

1 [Resolution adopting Findings related to San Francisco Public Utilities Commission Water
2 Treatment Facility and Water Quality Improvements projects in San Joaquin County.]

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4 **Resolution adopting findings under the California Environmental Quality Act ("CEQA"),**
5 **CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the**
6 **adoption of mitigation monitoring and reporting program and a statement of overriding**
7 **considerations related to the funding of the San Joaquin Regional Water Quality**
8 **Improvement Project at two sites in San Joaquin County, and directing the Clerk of the**
9 **Board of Supervisors to notify the Controller of this action.**

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11 WHEREAS, The San Francisco Public Utilities Commission (SFPUC) developed
12 project descriptions for water infrastructure improvements as part of the SFPUC's Water
13 System Improvement Program (WSIP) for the Tesla Portal Disinfection Facility and the Hetch
14 Hetchy Advanced Disinfection Facility (now The Tesla Treatment Facility, WSIP-funded
15 Project No. CUW38401) and the Lawrence Livermore Water Quality Improvements (WSIP-
16 funded Project No. CUW36401), collectively referred to as the San Joaquin Regional Water
17 Quality Improvement Project (the "Project"), and

18 WHEREAS, The objectives of the Project are to meet current and foreseeable future
19 federal and state water quality requirements and reduce the vulnerability of the system to
20 earthquakes and other seismic hazards by improvements to already existing uses at two sites:
21 the Tesla Portal site and Thomas Shaft site in San Joaquin County; and

22 WHEREAS, a Draft Environmental Impact Report (DEIR) for the Project was prepared
23 and published for public review on August 25, 2008; and

24 WHEREAS, public comments on the Draft EIR were received between August 25,
25 2008 and October 8, 2008; and

1 WHEREAS, on December 18, 2008, the Planning Commission reviewed and
2 considered the Final EIR in Planning Department File No. 2007052109, consisting of the Draft
3 EIR and the Comments and Responses document, and found that the contents of said report
4 and the procedures through which the Final EIR was prepared, publicized and reviewed
5 complied with the provisions of the California Environmental Quality Act (CEQA), the CEQA
6 Guidelines and Chapter 31 of the San Francisco Administrative Code ("Chapter 31") and
7 found further that the Final EIR reflected the independent judgment and analysis of the City
8 and County of San Francisco, was adequate, accurate and objective, and that the Comments
9 and Responses document contained no significant revisions to the Draft EIR, and certified the
10 completion of said Final EIR in compliance with CEQA, the CEQA Guidelines and Chapter 31
11 in its Motion No. 17784; a copy of the motion is on file with the Clerk of the board in File No.
12 081582 and is incorporated into this resolution by this reference; and

13 WHEREAS, the SFPUC reviewed and considered the information contained in the
14 Final EIR, all written and oral information provided by the Planning Department, the public,
15 relevant public agencies, SFPUC and other experts and the administrative files for the WSIP
16 and the Final EIR; and

17 WHEREAS, on December 18, 2008, at a special public meeting of the SFPUC, the
18 Commission adopted Resolution No. 08- 0234, in which the SFPUC: (1) adopted CEQA
19 Findings, including the Statement of Overriding Considerations (Attachment A), adopted the
20 Mitigation Monitoring and Reporting Program (MMRP), (Attachment B), and the Standard
21 Construction Measures and Greenhouse Gas Reduction Actions (Attachment C), which
22 SFPUC Resolution and Attachments are incorporated herein as part of this Resolution by this
23 reference thereto, and (2) authorized a request to the Board of Supervisors to adopt the same
24 CEQA Findings, Statement and MMRP (collectively referred to herein as "SFPUC CEQA
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1 Findings"); and (3) approved the Project and authorized staff to proceed with actions
2 necessary to implement the Project; and

3 WHEREAS, The SFPUC CEQA Findings reflected the SFPUC's independent review
4 and consideration of the relevant environmental information contained in the Final EIR and the
5 administrative record; and

6 WHEREAS, The SFPUC CEQA Findings are on file with the Clerk of the Board of
7 Supervisors in File No. 081582 and are incorporated herein by reference. The Board of
8 Supervisors has had the opportunity to review and consider the Final EIR and the
9 administrative record, which is located at the Planning Department at 1650 Mission Street,
10 Suite 400, in File No. 2007052109. The Board of Supervisors has reviewed and considered
11 the SFPUC CEQA Findings made with respect to the construction and implementation of the
12 Project, and finds that there are no changed circumstances or other factors present that would
13 trigger the need or requirement for additional environmental review for this action; and

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

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

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

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

17 RESOLVED, That the Board of Supervisors has reviewed and considered SFPUC
18 Resolution No. 08-0234 authorizing the Project, and the SFPUC CEQA Findings attached
19 thereto, and hereby adopts said Findings as its own with respect to the Project, including
20 the Statement of Overriding Considerations and the MMRP, and directs the Clerk of the
21 Board to forward this Resolution to the Controller.

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