

1 [Real Property Acquisition - Easement from San Mateo County Flood and Sea Level Rise
2 Resiliency District - Not to Exceed \$83,500]

3 **Resolution approving the terms and conditions and authorizing the General Manager of**
4 **the San Francisco Public Utilities Commission to execute a Purchase and Sale**
5 **Agreement and Easement Deed with San Mateo County Flood and Sea Level Rise**
6 **Resiliency District for the acquisition of a 1,386-square-foot easement for an aerial**
7 **water pipeline crossing and associated footings and braces across a portion of San**
8 **Mateo County Assessor’s Parcel Block No. 011-322-200 for \$70,000 plus an**
9 **administrative fee of \$3,500 and up to \$10,000 in closing costs, for a total amount not to**
10 **exceed \$83,500 pursuant to Charter, Section 9.118.**

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12 WHEREAS, On August 12, 2014, by Resolution No.14-0127, the San Francisco Public
13 Utilities Commission (SFPUC) approved the Regional Groundwater Storage and Recovery
14 Project (Project) for improvements to the Regional Water System under the Water System
15 Improvement Program; and

16 WHEREAS, The Project’s primary objective is to provide an additional dry-year
17 regional water supply for SFPUC customers by constructing groundwater wells and well
18 stations to be connected to the SFPUC transmission system and to the systems of three
19 SFPUC wholesale customers within the Upper Peninsula area, including California Water
20 Service Company (Cal Water); and

21 WHEREAS, On February 27, 2024, by Resolution No. 24-0042, the SFPUC awarded
22 Contract No. WD-2878B, Regional Groundwater Storage and Recovery Phase 2B, to perform
23 work at the SFPUC’s planned groundwater well station known internally as the “South San
24 Francisco Main Well,” consisting of the installation of a groundwater pump system and a
25 12-inch-diameter pipeline that will transport groundwater along El Camino Real and Chestnut

1 Avenue in the City of South San Francisco (South San Francisco) to Cal Water’s groundwater
2 treatment plant located at 80 Chestnut Avenue, South San Francisco; and

3 WHEREAS, Chestnut Avenue crosses the creek channel known as Colma Creek via a
4 bridge owned and maintained by South San Francisco; and

5 WHEREAS, Colma Creek is under the jurisdiction of the San Mateo County Flood
6 Control and Sea Level Rise Resiliency District (also known as “OneShoreline”); and

7 WHEREAS, Due to complex structural concerns with attaching the proposed pipeline
8 directly to the bridge, as well as the uncertainty presented by an anticipated future project led
9 by South San Francisco to modify or replace the bridge, the SFPUC worked with
10 OneShoreline to design an independent aerial pipeline crossing of Colma Creek just north of
11 and parallel to the bridge structure; and

12 WHEREAS, The SFPUC seeks to acquire an approximately 15.41-foot-wide easement
13 for the water pipeline and the necessary pipe footings and braces across OneShoreline’s
14 property, adjacent and parallel to Chestnut Avenue; and

15 WHEREAS, The OneShoreline property is designated as a portion of Assessor’s
16 Parcel 011-322-200; and

17 WHEREAS, The total square footage of the easement area would be approximately
18 1,386 square feet; and

19 WHEREAS, OneShoreline has agreed to sell the easement to the City and both parties
20 desire to enter into a Purchase and Sale Agreement; and

21 WHEREAS, The SFPUC, through consultation with the Office of the City Attorney, has
22 negotiated with OneShoreline the proposed terms and conditions of the City and County of
23 San Francisco’s (City) acquisition of the easement for a purchase price of \$70,000, plus an
24 administrative fee of \$3,500 and up to \$10,000 in closing costs, as set forth in the form of an
25 Agreement for Purchase and Sale of Real Estate (Agreement) and Easement Deed to convey

1 an easement interest for pipe footings and a water pipeline to aerially cross the existing flood
2 control channel (Easement Deed); and

