC) Engineering Management Bureau
BEM = (SFPUC) Bureau of Environmental Management

NRLMD = (SFPUC) Natural Resources and Lands Management Division
Communications = (SFPUC) Communications Department
PMB = (SFPUC) Project Management Bureau
Real Estate = (SFPUC) Real Estate Division

CMB = (SFPUC) Construction Management Bureau
ERO = (SF Planning Department) Environmental Review Officer
SF Planning = SF Planning Department

Mitigation Measure	Responsible Party	Reviewing and Approving Party	Monitoring and Reporting Actions	Implementation Schedule
Biological Resources				
Mitigation Measure M-BI-1a: General Protection Measures The SFPUC shall ensure that the following general measures are implemented by the contractor(s) during construction to minimize or avoid impacts on biological resources: • Construction contractor(s) shall minimize the extent of the construction disturbance as much as feasible. • Prior to the start of construction, the construction contractor, in coordination with a qualified biologist, shall install 4-foot-tall temporary exclusion fencing at selected locations along the work area boundaries where there is suitable habitat for special-status species. In addition, fencing shall be installed outside the driplines of all trees to be retained that are located within 50 feet of any grading, road improvements, underground utilities, or other construction activity. A qualified biologist and the SFPUC must first approve any encroachment beyond these fenced areas. The contractor shall maintain the temporary fencing until all construction activities are completed. • Project-related vehicles shall observe a 15-mile-per-hour speed limit on unpaved roads in the work area, or as otherwise determined by the applicable regulatory agencies. • The contractor shall provide closed garbage containers for the disposal of all food-related trash items (e.g., wrappers, cans, bottles, food scraps). All garbage shall be collected daily from the project site and placed in a closed container, from which garbage shall be removed weekly. • Construction personnel shall not feed or otherwise attract fish or wildlife in the project area. • No pets shall be allowed in the project area. • No firearms shall be allowed in the project area. • Staging areas shall be located at least 50 feet from riparian habitat, creeks, and wetlands, where feasible. • If vehicle or equipment fueling or maintenance is necessary, it shall be performed in the designated staging areas. • In cases where excavations require dewatering, the intakes shall be screened with a maximum mesh size of 5 millimeters.	1. SFPUC EMB	1. SFPUC EMG	1. Ensure that contract documents identify staging area restrictions and include requirements for contractor to install temporary exclusion fencing, screen dewatering intakes, and general measures to minimize or avoid impacts on biological resources.	1. Design
	2. SFPUC CM Team (qualified biologist)	2. SFPUC EMG	2. Monitor installation of exclusion fencing. Identify placement of construction fencing around trees to be retained and verify proper installation of fencing.	2. Construction
	3. SFPUC CM Team (qualified biologist)	3. SFPUC EMG	3. Monitor to ensure that the contractor implements measures in contract documents and maintains exclusion fencing in good condition throughout construction. Report noncompliance and ensure that corrective actions are implemented. Document activities in monitoring logs.	3. Construction
Mitigation Measure M-BI-1b: Worker Training and Awareness Program The SFPUC shall ensure that mandatory biological-resources awareness training is provided to all construction personnel as follows: • The training shall be developed and provided by a qualified biologist or construction compliance manager familiar with the sensitive species that may occur in the project area. If a consulting biologist prepares the training program, SFPUC staff shall approve the program prior to implementation. • The training shall be provided before any work, including vegetation clearing and grading, occurs within the work area boundaries. • The training shall provide education on the natural history of the special-status species potentially occurring in the project area, and discuss the required mitigation measures to avoid impacts on the special-status species and the penalties for failing to comply with biological mitigation requirements. • If new construction personnel are added to the project, the contractor shall ensure that they receive training prior to starting work. The subsequent training of personnel can include a videotape of the initial training and/or the use of written materials rather than in-person training by a biologist.	1. SFPUC EMB	1. SFPUC EMG	1. Ensure that the contract documents include the requirement that all construction personnel attend biological resources awareness training.	1. Design
	2. SFPUC CM Team (qualified biologist)	2. SFPUC EMG	2. Prepare a project-specific biological-resources awareness program. Include documentation of qualifications of the consulting biologist developing the training program (e.g., resume). Refer to mitigation measure for specific training requirements.	2. Pre-construction
	3. SFPUC CM Team (qualified biologist)	3. SFPUC EMG	3. Monitor to ensure that all personnel attend training prior to beginning work and sign training sign-in sheet. Maintain file of sign-in sheets in project record. Report noncompliance and ensure corrective action.	3. Construction
Mitigation Measure M-BI-1c: Minimize Disturbance to Riparian Habitat To minimize disturbance to creeks and riparian habitat, the SFPUC and its contractors shall conduct in-channel work in Arroyo de la Laguna during the dry season. A fish relocation plan shall be developed and submitted to the National Marine Fisheries Service for approval 30 days prior to in-channel construction work. This plan shall incorporate the latest National Marine Fisheries Service guidance relating to the capture and relocation of any stranded fish to an appropriate place, depending on the life stage of the fish and flow conditions in the vicinity. A National Marine Fisheries Service-approved biological monitor shall be present on site for all construction activities that could result in potential take (e.g., injury, mortality, or harassment) of covered fish species, including dewatering activities and fish relocation). Dewatering to create a dry work area shall be conducted in a manner that minimizes turbidity into nearby waters.	1. SFPUC EMB	1. SFPUC EMG	1. Ensure that the contract documents include the requirement that in-channel work be conducted during the dry season and pump intakes (if pumping is required) be provisioned with National Marine Fisheries Service-approved fish screening.	1. Design

