

1 [Affirming Final Environmental Impact Report Certification - Alameda Creek Recapture
2 Project]

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3 **Motion affirming the Planning Commission’s certification of the Final Environmental**
4 **Impact Report prepared for the San Francisco Public Utilities Commission’s proposed**
5 **Alameda Creek Recapture Project.**

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7 WHEREAS, The San Francisco Public Utilities Commission (SFPUC) approved the
8 Alameda Creek Recapture Project (the Project) by Resolution No 17-0146 on June 23, 2017;
9 and

10 WHEREAS, The Project proposes to recapture water that will be released from
11 Calaveras Reservoir and/or bypassed around the Alameda Creek Diversion Dam (ACDD)
12 when the SFPUC implements the instream flow schedules required as part of the regulatory
13 permits for future operations of Calaveras Reservoir; and

14 WHEREAS, Released and bypassed water will flow naturally down Alameda Creek
15 through the Sunol Valley and will percolate into and collect in a quarry pit referred to as Pit F2
16 that is currently leased to Mission Valley Rock Company for water management activities
17 related to aggregate mining activities; and

18 WHEREAS, The SFPUC would recapture water collected in Pit F2 by pumping it to
19 existing SFPUC water supply facilities in the Sunol Valley for treatment and eventual
20 distribution to its water supply customers in the Bay Area; and

21 WHEREAS, The Planning Department determined that an Environmental Impact
22 Report (hereinafter "EIR") was required for the proposed Project and provided public notice of
23 that determination by publication in a newspaper of general circulation on June 24, 2015; and

24 WHEREAS, The Planning Department published a Draft EIR for the proposed Project
25 on November 30, 2016, and circulated to local, state, and federal agencies and to interested

1 organizations and individuals for a 45-day public review period that was later extended for two
2 weeks by the Planning Department, resulting in a 62-day public review period that ended on
3 January 30, 2017; and

4 WHEREAS, The Planning Commission held a public hearing on the Draft EIR on
5 January 5, 2017; and

6 WHEREAS, The Planning Department prepared a Responses to Comments document
7 (RTC), responding to all comments received orally at the public hearings and in writing, and
8 published the RTC on June 7, 2017; and

9 WHEREAS, On June 22, 2017, the Planning Commission, by Motion No. 19952,
10 certified a Final Environmental Impact Report (Final EIR) for the proposed Project under the
11 California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.,
12 the CEQA Guidelines, 14 California Code of Regulations, Section 15000 et seq., and San
13 Francisco Administrative Code Chapter 31, finding that the Final EIR reflects the independent
14 judgment and analysis of the City and County of San Francisco, that it is adequate, accurate
15 and objective, and contains no significant revisions to the Draft EIR; and

16 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on July
17 24, 2017, Robert Shaver, General Manager, on behalf of the Alameda County Water District,
18 appealed the Final EIR certification ("Appellant"); and

19 WHEREAS, The Planning Department's Environmental Review Officer, by
20 memorandum to the Clerk of the Board dated July 26, 2017, determined that the appeal had
21 been timely filed; and

22 WHEREAS, On September 5, 2017, this Board held a duly noticed public hearing to
23 consider the appeal of the Final EIR certification filed by Appellant and, following the public
24 hearing, the Board of Supervisors affirmed the Planning Commission's certification of the
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1 Final EIR based on the written record before the Board of Supervisors as well as all of the
2 testimony at the public hearing in support of and opposed to the appeals; and

3 WHEREAS, The written record and oral testimony in support of and opposed to the
4 appeals and deliberation of the oral and written testimony at the public hearing before the
5 Board of Supervisors by all parties and the public in support of and opposed to the appeals of
6 the Final EIR certification is in the Clerk of the Board of Supervisors File No. 170893 and is
7 incorporated in this motion as though set forth in its entirety; now therefore be it

8 MOVED, That this Board of Supervisors hereby affirms the decision of the Planning
9 Commission in its Motion No. 19952 to certify the Final EIR and finds the Final EIR to be
10 complete, adequate, and objective and reflecting the independent judgment of the City and in
11 compliance with CEQA, the CEQA Guidelines, and San Francisco Administrative Code
12 Chapter 31; and be it

13 FURTHER MOVED, That the Board of Supervisors finds that based on the whole
14 record before it there are no substantial project changes, no substantial changes in project
15 circumstances, and no new information of substantial importance that would change the
16 conclusions set forth in the Final EIR.

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