




GENERAL PLAN REFERRAL

July 29, 2024

Case No.: 2007-0039GPR -San Antonio Backup Pipeline
Project Title: San Antonio Backup Pipeline
Project Sponsor: San Francisco Public Utilities Commission, Real Estate Services
Applicant: Dina Brasil
Right of Way Manager
Real Estate Services
525 Golden Gate Ave.—10th Floor San Francisco, CA 94102
DBrasil@sfgwater.org
415-487-5210

Staff Contact: Sarah Richardson
Sarah.Richardson@sfgov.org
628-652-7450

Recommended By: 
Joshua Switzky, Deputy Director of Citywide Policy for
Rich Hillis, Director of Planning

Recommendation: Finding the project, on balance, is **in conformity** with the General Plan

Please note that a General Plan Referral is a determination regarding the project's consistency with the Eight Priority Policies of Planning Code Section 101.1 and conformity with the Objectives and Policies of the General Plan. This General Plan Referral is not a permit to commence any work or change occupancy. Permits from appropriate Departments must be secured before work is started or occupancy is changed.

Project Description

In connection with the SFPUC Town of Sunol Pipe Replacement Project (Project), the City wishes to purchase, and the Sunol Glen Unified School District (Seller) agreed to sell, (a) a permanent nonexclusive subsurface and surface easement for water pipeline purposes (Pipeline Easement) under, across, in, and upon a portion of Seller's property, and (b) a temporary construction easement for construction and access purposes (TCE) on, over, across, in, and upon two portions of Seller's property located at 11601 Main Street, Sunol, California and commonly known as Assessor's Parcel 096-0155-004-01 in

unincorporated Alameda County (Property).

The Pipeline Easement would grant the City the right to construct, reconstruct, remove, replace, enlarge, decrease, maintain, repair, operate, inspect, and use one or more water pipes or pipelines, with all necessary braces, footings, connections, valves, fastenings, foundation sites, and other appliances and fixtures (collectively, City Facilities) in, on, under, upon, along, and across a portion of the Property (Easement Area). The proposed Pipeline Easement includes the right of ingress and egress, and emergency access to the Easement Area over and across adjacent lands of Seller, over any available roadways, or other routes agreed upon by the parties.

The proposed Temporary Construction Easement would grant the City the right to use the Property for construction staging and general construction-related activities, including the right to use any portion of the Easement Area to (i) store, use, and stage equipment, vehicles, machinery, tools, materials, supplies, and excavated soils in connection with the construction of the Project; (ii) improve, repair, and maintain the Easement Area; and (iii) includes the right of ingress and egress to the Easement Area across adjacent lands of Seller.

This project requires a General Plan Referral because the acquisition of the Pipeline Easement and TCE are subject to the approval of the SFPUC's Commission and the City's Board of Supervisors.

Environmental Review

The project received CEQA clearance under an Addendum to the San Antonio Backup Pipeline Project Final Environmental Impact Report (certified by the San Francisco Public Utilities Commission on 9/20/2012). The EIR Addendum was issued on 10/25/2023 (Case No. 2017-0039E-03).

General Plan Compliance and Basis for Recommendation

As described below, this project is consistent with the Eight Priority Policies of Planning Code Section 101.1 and is, on balance, in conformity with the General Plan.

ENVIRONMENTAL PROTECTION ELEMENT

OBJECTIVE 5

ASSURE A PERMANENT AND ADEQUATE SUPPLY OF FRESH WATER TO MEET THE PRESENT AND FUTURE NEEDS OF SAN FRANCISCO.

POLICY 5.1

Maintain an adequate water distribution system within San Francisco.

POLICY 5.3

Ensure water purity.

The proposed Pipeline Easement and Temporary Construction Easement will enable necessary water infrastructure improvements to pipes and pipelines in connection with the Project. The pipes carry fresh

water to San Francisco for treatment and consumption to meet the needs of the population.

SAFETY AND RESILIENCE ELEMENT

OBJECTIVE 3.3

INFRASTRUCTURE AND PUBLIC REALM. ENSURE THE CITY'S LIFELINE SYSTEMS, TRANSPORTATION AND EMERGENCY RESPONSE FACILITIES, UTILITIES, STREETS, PUBLIC SPACES, AND COASTS CAN WITHSTAND AND ADAPT TO ALL HAZARDS.