Mitigation Measure	Responsible Party	Reviewing and Approving Party	Monitoring and Reporting Actions	Implementation Schedule
If pumping is necessary for channel diversion, the pump intakes shall be provisioned with National Marine Fisheries Service -approved fish screening, as outlined in National Marine Fisheries Service Fish Screening Criteria for Anadromous Salmonids (January 1997).	2. SFPUC CM Team (qualified biologist)	2. SFPUC EMG	2. Prepare a project-specific fish relocation plan, including qualifications of monitoring biologist(s), and submit to the National Marine Fisheries Service for approval. Refer to mitigation measure for specific requirements.	2. Pre-construction
	3. SFPUC CM Team (qualified biologist)	3. SFPUC EMG	3. Monitor to ensure that the contractor implements measures in contract documents and fish relocation plan. Report noncompliance and ensure that corrective actions are implemented. Document activities in monitoring logs.	3. Construction
Mitigation Measure M-BI-1d: Prevent Movement of Specific Species through the Work Areas To prevent California tiger salamander, California red-legged frog, Alameda whipsnake, and other special-status species from moving through the project area, the SFPUC or its contractors shall install temporary exclusion fencing at selected locations along the work area boundaries (including access roads, staging areas, etc.) prior to the start of project construction activities. Fencing locations will be based on observations of these specific species or the presence of habitats that are likely to support higher densities of these species. Other portions of the work area boundaries would not be fenced, based on coordination with the CDFW and USFWS. The SFPUC shall monitor disturbance areas to determine whether additional fencing is necessary to minimize potential impacts. The SFPUC shall ensure that the temporary fencing is continuously maintained until all construction activities are completed and that construction equipment is confined to the designated work areas. The fencing shall be made of suitable material that does not allow any of the animals listed above to pass through, and the bottom shall be buried to a depth of 6 inches (or to a sufficient depth as specified by the applicable resource agencies) so that these species cannot crawl under the fence. During fence installation, a qualified biological monitor shall be present onsite to relocate any animals to outside the work area boundaries. The biologist must be authorized by the federal (USFWS) and/or state (CDFW) regulatory agencies to relocate animals. After construction is completed, the exclusion fencing shall be removed.	1. SFPUC EMB	1. SFPUC EMG	1. Ensure that contract documents include requirements for contractor to install temporary exclusion fencing at selected locations where there is suitable habitat for special-status species.	1. Design
	2. SFPUC CM Team (qualified biologist)	2. SFPUC EMG	2. Monitor installation of exclusion fencing and verify proper installation of fencing.	2. Pre-construction
	3. SFPUC CM Team (qualified biologist)	3. SFPUC EMG	3. Monitor to ensure that the contractor implements measures in contract documents and maintains exclusion fencing in good condition throughout construction. Report noncompliance and ensure that corrective actions are implemented. Document activities in monitoring logs.	3. Construction
Mitigation Measure M-BI-1e: Preconstruction Surveys and Construction Monitoring and Protocols for California Tiger Salamander, California Red-Legged Frog, and Alameda Whipsnake *Preconstruction Surveys* Prior to initial ground-disturbing activities in the project area, a qualified biologist shall survey the construction areas as well as undeveloped areas in the immediate vicinity for the presence of California tiger salamander, California red-legged frog, and Alameda whipsnake, as follows: • *California tiger salamander and California red-legged frog.* Not more than two weeks prior to the onset of work activities (including equipment mobilization) and immediately prior to commencing work, the qualified biologist shall survey upland habitat in the project area for California tiger salamander and California red-legged frog, and potential refuge or burrow/estivation sites. As feasible, burrow/estivation areas identified within the project boundaries shall be temporarily fenced (per Mitigation Measure M-BI-1d) and avoided. At locations where potential refuge/estivation burrows are identified and cannot be avoided, the burrows shall be excavated by hand or by other means approved by the CDFW and USFWS prior to construction. If a burrow is occupied, the individual animal shall be moved to a natural burrow or artificial burrow constructed of PVC pipe within 0.25 mile of the project area or other location as agreed to by the appropriate agencies. • *Alameda Whipsnake.* Not more than two weeks prior to the onset of work activities (including equipment mobilization) and immediately prior to commencing work, a qualified biologist shall conduct a reconnaissance survey of suitable upland habitat for Alameda whipsnake in the project area. If an Alameda whipsnake is found, the qualified biologist shall relocate the animal outside of the	1. SFPUC EMB	1. SFPUC EMG	1. Ensure that contract documents include requirement for contractor to provide advance notification to SFPUC of construction activities to allow a qualified biologist to perform preconstruction surveys.	1. Design
	2. SFPUC CM Team (qualified biologist)	2. SFPUC EMG	2. Conduct pre-construction surveys. Install temporary fencing around refuge/burrow/estivation sites (if necessary).	2. Pre-construction
	3. SFPUC CM Team (qualified biologist)	3. SFPUC EMG	3. Conduct monitoring and inspections as specified by measure. Document activities in monitoring logs. Report noncompliance and ensure that corrective actions are implemented. Report observations to USFWS and/or CDFW as specified by measure.	3. Construction

