[California Environmental Quality Act Findings - Calaveras Dam Replacement Project]

Resolution adopting findings under the California Environmental Quality Act related to modifications to the San Francisco Public Utilities Commission Water System Improvement Program Calaveras Dam Replacement Project, located in Alameda and Santa Clara Counties, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

WHEREAS, The San Francisco Public Utilities Commission (SFPUC) developed, approved and awarded a contract to construct the Calaveras Dam Replacement Project (CDRP), which is a water infrastructure project located in Alameda and Santa Clara Counties included as part of the Water System Improvement Program (WSIP) as Project No. CUW37401; and

WHEREAS, The CDRP was undertaken in response to concerns of the California Department of Water Resources, Division of Safety of Dams (DSOD). The CDRP entails replacing the existing dam with a new dam to meet current seismic safety design requirements and accommodate a public water supply reservoir of the same nominal size as the original plans (96,850 AF). When the proposed replacement dam is completed, DSOD water level restrictions would be lifted and the original reservoir and pool would be restored. Completion of the proposed project would help the SFPUC achieve the WSIP Level of Service goals and objectives adopted by the SFPUC. Replacing Calaveras Dam and re-establishing the reservoir pool to its pre-DSOD restricted level would restore the facility's role within the SFPUC regional water system with respect to delivery reliability and water supply during
planned and unplanned interruptions of the SFPUC’s regional water system and during
periods of drought, as well as enhance seismic safety, reliability, and water quality; and
WHEREAS, An environmental impact report (EIR) was prepared for the CDRP as
required by the California Environmental Quality Act (CEQA), in Planning Department File No.
File No. 2005.0161E, and the Final CDRP EIR (CDRP EIR) was certified by the San
Francisco Planning Commission on January 27, 2011 by Motion No. M-18261; and
WHEREAS, The CDRP EIR prepared for the project is tiered from the WSIP Program
Environmental Impact Report (PEIR) certified by the Planning Commission on October 30,
2008 by Motion No. 17734, and, thereafter, the SFPUC approved the WSIP and adopted
findings and a Mitigation Monitoring and Reporting Program (PEIR MMRP) as required by
CEQA on October 30, 2008 by Resolution No. 08-200; and
WHEREAS, On January 27, 2011, the San Francisco Public Utilities Commission, by
Resolution No. 11-0015, a copy of which is included in Board of Supervisors File No. 110187
and is incorporated herein by this reference: (1) approved the Project; (2) adopted findings
(CEQA Findings), including a statement of overriding considerations, and a Mitigation
Monitoring and Reporting Program (MMRP) required by CEQA; and
WHEREAS, On March 15, 2011, by Resolution 131-11, this Board of Supervisors
adopted CEQA Findings for the CDRP and the habitat mitigation actions at various sites,
including a statement of overriding considerations, and a MMRP, a copy of which is included
in Board of Supervisors File No. 110187 and is incorporated herein by this reference; and
WHEREAS, On May 24, 2011, per Resolution No. 11-0077, the SFPUC approved
award of Contract No. WD-2551, Calaveras Dam Replacement Project to Dragados-USA,
Inc./Flatiron West, Inc./Sukut Construction, Inc., Joint Venture; and
WHEREAS, The construction contract Notice-To-Proceed date was Aug 15, 2011, the original contract amount was for $259,571,850, and the original contract duration was 1,460 consecutive calendar days; and

WHEREAS, As a result of the unexpected geologic conditions encountered during excavation to the slope on the left side of the valley (when looking downstream from the existing dam) that could potentially contribute to instability of the left abutment and spillway area of the new dam as designed, revisions are required to the design and construction of the CDRP that will increase the cost and extend the schedule for completion of the CDRP; and

WHEREAS, On December 13, 2012, the San Francisco Planning Department issued Addendum No. 1 to the CDRP EIR, which concluded that proposed modifications to the CDRP (CDRP Modifications) necessitated by the discovery of unexpected geologic features encountered during excavation of the left dam abutment are within the scope of the project analyzed in the CDRP EIR and will not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts that alter the conclusions reached in the CDRP EIR; a copy of Addendum No. 1 is included in Board of Supervisors File No. ______ and is incorporated in this resolution by this reference; and

WHEREAS, The PEIR and SFPUC Resolution No. 08-0200, the CDRP EIR and Resolution No. 11-0015, Board of Supervisors Resolution No. 131-11 and Addendum No.1 to the CDRP EIR have been made available for review by this Board and the public, and those files are part of the record before this Board; and

WHEREAS, This Board has reviewed and considered the information contained in the PEIR, CDRP EIR and Addendum No. 1, the findings contained in SFPUC Resolutions No. 08-0200, No. 11-0015, and No. 13-0020, and the findings contained in Board of Supervisors Resolution No. 131-11, and all written and oral information provided by the Planning
Department, the public, relevant public agencies, SFPUC and other experts and the
administrative files for the CDRP and the CDRP Modifications; and

WHEREAS, This Board of Supervisors adopted Ordinance No. 0092-10, appropriating
funds for the CDRP, and Ordinance No. 230-11, placing certain WSIP appropriated funds on
Finance Committee reserve, with release of construction funds subject to the SFPUC and this
Board's prior adoption of CEQA Findings for each project; and

WHEREAS, The Board's Finance Committee will consider the request for the release
of reserve on the funds necessary for the CDRP; now, therefore, be it

RESOLVED, That the Board of Supervisors has reviewed and considered the
information contained in the PEIR, CDRP EIR, the findings contained in SFPUC Resolutions
No. 08-0200, No. 11-0015, and the findings contained in Board of Supervisors Resolution No.
131-11, including the statement of overriding considerations that this Board previously
adopted for the WSIP and the CDRP, and has reviewed and considered the CEQA Findings
contained in SFPUC Resolution No. 13-0020 and in Addendum No. 1, related to the CDRP
Modifications, and hereby adopts these additional CEQA Findings as its own. This Board
additionally finds that the CDRP EIR and Addendum No. 1 are adequate for its use as the
decision-making body for the action taken herein, and adopts and incorporates by reference
as though fully set forth herein the CEQA Findings, including the statement of overriding
considerations, and the MMRP contained in Board Resolution No. 131-11, SFPUC Resolution
No. 13-0020, and Addendum No. 1; and, be it

FURTHER RESOLVED, That this Board of Supervisors additionally finds that (1)
implementation of the CDRP Modifications does not require major revisions in the CDRP EIR
due to the involvement of new significant environmental effects or a substantial increase in the
severity of previously identified significant effects; (2) no substantial changes have occurred
with respect to the circumstances under which the project analyzed in the CDRP EIR will be
undertaken, which would require major revisions to the CDRP EIR due to the involvement of
new significant environmental effects, or a substantial increase in the severity of effects
identified in the CDRP EIR; and (3) no new information of substantial importance to the
project analyzed in the CDRP EIR has become available that would indicate that (i) the CDRP
Modifications will have significant effects not discussed in the CDRP EIR; (ii) significant
environmental effects will be substantially more severe; (iii) mitigation measures or
alternatives found not feasible, which would reduce one or more significant effects, have
become feasible; or (iv) mitigation measures or alternatives, which are considerably different
from those in the CDRP EIR will substantially reduce one or more significant effects on the
environment; and, be it

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