

BOARD of SUPERVISORS



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MEMORANDUM

TO: Harlan Kelly, Jr., General Manager, Public Utilities Commission
Toney D. Chaplin, Acting Chief, Police Department
Ben Rosenfield, City Controller, Office of the Controller
John Rahaim, Director, Planning Department
Jonas Ionin, Director of Commission Affairs, Planning Commission

FROM: Andrea Ausberry, Assistant Clerk
Land Use and Transportation Committee

DATE: June 29, 2016

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Wiener on June 21, 2016:

File No. 160720

Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the San Francisco Westside Recycled Water Project; and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: andrea.ausberry@sfgov.org.

c: Juliet Ellis, Public Utilities Commission
Donna Hood, Public Utilities Commission
Christine Fountain, Police Department
Todd Rydstrom, Office of the Controller
Scott Sanchez, Planning Department
Sarah Jones, Planning Department
AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department
Joy Navarrete, Planning Department
Jeanie Poling, Planning Department

1 [California Environmental Quality Act Findings - San Francisco Westside Recycled Water
2 Project]

3 **Resolution adopting findings under the California Environmental Quality Act, including**
4 **the adoption of a mitigation monitoring and reporting program and a statement of**
5 **overriding considerations related to the San Francisco Westside Recycled Water Project;**
6 **and directing the Clerk of the Board of Supervisors to notify the Controller of this action.**
7

8 WHEREAS, The San Francisco Public Utilities Commission (SFPUC) has developed
9 and approved a project description for the San Francisco Westside Recycled Water Project
10 (Project), Project No. CUW30201, which is a water infrastructure project included as part of
11 the Water System Improvement Program (WSIP); and

12 WHEREAS, The Project is located in the City and County of San Francisco and its
13 completion would help the SFPUC achieve the WSIP Level of Service goal for Water Supply
14 adopted by the SFPUC in Resolution No. 08-200; and

15 WHEREAS, The objectives of the Project are to produce a new supply of recycled
16 water of up to 2 million gallons per day for irrigation, lake fill, and other non-potable uses,
17 which will expand and diversify the SFPUC's water supply portfolio and increase system
18 reliability by increasing the use of local water supply sources and reducing dependence on
19 imported surface water; and

20 WHEREAS, An environmental impact report (EIR) as required by the California
21 Environmental Quality Act (CEQA) was prepared for the Project in Planning Department, File
22 No. 2008.0091E; and

23 WHEREAS, The Project is a capital improvement project approved by the SFPUC as
24 part of the WSIP; and
25

1 WHEREAS, The San Francisco Planning Commission on September 3, 2015, certified
2 the Final EIR (FEIR) by Motion No. M-19442, including a statement of overriding
3 considerations and a Mitigation Monitoring and Reporting Program for the Recycled Water
4 Project by Motion No. 19443, and found the Project consistent with the General Plan by
5 Resolution No. 19444; and

6 WHEREAS, The Project FEIR is tiered from the WSIP Program Environmental Impact
7 Report (PEIR) certified by the Planning Commission on October 30, 2008, by Motion No.
8 17734; and

9 WHEREAS, Thereafter, the SFPUC approved the WSIP and adopted findings and a
10 Mitigation Monitoring and Reporting Program (PEIR MMRP) as required by CEQA on October
11 30, 2008, by Resolution No. 08-200; and

12 WHEREAS, On September 8, 2015, the SFPUC, by Resolution No. 15-0187, a copy of
13 which is included in Board of Supervisors File No. 160720 and which is incorporated herein by
14 this reference: (1) approved the Project; and (2) adopted findings (CEQA Findings), including
15 a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program
16 (MMRP) as required by CEQA; and

17 WHEREAS, The Project files, including the FEIR, PEIR, and SFPUC Resolution
18 No. 15-0187 have been made available for review by the Board and the public, and those files
19 are considered part of the record before this Board; and

20 WHEREAS, The Board of Supervisors has reviewed and considered the information
21 and findings contained in the FEIR, PEIR and SFPUC Resolution No. 15-0187, and all written
22 and oral information provided by the Planning Department, the public, relevant public
23 agencies, SFPUC and other experts and the administrative files for the Project; and

24 WHEREAS, This Board of Supervisors adopted Ordinance No. 0092-10 that placed
25 WSIP appropriated funds on Controller's Appropriation Reserve, by project, making release of

1 appropriation reserves by the Controller subject to the prior occurrence of: (1) the SFPUC's
2 and the Board's discretionary adoption of CEQA Findings for each project, following review
3 and consideration of completed project-related environmental analysis, pursuant to CEQA, the
4 State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, where
5 required, and (2) the Controller's certification of funds availability, including proceeds of
6 indebtedness; and

7 WHEREAS, The ordinance also placed any project with construction costs in excess of
8 \$100,000,000 on Budget and Finance Committee reserve pending review and reserve release
9 by that Committee; and

10 WHEREAS, Therefore, the SFPUC has sent a letter to the Budget & Finance
11 Committee requesting review and release of the portion of those funds necessary for Project
12 No. CUW30201; now, therefore, be it

13 RESOLVED, That the Board of Supervisors has reviewed and considered the Project
14 FEIR and record as a whole, finds that the FEIR is adequate for its use as the decision-
15 making body for the action taken herein including, but not limited to, approval of the Project
16 and adopts and incorporates by reference as though fully set forth herein the CEQA Findings,
17 including the Statement of Overriding Considerations, and the MMRP contained in SFPUC
18 Resolution No. 15-0187; and, be it

19 FURTHER RESOLVED, That the Board adopts the City Planning Commission's
20 General Plan consistency findings, and finds that the Project mitigation measures set forth in
21 the Project FEIR and the MMRP, and adopted by the SFPUC and herein by this Board will be
22 implemented as reflected in and in accordance with the MMRP; and, be it

23 FURTHER RESOLVED, That the Board finds that since the FEIR was finalized, there
24 have been no substantial project changes and no substantial changes in Project
25 circumstances that would require major revisions to the FEIR due to the involvement of new

1 significant environmental effects or an increase in the severity of previously identified
2 significant impacts, and there is no new information of substantial importance that would
3 change the conclusions set forth in the FEIR; and, be it

4 FURTHER RESOLVED, That the Board directs the Clerk of the Board to forward this
5 Resolution to the Controller.

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