Mitigation Measure	Responsible Party	Reviewing and Approving Party	Monitoring and Reporting Actions	Implementation Schedule
construction area. Excavation, relocation, or collapse of burrows shall only be conducted as authorized by the USFWS (for federally listed species), by the CDFW (for state-listed species), or by both agencies (for species protected at both the federal and state levels). Relocation of federally listed species shall only be conducted as authorized by the USFWS, for state-listed species as authorized by CDFW, or by both agencies for species that are protected at both the federal and state level. *Construction Monitoring Protocols* At the beginning of each workday that includes initial ground disturbance, including grading, excavation, and vegetation-removal activities, a qualified biologist shall conduct onsite monitoring for the presence of California tiger salamander, California red-legged frog, and Alameda whipsnake in the area where ground disturbance shall occur, as follows: • Arroyo de la Laguna shall be surveyed prior to any ground-disturbing or vegetation removal activities at or near this creek. • Perimeter fences shall be inspected to ensure they do not have any tears or holes, that the bottoms of the fences are still buried, and that no individuals have been trapped in the fences. • Any California tiger salamander, California red-legged frog, or Alameda whipsnakes found along and inside the fence shall be closely monitored until they move away from the construction area. • All open trenches or holes and areas under parked vehicles shall be checked for the presence of California tiger salamander, California red-legged frog, and whipsnakes. • All excavated or deep-walled holes or trenches greater than 2 feet shall be covered at the end of each workday using plywood or similar materials or escape ramps shall be constructed of earth fill or wooden planks. Before such holes are filled, they shall be thoroughly inspected for trapped animals. • Project personnel shall be required to immediately report any harm, injury, or mortality of a special status species during construction (including entrapment) to the construction foreman or biological monitor, and the construction foreman or biological monitor shall immediately notify the SFPUC. The SFPUC shall provide verbal notification to the USFWS Endangered Species Office in Sacramento, California and/or to the local CDFW warden or biologist (as applicable) within one working day of the incident. The SFPUC shall follow up with written notification to the USFWS and/or CDFW (as applicable) within five working days of the incident. All observations of federally and state-listed species shall be recorded on California Natural Diversity Database field sheets and sent to the CDFW by the SFPUC or representative biological monitor. While it is not necessary that the biological monitor stay onsite for the entire day, the monitor shall remain on-call in case any of these animals are discovered and it is necessary to move them. The SFPUC shall designate an SFPUC representative as the point of contact in the event that a California tiger salamander, California red-legged frog, or Alameda whipsnake is discovered onsite when the biological monitor is not present. If the biological monitor or construction personnel find any of these species within the work area, construction activities shall cease in the immediate vicinity of the individual until: (1) the USFWS and/or CDFW are contacted and/or the animal has been removed from the construction area, in accordance with permits, by an approved biologist and released near a suitable burrow or other suitable habitat within 0.25 mile of the construction area, or (2) the animal moves away from the construction area on its own. Once all initial ground-disturbing activities are completed, the biological monitor shall perform spot checks of the project area at least once a week for the duration of construction to ensure that the perimeter fence is in good order, trenches are being covered if left open overnight (or escape ramps provided), project personnel are conducting checks beneath parked vehicles prior to their movement, and all other required biological protection measures are being followed.				
Mitigation Measure M-BI-1f: Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation The SFPUC shall prepare and implement a vegetation restoration plan with detailed specifications for minimizing the introduction of invasive weeds and restoring all temporarily disturbed areas, and shall ensure that the contractor successfully implements the plan. The plan shall indicate the best time of year for seeding to occur. To facilitate preparation of the plan, the SFPUC shall ensure that, prior to construction, a qualified botanist (i.e., one experienced in identifying sensitive plant species in the project area) performs additional preconstruction surveys of the areas to collect more detailed vegetation composition data, including species occurrence, vegetation characterization (tree diameter size, etc.), and percent cover of plant species. Photo documentation shall be used to show pre-project conditions. If required, the SFPUC shall provide the vegetation restoration plan to the United States Army Corps of Engineers, the CDFW, the Regional Water Quality Control Board, and the USFWS during the permitting process, as any vegetation to be removed may provide habitat for special-status species and may also be within areas under the jurisdiction of the United States Army Corps of Engineers and the Regional Water Quality Control Board. The minimum avoidance, minimization, and restoration measures as well as success criteria to be included in the vegetation restoration plan are described below.	1. SFPUC EMG (qualified botanist)	1. SFPUC EMG, USACE, RWQCB, CDFW, and USFWS as applicable	1. Develop vegetation restoration plan in accordance with mitigation requirements. Submit to applicable agencies for approval.	1. Pre-construction
	2. SFPUC EMB	2. SFPUC EMG	2. Ensure that contract documents include on-site vegetation restoration requirements, including invasive weed control measures and on-site restoration measures.	2. Design
	3. SFPUC CM Team (qualified biologist)	3. SFPUC EMG	3. Monitor to ensure that the contractor implements measures in contract documents. Document activities in monitoring logs. Report noncompliance and ensure that corrective actions are implemented.	3. Construction

