

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 15-0264

WHEREAS, San Francisco Public Utilities Commission ("SFPUC") staff developed a project description for a new Watershed Center and improvements to the Sunol Corporation Yard, otherwise known as Project No. CUW27701, Sunol Long Term Improvements Project ("Project"); and

WHEREAS, The purpose of the proposed Project is to construct a new Watershed Center and other public interpretation and access improvements for the Sunol Watershed and to implement upgrades to the Sunol Corporation Yard to improve operational efficiency; and

WHEREAS, A Preliminary Mitigated Negative Declaration for the Project was prepared and published for public review on February 18, 2015; and

WHEREAS, The Preliminary Mitigated Negative Declaration was available for public comment until March 20, 2015; and

WHEREAS, On December 2, 2015, the Environmental Review Officer ("ERO"), reviewed and considered the Final Mitigated Negative Declaration and found that the contents of said report and the procedures through which the Final Mitigated Negative Declaration was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"); and

WHEREAS, The ERO found the Final Mitigated Negative Declaration was adequate, accurate and objective, reflected the independent analysis and judgment of the Planning Department, and that the summary of comments and responses contained no significant revisions to the Preliminary Mitigated Negative Declaration, and certified the Final Mitigated Negative Declaration for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31; and

WHEREAS, The Planning Department, is the custodian of records, located in File No. 2008.0386E, at 1650 Mission Street, Fourth Floor, San Francisco, California; and

WHEREAS, The Final Mitigated Negative Declaration, CEQA Findings (Attachment A), and Mitigation Monitoring and Reporting Program ("MMRP") (Attachment B) were made available to the public and this Commission for this Commission's review, consideration and action; and

WHEREAS, A portion of the proposed Watershed Center site and an area needed for Project construction staging are located on SFPUC property that is currently leased to Mission Valley Rock Co. ("MVR") under SFPUC Lease #L3931, for use as an agricultural/ noise/ air emissions buffer provided around MVR's existing quarry under Alameda County Surface Mining Permit 32, and SFPUC staff and MVR are negotiating an amendment to the Lease ("Lease Amendment"), a draft of which is on file with the Commission Secretary, pursuant to which the area needed for the Watershed Center site would be permanently deleted from the leased premises and the area needed for construction staging would be temporarily deleted from the leased premises; now, therefore, be it

RESOLVED, That the Commission has reviewed and considered the Final Mitigated Negative Declaration and the record as a whole, finds that the Final Mitigated Negative Declaration is adequate for its use as the decision-making body for the Project, that there is no substantial evidence that the Project will have a significant effect on the environment with the adoption of the mitigation measures contained in the MMRP to avoid potentially significant environmental effects associated with the Project and that the Final Mitigated Negative Declaration reflects the City's independent judgment and analysis, and hereby adopts the Final Mitigated Negative Declaration; and be it

FURTHER RESOLVED, That the Commission hereby adopts the CEQA Findings and the MMRP attached hereto as Exhibits A and B and incorporated herein as part of this Resolution by this reference thereto and commits to all required mitigation measures identified in the Final Mitigated Negative Declaration and contained in the MMRP; and be it

FURTHER RESOLVED, That the SFPUC shall ensure implementation of all mitigation measures identified in the MMRP either directly or via binding contractual mechanisms. The SFPUC finds that the measures it is adopting can be carried out by the SFPUC at the designated time and are feasible at this time; and be it


FURTHER RESOLVED, That the General Manager or his designee is authorized to seek Board of Supervisors' approval, if necessary, and, as applicable, obtain permits and approvals from state and federal resource agencies; and be it

FURTHER RESOLVED, That this Commission hereby approves Project No. CUW27701, Sunol Long Term Improvements Project, and authorizes staff to proceed with actions necessary to implement the Project; and be it

FURTHER RESOLVED, That this Commission authorizes the General Manager, or his designee, to negotiate and seek approval by the Board of Supervisors and Mayor of and, if approved, to execute an amendment to SFPUC Lease #3931 to permanently delete from the leased premises the area needed for the Watershed Center and temporarily delete from the leased premises the area needed for Project construction staging uses, for compensation to MVR not to exceed the fair market rental value of such deleted premises, estimated to be less than \$50,000, and the reimbursement of certain MVR expenses resulting from such lease amendment; and be it

FURTHER RESOLVED, That this Commission authorizes the General Manager, or his designee, to enter into any additions, amendments or other modifications to the Lease Amendment that the General Manager, in consultation with the Real Estate Director and the City Attorney, determines are in the best interests of the SFPUC and the City, do not materially decrease the benefits to the SFPUC or the City and do not materially increase the obligations or liabilities of the SFPUC or the City, such determination to be conclusively evidenced by the execution and delivery of any such additions, amendments or other modifications.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of December 8, 2015.



Secretary, Public Utilities Commission