

1 [CEQA Findings for SFPUC Water System Improvement Program Bay Division Pipeline
2 Reliability Upgrade Project in Alameda and San Mateo Counties.]

3 **Resolution adopting findings under the California Environmental Quality Act ("CEQA"),**
4 **including the adoption of a mitigation monitoring and reporting program and a statement**
5 **of overriding considerations related to the Bay Division Pipeline Reliability Upgrade**
6 **Project, CUW 36801, 36802 and 36803; and directing the Clerk of the Board of**
7 **Supervisors to notify the Controller of this action.**

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10 WHEREAS, The San Francisco Public Utilities Commission (SFPUC) has developed a
11 project description for the Bay Division Pipeline Reliability Upgrade Project, a water
12 infrastructure project included as part of the Water System Improvement Program (also
13 commonly referred to as the BDPL No. 5 Project and herein as the "Project"). The Project is
14 located in Alameda and San Mateo Counties, beginning in Fremont near Mission Boulevard,
15 passing under the San Francisco Bay, and ending at the Pulgas Tunnel Portal in San Mateo
16 County. The Project includes, among other related features, the installation of approximately a
17 7-mile-long, 72-inch-diameter welded steel pipe, a 5-mile-long, 108-inch-diameter tunnel, a 9-
18 mile-long 60-inch-diameter welded steel pipe, three crossover facilities, twenty-seven
19 customer service connections, underground vaults, appurtenances, and a passive cathodic
20 protection system; and

21 WHEREAS, The objectives of the Project are to improve seismic and delivery reliability
22 of the water system, and provide redundancy for water customers in San Francisco and in the
23 northern Peninsula during planned and unplanned shutdown of an existing pipeline; and

24 WHEREAS, An environmental impact report ("EIR") as required by the California
25 Environmental Quality Act ("CEQA") was prepared for the Project; and

1 WHEREAS, The Final EIR ("FEIR") was certified by the San Francisco Planning
2 Commission on July 9, 2009 by Motion No. 17918; and

3 WHEREAS, The FEIR prepared for the Project is tiered from the Water System
4 Improvement Program Environmental Impact Report ("PEIR") adopted by the San Francisco
5 Public Utilities Commission in Resolution No. 08-200 dated October 30, 2008, as authorized
6 by and in accordance with CEQA and the CEQA Guidelines; and

7 WHEREAS, On July 14, 2009, the San Francisco Public Utilities Commission
8 (SFPUC), by Resolution No. 09-0120, a copy of which is included in Board of Supervisors File
9 No. 090979 and which is incorporated herein by this reference: (1) approved the Project;
10 (2) adopted findings (CEQA Findings), including a statement of overriding considerations, and
11 a Mitigation Monitoring and Reporting Program (MMRP) required by CEQA; and (3)
12 authorized the General Manager to seek the Board of Supervisors' approval of and, if
13 approved, to execute certain necessary agreements and deeds, which the SFPUC staff will
14 pursue and submit to the Board of Supervisors at a later date; and

15 WHEREAS, The Project files, including the FEIR, PEIR and SFPUC Resolution No. 09-
16 0120 have been made available for review by the Board and the public, and those files are
17 considered part of the record before this Board; and

18 WHEREAS, The Board of Supervisors has reviewed and considered the information
19 and findings contained in the FEIR, PEIR and SFPUC Resolution No. 09-0120, and all written
20 and oral information provided by the Planning Department, the public, relevant public
21 agencies, SFPUC and other experts and the administrative files for the Project; and

22 WHEREAS, This Board of Supervisors adopted Ordinance No. 311-08 that placed
23 Water System Improvement Program appropriated funds on Controller's Appropriation
24 Reserve, by project, making release of appropriation reserves by the Controller subject to the
25 prior occurrence of: (1) the SFPUC's and the Board's discretionary adoption of CEQA

1 Findings for each project, following review and consideration of completed project-related
2 environmental analysis, pursuant to CEQA, the State CEQA Guidelines, and Chapter 31 of
3 the San Francisco Administrative Code, where required, and (2) the Controller's certification
4 of funds availability, including proceeds of indebtedness. The ordinance also placed any
5 project with costs in excess of \$100 million on Budget and Finance Committee reserve
6 pending review and reserve release by that Committee. Therefore, the SFPUC has sent a
7 letter to the Budget and Finance Committee requesting review and release of the portion of
8 those funds necessary for the Bay Division Pipeline Reliability Upgrade Project; now,
9 therefore, be it

10 RESOLVED, That the Board of Supervisors has reviewed and considered the FEIR
11 and record as a whole, finds that the FEIR is adequate for its use as the decision-making
12 body for the action taken herein including, but not limited to, approval of the Project and
13 adopts and incorporates by reference as though fully set forth herein the CEQA Findings,
14 including the statement of overriding considerations, and the MMRP contained in Resolution
15 No. 09-0120; and be it

16 FURTHER RESOLVED, That the Board finds that the Project mitigation measures set
17 forth in the FEIR and the MMRP and adopted by the SFPUC and herein by this Board will be
18 implemented as reflected in and in accordance with the MMRP; and be it

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



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Resolution

File Number: 090979

Date Passed:

Resolution adopting findings under the California Environmental Quality Act ("CEQA"), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Bay Division Pipeline Reliability Upgrade Project, CUW 36801, 36802 and 36803; and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

September 22, 2009 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Avalos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell,
Mirkarimi

Excused: 1 - Campos

File No. 090979

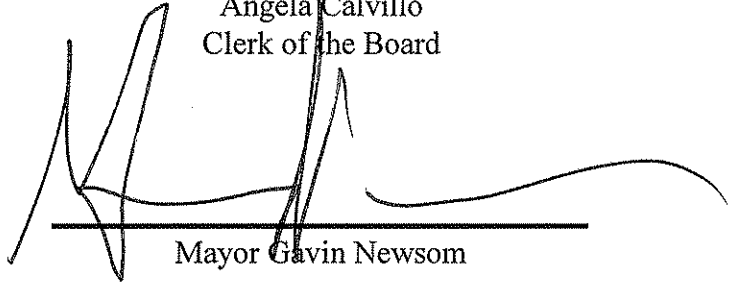
I hereby certify that the foregoing Resolution was ADOPTED on September 22, 2009 by the Board of Supervisors of the City and County of San Francisco.

9/29/09

Date Approved



Angela Calvillo
Clerk of the Board



Mayor Gavin Newsom