Mitigation Measure	Responsible Party	Reviewing and Approving Party	Monitoring and Reporting Actions	Implementation Schedule

Invasive Weed Control Measures
Invasive weeds such as yellow star-thistle, purple star-thistle, Italian thistle, bull thistle, and stinkwort readily colonize soils that have been disturbed by grading or other mechanical disturbance. The SFPUC shall incorporate the following measures into the construction plans and specifications to prevent the spread of invasive weeds into nearby areas:
• Construction equipment shall arrive at the project area clean and free of soil, seed, and plant parts to reduce the likelihood of introducing new weed species.
• Any imported fill material, soil amendments, gravel etc., required for construction and/or restoration activities that would be placed within the upper 12 inches of the ground surface shall be free of vegetation and plant material.
• Certified, weed-free, imported erosion-control materials (or rice straw in upland areas) shall be used exclusively, as applicable (this measure concerns biological material and does not preclude the use of silt fences, etc.).
• The environmental awareness training program for construction personnel shall include an orientation regarding the importance of preventing the spread of invasive weeds.
• To reduce the seed bank in weed-dominated ruderal areas, the contractor shall mow, disk, apply spot-applications of herbicide to weeds, and/or remove weeds, as appropriate and as early as feasible prior to surface clearing and site preparation. Before construction equipment leaves the project area, any accumulation of plant debris, soil, and mud shall be washed off the equipment or otherwise removed onsite, and air filters shall be blown out.
• The restoration plan shall specify measures to remove and/or control weeds in the project area.
• No invasive species shall be used in any restoration plantings.
• Implementation of these measures during construction and site restoration activities shall be verified and documented by a biological or environmental monitor.
Minimum Restoration Measures
Restoration areas are areas within the project area that would be disturbed during project-related construction activities but would subsequently be restored to their preconstruction conditions as defined by the success criteria described below. In order to restore these areas, the SFPUC shall ensure the following:
• The SFPUC shall ensure that topsoil is salvaged during grading and earthmoving activities, stockpiled separately from subsoils, and protected from erosion (e.g., covered or watered); that composting amendments are added, if needed; and that potentially compacted construction work areas are properly prepared prior to reuse of the soil in the post-construction restoration of temporarily disturbed areas. The SFPUC shall ensure that a minimum of 12 inches of topsoil is salvaged, or if there is less than 12 inches of topsoil, as much as practicable.
• For grassland and ruderal areas, the affected areas shall be reseeded with a native or non-invasive grass and forb seed mix. High seed application rates shall be used to help compete with the weedy seed bank.
• For riparian and wetland habitats, the affected areas shall be replanted with similar plants of appropriate species and density as those removed. If possible, locally native stock shall be used.
• For any isolated mature native tree (i.e., one that is not part of a woodland or riparian cover) to be removed that meets the criteria described below, the SFPUC shall ensure that replacement trees are planted within or in the vicinity of the project area as follows:
  ○ At a minimum, for each removed mature native tree (i.e., trees that are 6 inches in diameter at breast height [dbh] or ten inches aggregate dbh for multi-trunk trees), affected areas shall be replanted with the same species on an inch-by-inch basis for any native mature tree outside the county right-of-way or as otherwise agreed to in consultation with the USFWS and CDFW. For example, eight tube trees (each 1-inch in diameter) could be planted to replace one 8-inch native tree. Other tree sizes could also be used as long as the total dbh replaces the dbh of the removed tree or trees.
  ○ Trees shall be replaced within the first year after the completion of construction or as soon as possible in an area where construction is completed during a favorable time period as determined by a qualified arborist or biologist.
  ○ Replacement trees shall be planted in or near the area experiencing surface disturbance from project construction and in locations suitable for the replacement species.
  ○ Selection of replacement sites and installation of replacement plantings shall be supervised by a qualified arborist or biologist. Irrigation of trees during the initial establishment period shall be provided as deemed necessary by a qualified arborist or biologist.
  ○ A qualified arborist or biologist shall monitor newly planted trees at least twice a year for 5 years (7 years for oaks, 10 years for trees in riparian habitat).
  ○ Any trees planted as remediation for failed plantings shall be planted as stipulated here for original plantings, and shall be monitored for a period of 5 years (7 years for oaks and 10 years for trees in riparian habitat) following installation, or as otherwise determined by the applicable resource agencies.
Minimum Success Criteria
Unless otherwise determined by the applicable resource agencies, the success criteria for restoring temporarily disturbed areas shall be as follows:
• All temporarily disturbed areas shall be restored to approximate their baseline condition.
	4. SFPUC EMG and NRLM	4. SFPUC EMG, NRLM, and USACE, RWQCB, CDFW, and USFWS as applicable	4. Conduct monitoring and maintenance of restored areas as specified by measure. Document achievement of success criteria.	4. Post Construction