POLICY 3.3.4

Where there are ongoing and known plans for future public infrastructure projects, consider prioritizing maintenance of public access and protecting the public rights-of-way above the needs of private property and development.

Public infrastructure projects often depend upon the system of public rights-of-way for accommodation. For this reason, the City should prioritize maintaining and protecting the public rights-of-way, above and below street level, for future public use. The City should refrain from issuing encroachment permits to private development without considering these priorities.

For certain public infrastructure projects to deliver lifeline and other public services, they can be so large and complex that they cross multiple jurisdictional boundaries and rights-of-way between public and private spaces. The City must protect the public-rights-of-way, especially above the needs of private development projects, to have a space to deliver public services. Ensure that private encroachment permits do not interfere with future public infrastructure projects.

The proposed Pipeline Easement and Temporary Construction Easement are non-exclusive easements, thus maintaining public rights-of-way in the affected jurisdiction of Sunol. This is particularly important for the "Seller," Sunol Glen Unified School District, who will maintain access to the land.

OBJECTIVE 4.2

CITY AGENCY CAPABILITIES. PLAN FOR THE OPERATIONAL, DATA, AND LOGISTICAL CAPACITIES NEEDED TO FACILITATE COMMUNITY SAFETY DURING THE RESPONSE, RECOVERY, AND RECONSTRUCTION PHASES OF ALL HAZARDS.

POLICY 4.2.1.

Ensure potable water is available in an emergency.

OBJECTIVE 5.1.

LIFELINES. PROVIDE CRITICAL INFORMATION AND SERVICES TO PREVENT FURTHER LOSS OF LIFE AND ESTABLISH COMMUNITY SAFETY DURING THE IMMEDIATE AFTERMATH OF DISASTERS.

POLICY 5.1.1.

Ensure the city's lifeline systems are constantly maintained to be in a state of good repair.

The proposed Pipeline Easement and Temporary Construction Easement are necessary for the water pipe and pipeline improvements needed to provide fresh water access to San Francisco and for the construction and maintenance of that infrastructure. Water is a lifeline to residents of San Francisco, especially during emergencies, and in the response, recovery, and reconstruction after a disaster or in response to another hazard.

Planning Code Section 101 Findings

Planning Code Section 101.1 establishes Eight Priority Policies and requires review of discretionary approvals and permits for consistency with said policies. The Project is found to be consistent with the Eight Priority Policies as set forth in Planning Code Section 101.1 for the following reasons:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The Pipeline Easement and TCE proposed for purchase by the City and County of San Francisco are on property located in the County of Alameda. Therefore, neighborhood-serving retail uses in San Francisco and resident employment in and ownership of these businesses will not be affected.

2. That existing housing and neighborhood character be conserved and protected to preserve the cultural and economic diversity of our neighborhoods;

The Pipeline Easement and TCE proposed for purchase by the City and County of San Francisco are on property in the County of Alameda. Therefore, the proposed transaction would not affect existing housing and neighborhood character in San Francisco.

3. That the City's supply of affordable housing be preserved and enhanced;

The Pipeline Easement and TCE proposed for purchase by the City and County of San Francisco are on property in the County of Alameda. Therefore, the proposed transaction would not affect San Francisco's supply of affordable housing.

4. That commuter traffic does not impede Muni transit service or overburden our streets or neighborhood parking;

The Pipeline Easement and TCE proposed for purchase by the City and County of San Francisco are on property in the County of Alameda. Therefore, the proposed transaction would not affect commuter traffic, impede Muni transit service, or overburden San Francisco's streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The Pipeline Easement and TCE proposed for purchase by the City and County of San Francisco are on property in the County of Alameda. Therefore, the proposed transaction would not affect San Francisco's diverse

economic base, or future opportunities for resident employment and ownership in industrial and service sectors.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The Pipeline Easement and TCE proposed for purchase by the City and County of San Francisco will support the City in earthquake preparedness because they aid in securing access to potable water, a lifeline system during a disaster.

7. That the landmarks and historic buildings be preserved;

The Pipeline Easement and TCE proposed for purchase by the City and County of San Francisco are on property in the County of Alameda. Therefore, the proposed transaction would not affect the preservation of San Francisco's landmarks and historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The Pipeline Easement and TCE proposed for purchase by the City and County of San Francisco are on property in the County of Alameda. Therefore, the proposed transaction would not affect San Francisco's parks and open space and access to sunlight and vistas.

Recommendation: Finding the project, on balance, is in conformity with the General Plan