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

6 WHEREAS, On August 7, 2014, the Planning Commission certified the Final
7 Environmental Impact Report (Final EIR) for the Regional Groundwater Storage and Recovery
8 Project (Case Number 2008.1396E), which is tiered from the 2008 Program EIR; and

9 WHEREAS, On August 12, 2014, by Resolution No. 14-0127, the SFPUC approved the
10 Regional Groundwater Storage and Recovery Project and adopted California Environmental
11 Quality Act (CEQA) findings (CEQA Findings) and a Mitigation Monitoring and Reporting
12 Program required by the CEQA; and

13 WHEREAS, On October 29, 2020, the Planning Department issued a Minor Project
14 Modification to the Final EIR for a new 8-inch water pipeline alignment for the South San
15 Francisco Main Well, including an aerial pipeline crossing of Colma Creek; and on June 3, 2022,
16 the Planning Department issued a Minor Project Modification to the Final EIR for a utility
17 potholing investigation at various locations, and for a new Pacific Gas and Electric electrical
18 service connection for the South San Francisco Main Well; and on July 18, 2023, the Planning
19 Department issued a Minor Project Modification to the Final EIR for additional staging areas to
20 support construction and development of the South San Francisco Main Well; and the Planning
21 Department determined that no supplemental environmental review was needed; and

22 WHEREAS, The work under this action, including the easement acquisition, is within the
23 scope of the project authorized under the Final EIR and Minor Project Modifications; and

1 WHEREAS, The SFPUC has reviewed and considered the information contained in the
2 Final EIR, the findings contained in SFPUC Resolution Number 14-0127, the Minor Project
3 Modifications to the Final EIR and all written and oral information provided by the Planning
4 Department, the public, relevant public agencies, SFPUC and other experts and the
5 administrative files for the Project; and made findings that the Final EIR is adequate for its use
6 as the decision-making body for the Project and the SFPUC made findings that since the Final
7 EIR as modified by the Minor Project Modifications was finalized, there have been no substantial
8 project changes and no substantial changes in project circumstances that would require major
9 revisions to them due to the involvement of new significant environmental effects or an increase
10 in the severity of previously identified significant impacts, and there is no new information of
11 substantial importance that would change the conclusions set forth in them; and

12 WHEREAS, By General Plan Referral Note to File, dated June 7, 2024, for Case
13 No. 2008.1396R, the San Francisco Planning Department found this action consistent with
14 the General Plan and eight priority policies of Planning Code, Section 101.1 (“General Plan
15 Findings”), a copy of which is on file with the Clerk of the Board under File No. 240737, which
16 is incorporated herein by this reference; and

17 WHEREAS, On April 9, 2024, by Resolution No. 24-0092, the SFPUC authorized the
18 General Manager to execute the Agreement and Easement Deed with San Mateo County
19 Flood and Sea Level Rise Resiliency District for the acquisition of a 1,386-square-foot
20 easement for an aerial water pipeline crossing and associated footings and braces across a
21 portion of San Mateo County Assessor’s Parcel No. 011-322-200 for \$70,000, plus an
22 administrative fee of \$3,500 and up to \$10,000 in closing costs, for a total amount not to
23 exceed \$83,500 pursuant to Charter, Section 9.118; and

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

1 RESOLVED, That this Board of Supervisors hereby approves the terms and conditions
2 of, and authorizes the General Manager of the San Francisco Public Utilities Commission to
3 execute a Purchase and Sale Agreement and Easement Deed with San Mateo County Flood
4 and Sea Level Rise Resiliency District for the acquisition of a 1,386-square-foot easement for
5 an aerial water pipeline crossing and associated footings and braces across a portion of San
6 Mateo County Assessor's Parcel No. 011-322-200 for \$70,000, plus an administrative fee of
7 \$3,500 and up to \$10,000 in closing costs, for a total amount not to exceed \$83,500, pursuant
8 to Charter, Section 9.118; and, be it

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