<table>
<tr><th>Mitigation Measure</th><th>Responsible Party</th><th>Reviewing and Approving Party</th><th>Monitoring and Reporting Actions</th><th>Implementation Schedule</th></tr>
<tr><td>

- Vegetation within restoration areas shall be functional, fully established, and self-sustaining as evidenced by successive years of healthy vegetative growth; observed increase in vegetative cover, canopy cover, and/or plant height; successful flowering, seed set, and/or or vegetative reproduction over the 5-year monitoring period.
- Revegetation work shall start within one year of construction completion.
- Revegetation of grassland areas shall be monitored at least once a year for 5 years. With the exception of oak trees and trees in riparian habitat, which shall be monitored for 7 and 10 years, respectively, all other replacement trees shall be monitored for 5 years.
- Restoration areas shall be monitored for target invasive plants quarterly in the first 5 years following replanting. If invasive plants are found during the 5-year monitoring period, they shall be removed as necessary to support meeting the cover and vegetation composition success criteria.
- Monitoring and maintenance shall continue until the minimum success criteria specified in the table below are met, or as otherwise determined by the applicable resource agencies.

MINIMUM SUCCESS CRITERIA FOR VEGETATION RESTORATION

Parameter	Field Indicator/Measurement
Vegetative Cover	**Grassland:** 70 percent absolute cover of typical native and naturalized grassland species known from the Sunol Region by the end of the fifth monitoring year. **Individual Native Mature Trees:** 65 percent plant survivorship by the fifth monitoring year (by the seventh monitoring year for oaks, and tenth monitoring year for trees in riparian habitat). **Arroyo de la Laguna Creek Channel and Riparian Habitat:** Greater than or equal to 45 percent canopy cover of target riparian species by the end of the fifth monitoring year.
Target Invasive Species	No more than 10 percent absolute cover of target invasive species shall remain in any given restoration area by the end of the fifth monitoring year.

</td><td></td><td></td><td></td><td></td></tr>
<tr><td>Mitigation Measure M-BI-1g: Measures to Minimize Disturbance to Special-Status Bird Species
As feasible, the SFPUC shall conduct tree and shrub removal in the project area and the habitat compensation areas during the nonbreeding season (generally August 16 through February 14) for migratory birds, raptors, and special-status bat species. If construction activities must occur during the breeding season for special-status birds (February 15 to August 15), the SFPUC shall retain a qualified wildlife biologist who is experienced in identifying birds and their habitat to conduct nesting-raptor surveys in and within 500 feet of the project area. Migratory bird surveys shall be conducted within 100 feet of all work areas (as feasible) unless otherwise directed by CDFW. All migratory bird and active raptor nests within these areas shall be mapped. These surveys must be conducted within two weeks prior to initiation of construction activities at any time between February 15 and August 15. If no active nests are detected during surveys, no additional mitigation is required. If migratory bird and/or active raptor nests are found in the project area or in the adjacent surveyed area, the SFPUC shall establish a no-disturbance buffer around the nesting location to avoid disturbance or destruction of the nest site until after the breeding season or after a wildlife biologist determines that the young have fledged (usually late June through mid-July). The extent of these buffers would be determined by a wildlife biologist in consultation with CDFW and would depend on the species' sensitivity to disturbance (which can vary among species); the level of noise or construction disturbance; line of sight between the nest and the disturbance; ambient levels of noise and other disturbances; and consideration of other topographical or artificial barriers. The wildlife biologist shall analyze and use these factors to assist the CDFW in making an appropriate decision on buffer distances.</td><td>1. SFPUC EMB</td><td>1. SFPUC EMG</td><td>1. Ensure that contract documents include requirement to conduct tree and shrub removal during the non-breeding season, where feasible, and to provide advance notification to SFPUC of construction activities to allow a qualified biologist to perform preconstruction surveys if construction must occur during the breeding season. Ensure contract documents include appropriate language about surveys and no-disturbance buffers from the measure.</td><td>1. Design</td></tr>
<tr><td></td><td>2. SFPUC CM Team (qualified biologist)</td><td>2. SFPUC EMG</td><td>2. Conduct survey if construction activities are to occur during the breeding season and establish buffers (if necessary) in coordination with CDFW.</td><td>2. Pre-construction</td></tr>
<tr><td></td><td>3. SFPUC CM Team (qualified biologist)</td><td>3. SFPUC EMG</td><td>3. Monitor active nests (if necessary) and document activities in monitoring logs.</td><td>3. Construction</td></tr>
<tr><td>Mitigation Measure M-BI-1h: Conduct Preconstruction Surveys for Any Special-Status Bats Found and Implement Avoidance and Minimization Measures
Not more than one week prior to tree removal, a qualified biologist (i.e., one familiar with the identification of bats and signs of bats) shall survey the trees to be removed for the presence of roosting bats. Bats may be present any time of the year. The biologist shall thoroughly search any trees that provide appropriate habitat (trees with foliage or cavities or that are hollow) for the presence of roosting bats or evidence of bats. If no roosting bats or evidence of bats are found in the trees, tree removal may proceed. If bats are found or evidence of use by bats is present, the biologist shall map and mark the trees with flagging. As appropriate, the SFPUC shall ensure that the trees are not removed until the CDFG [California Department of Fish Game/Wildlife] has been consulted for guidance on measures to avoid and minimize disturbance of the special status bats. Measures may include: monitoring trees and excluding bats from the tree(s) to be removed; timing tree removal to minimize disturbance to bats; and/or use of a construction buffer to avoid disturbance of young before they are able to fly (for pallid bats, this period is between April and August).</td><td>1. SFPUC EMB</td><td>1. SFPUC EMG</td><td>1. Ensure that contract documents include requirement for contractor to provide advance notification to SFPUC of construction activities to allow a qualified biologist to perform survey prior to tree removal.</td><td>1. Design</td></tr>
<tr><td></td><td>2. SFPUC CM Team (qualified biologist)</td><td>2. SFPUC EMG</td><td>2. Conduct pre-construction survey. If special-status bats are found or evidence of use by special-status bats is present, mark with flagging and consult with CDFW for guidance.</td><td>2. Pre-construction/ Construction</td></tr>
</table>

Mitigation Measure	Responsible Party	Reviewing and Approving Party	Monitoring and Reporting Actions	Implementation Schedule
Mitigation Measure M-BI-3: Avoidance and Protection Measures for Jurisdictional Water Bodies The SFPUC and its contractors shall minimize impacts on waters of the United States and waters of the state, including wetlands, by implementing the following measures: • Construction activities in saturated or ponded wetlands and streams (typically during the spring and winter) shall be avoided to the maximum extent feasible. Where wetlands or other water features must be disturbed, the minimum area of disturbance necessary for construction shall be identified and the area outside avoided. • Where feasible, a silt fence shall be installed adjacent to all wetlands and drainages to be avoided within 50 feet of any proposed construction activity, and signs installed indicating the required avoidance. No equipment mobilization, grading, clearing, or storage of equipment or machinery, or similar activity, shall occur until a representative of the SFPUC has inspected and approved the fencing installed around these features. This restriction applies to both onsite construction and any offsite mitigation area. The SFPUC shall ensure that the temporary fencing is continuously maintained until all construction activities are completed. No construction activities, including equipment movement, material storage, or temporary spoil stockpiling, shall be allowed within the fenced areas protecting wetlands. • To minimize the degradation of wetland soils and vegetation where avoidance is infeasible, protective practices such as geotextile cushions and other materials (e.g., timber pads, prefabricated equipment pads, geotextile fabric) or vehicles with balloon tires shall be employed in saturated conditions (e.g., when there is noticeable rutting due to saturated conditions and mixing of topsoil and subsoil). • In areas of temporary disturbance, the bed and banks of Arroyo de la Laguna shall be restored to pre-construction conditions after construction is complete. • Exposed slopes and streambanks shall be stabilized immediately upon the completion of construction activities. • The banks of Arroyo de la Laguna shall be stabilized (if disturbed during construction) using a non-vegetative material that will bind the soil initially and break down within a few years (e.g., jute mat). More aggressive erosion control treatments shall be implemented as needed for stabilization, such as geotextile mats, excelsior blankets, or other soil stabilization products. The following bank stabilization materials shall not be used below the mean high-water mark: hydraulic mulch, tackifiers, hydroseeding, soil binders, and straw mulch.	1. SFPUC EMB	1. SFPUC EMG	1. Ensure that contract documents include wetland protection measures and streambank stabilization measures, as specified in the mitigation measure.	1. Design
	2. SFPUC CM Team	2. SFPUC EMG	2. Monitor to ensure that the contractor implements measures in contract documents. Document activities in monitoring logs. Report noncompliance and ensure that corrective actions are implemented.	2. Construction
Hydrology and Water Quality				
Mitigation Measure M-HY-1b: Creek Restoration and Revegetation Following installation of the replacement pipeline at the Arroyo de la Laguna crossing, the SFPUC shall revegetate the disturbed creek banks with native vegetation and restore the geometry of the disturbed creek channel to pre-existing conditions. Plantings shall be monitored and maintained for up to five years to ensure stabilization of the creek channel. This mitigation measure shall be implemented in conjunction with Mitigation Measure M-BI-1f (Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation).	1. SFPUC EMB	1. SFPUC EMG	1. Ensure that contract documents include creek restoration measures, including restoring the geometry of the disturbed creek channel to pre-existing conditions.	1. Design
	2. SFPUC CM Team (qualified biologist)	2. SFPUC EMG	2. Monitor to ensure that the contractor implements measures in contract documents. Document activities in monitoring logs. Report noncompliance and ensure that corrective actions are implemented.	2. Construction
	3. SFPUC EMG, SFPUC NRLM	3. SFPUC EMG, NRLM, and USACE, RWQCB, CDFW, and USFWS as applicable	3. Conduct monitoring and maintenance of restored areas as specified by measure. Document achievement of success criteria.	2. Post Construction
Cumulative				
Implement Mitigation Measures M-BI-1a, M-BI-1b, M-BI-1c, M-BI-1d, M-BI-1e, M-BI-1f, M-BI-1g, M-BI-1h, M-BI-3, and M-HY-1b				

Notes:

CDFW = California Department of Fish and Wildlife
CM = Construction Management
EMB = Engineering Management Bureau
EMG = Environmental Management Group
NRLM = Natural Resources Land Management
RWQCB = Regional Water Quality Control Board
SFPUC = San Francisco Public Utilities Commission
USACE = United States Army Corps of Engineers
USFWS = United States Fish and Wildlife Service

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. **24-0192**

WHEREAS, The San Francisco Public Utilities Commission (SFPUC) has developed Project No. 10033818, Town of Sunol Pipeline (Project), which seeks to replace and realign a portion of the Town of Sunol pipeline system; and

WHEREAS, The Project intends to install an underground 12-inch ductile iron water pipeline (Pipeline) across property owned by Sunol Glen Unified School District, located at 11601 Main Street in Sunol, California, designated as a portion of Alameda County Assessor's Parcel No. 096-0155-004-01 (Property); and

WHEREAS, The Project requires an approximately 4,008-square-foot easement for the Pipeline and associated pipeline appurtenances and an approximately 34,834-square-foot temporary construction easement (TCE) on the Property (together, the Easements); and

WHEREAS, SFPUC staff, through consultation with the Office of the City Attorney, have negotiated with Sunol Glen Unified School District the proposed terms and conditions of City's acquisition of the Easements for a purchase price of $35,000, plus all escrow and recording fees, title insurance costs, and an administrative fee of $5,000, as set forth in the form of an Agreement for Purchase and Sale of Real Estate (Agreement) and Easement Deeds to convey easement interests for the Pipeline and TCE (Easement Deeds); and

WHEREAS, On October 30, 2008, by Motion No. 17734, the Planning Commission certified the Final Program Environmental Impact Report (Program EIR) for the Water System Improvement Program (Case No. 2005.0159E) and on October 30, 2008, by Resolution No. 08-0200, this Commission approved the Water System Improvement Program and adopted findings and a Mitigation Monitoring and Reporting Program, as required by the California Environmental Quality Act (CEQA); and

WHEREAS, On September 20, 2012, the Planning Commission, by Motion No. 18705, certified the Final Environmental Impact Report (Final EIR) for the San Antonio Backup Pipeline Project (Case No. 2007.0039E), which is tiered from the Program EIR and on September 25, 2012, by Resolution No. 12-0174, this Commission approved the San Antonio Backup Pipeline Project and adopted findings and a Mitigation Monitoring and Reporting Program, as required by the CEQA; and

WHEREAS, On October 25, 2023, the San Francisco Planning Department issued an Addendum to the Final EIR (Case No. 2007.0039ENV-03), which evaluates the Project to replace an approximately 495-foot-long segment of the existing water distribution pipeline that provides potable and firefighting water to the Town of Sunol and finds that the work under Project No. 10033818 Town of Sunol Pipeline, associated with these easement acquisitions, is within the scope of the project authorized under the Final EIR and Addendum; and

WHEREAS, The San Francisco Planning Department has prepared a refined Mitigation Monitoring and Reporting Program for the Project; and

WHEREAS, The San Francisco Planning Department is the custodian of records, located in File No. 2007.0039E and Modified File No. 2007.0039ENV-03, at 49 South Van Ness Avenue, Suite 1400, San Francisco, California, 94103, which have been made available for review by this Commission and the public, and those files are part of the record before this Commission; and

WHEREAS, The Project files, including the Program EIR, Final EIR, Resolution No. 12-0174, CEQA findings, and Mitigation Monitoring and Reporting Program and Final EIR Addendum with refined Mitigation Monitoring and Reporting Program have been made available for review by this Commission and the public, and those files are part of the record before this Commission; and

WHEREAS, This Commission has reviewed and considered the information contained in the Program EIR, Final EIR, the CEQA findings contained in SFPUC Resolution No. 12-0174, the Addendum to the Final EIR, and all written and oral information provided by the Planning Department, the public, relevant public agencies, SFPUC and other experts and the administrative files for the Project; now, therefore, be it

RESOLVED, This Commission has reviewed and considered the Program EIR, Final EIR, and the Addendum to the Final EIR and the record as a whole, and finds that the Final EIR and Addendum to the Final EIR are adequate for its use as the decision–making body for the Project and that no subsequent or supplemental environmental review is required, and incorporates the CEQA findings contained in Resolution No. 12-0174 by this reference thereto as though set forth in this Resolution; and, be it

FURTHER RESOLVED, This Commission further finds that since the Program EIR and Final EIR as modified by the Addendum were finalized, there have been no substantial project changes and no substantial changes in project circumstances that would require major revisions to them due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in them; and, be it

FURTHER RESOLVED, This Commission adopts the refined Mitigation Monitoring and Reporting Program for the Project as a condition of approval for the Project; and, be it

FURTHER RESOLVED, That this Commission hereby ratifies, approves, and authorizes all actions taken to date by any City official in connection with the Agreement; and, be it

FURTHER RESOLVED, That this Commission hereby approves the terms and conditions of the Purchase and Sale Agreement and authorizes and directs the General Manager to execute the Agreement and Easement Deeds, subject to the approval of the Board of Supervisors and Mayor; and, be it

FURTHER RESOLVED, That this Commission hereby authorizes the General Manager to enter into any amendments or modifications to the Agreement and Easement Deeds, including without limitation, the exhibits, that the General Manager determines, in consultation with the City Attorney, are in the best interest of the City; do not materially increase the obligations or liabilities of the City; are necessary or advisable to effectuate the purposes and intent of the Agreement, Easement Deeds, or this resolution; and are in compliance with all applicable laws, including the City Charter.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of September 10, 2024.

T. Lennear

Director of Commission Affairs,
San Francisco Public Utilities Commission

San Francisco
Water Power Sewer
Services of the San Francisco Public Utilities Commission

FROM: **Jeremy Spitz, Policy and Government Affairs**

DATE: **September 27, 2024**

SUBJECT: **[Real Property Acquisition - Easement from Sunol Glen Unified School District – Not to Exceed $50,000]**

Please see attached a proposed Resolution approving the terms and conditions and authorizing the General Manager of the San Francisco Public Utilities Commission to execute a Purchase and Sale Agreement and Easement Deeds with Sunol Glen Unified School District for the acquisition of a 4,008-square-foot easement for an underground water pipeline and associated appurtenances and a 34,834-square-foot temporary construction easement on and across a portion of Alameda County Assessor's Parcel No. 096-0155-004-01, known as 11601 Main Street, Sunol, California for $35,000 plus an administrative fee of $5,000 and up to $10,000 in closing costs, for a total amount not to exceed $50,000 pursuant to Charter, Section 9.118.

The following is a list of accompanying documents:

- Proposed Resolution (Word Doc Version)
- SFPUC Resolution No. 24-0192 (PDF Version)
- SFPUC Resolution No. 12-0174 (PDF Version)
- Purchase and Sale Agreement (PDF Version)
- Sunol Glenn School Easements Appraisal (PDF Version)
- Location Map (PDF Version)
- General Plan Referral (PDF Version)
- Easement Deed (PDF Version)
- Invoice (PDF Version)

Please contact Jeremy Spitz at jspitz@sfwater.org if you need any additional information on these items.

From:	Oliveros Reyes, Jennifer
To:	BOS Legislation, (BOS)
Cc:	Spitz, Jeremy (PUC); Gonzalez Valle, Adolfo (PUC)
Subject:	Real Property Acquisition - Easement from Sunol Glen Unified School District – Not to Exceed $50,000
Date:	Friday, September 27, 2024 11:45:22 AM
Attachments:	image001.png

Hello BOS team,

Please see the sharefile link for a proposed Resolution approving the terms and conditions and authorizing the General Manager of the San Francisco Public Utilities Commission to execute a Purchase and Sale Agreement and Easement Deeds with Sunol Glen Unified School District for the acquisition of a 4,008-square-foot easement for an underground water pipeline and associated appurtenances and a 34,834-square-foot temporary construction easement on and across a portion of Alameda County Assessor's Parcel No. 096-0155-004-01, known as 11601 Main Street, Sunol, California for $35,000 plus an administrative fee of $5,000 and up to $10,000 in closing costs, for a total amount not to exceed $50,000 pursuant to Charter, Section 9.118.

The following is a list of accompanying documents:

- Proposed Resolution (Word Doc Version)
- Cover Letter (Word Doc Version)
- SFPUC Resolution No. 24-0192 (PDF Version)
- SFPUC Resolution No. 12-0174 (PDF Version)
- Purchase and Sale Agreement (PDF Version)
- Sunol Glenn School Easements Appraisal (PDF Version)
- Location Map (PDF Version)
- General Plan Referral (PDF Version)
- Easement Deed (PDF Version)
- Invoice (PDF Version)

Sharefile Link

Please contact Jeremy Spitz at jspitz@sfwater.org if you need any additional information on these items.

Thank you,
Jenny

Jennifer Oliveros Reyes (she/her/ella)
Policy & Government Affairs
San Francisco Public Utilities Commission
Cellphone: 628-249-8600
joliverosreyes@sfwater.org

San Francisco Water Power Sewer
Services of the San Francisco Public Utilities Commission