[CEQA Findings for Public Utilities Commission Calaveras Dam Replacement Project]

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 Water System Improvement Program Calaveras Dam Replacement Project, in Alameda and Santa Clara Counties, including the mitigation habitat actions at various sites; and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

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

WHEREAS, The Project was developed in response to concerns of the California Department of Water Resources, Division of Safety of Dams (DSOD) direction, the Project entails rebuilding the dam in order to eliminate the seismic safety concerns associated with the original dam. The Project would replace the existing dam with a new dam to accommodate a public water supply reservoir of the same size as the original plans (96,850 AF) and meet current seismic safety design requirements. 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 in Resolution No. 08-200. 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

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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, SFPUC staff has developed and approved additional design refinements
and fisheries enhancements subsequent to the publication of the Draft Environmental Impact
Report ("EIR") that are described as the CDRP Variant (the "Project") in the Comments and
Responses document, included in the Final EIR; and

WHEREAS, The objectives of the Project are to re-establish water delivery reliability, to
restore water supply and the capacity of the reservoir to its pre-2001 restriction level of 96,850
AF using water from the Alameda Creek watershed, thereby restoring 7 million gallons per
day (mgd) of water supply during the 8.5-year design drought (the SFPUC's drought planning
scenario), to improve seismic reliability through construction of a replacement dam designed
to safely retain 96,850 AF of water and withstand the maximum credible earthquake (7.25
moment magnitude) on the Calaveras fault, to construct a new dam with a robust design (wide
centrally-located clay core, wide filters, and internal drainage) that could accommodate
potential enlargement by future generations, continue reservoir and outer works operation, to
the extent possible, during construction, and to maintain high water quality, re-creating a
deeper pool that would keep water temperatures cooler to limit algal growth in the reservoir;
and

WHEREAS, An environmental impact report as required by the California
Environmental Quality Act (CEQA) was prepared for the Project in Planning Department File
No. File No. 2005.0161E; and

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

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WHEREAS, The Final EIR (FEIR) was certified by the San Francisco Planning Commission on January 27, 2011 by Motion No. M-18261; and

WHEREAS, The FEIR 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

WHEREAS, 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 (SFPUC), by Resolution No. 11-0015, a copy of which is included in Board of Supervisors File No. 110187 and which 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, The Project files, including the FEIR, PEIR and SFPUC Resolution No. 11-0015 have been made available for review by the Board and the public, and those files are considered part of the record before this Board; and

WHEREAS, At the time of Project approval, SFPUC staff anticipates that implementation of the Project may include, but may not be limited to, Mitigation Habitat Actions at five identified sites: (1) South Calaveras, (2) San Antonio, (3) Sage Canyon, (4) Goat Rock, and (5) Koopmann Road, and/or other sites developed in consultation with certain state and federal regulatory agencies. These sites were selected and designed using the conservation principles required by the PEIR and subsequent SFPUC adoption of the PEIR MMRP, which prescribe a coordinated approach in developing mitigation for biological resource impacts of individual WSIP facility projects in order to avoid habitat fragmentation, preserve wildlife movement corridors and allow for plants and wildlife to disperse over large

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contiguous habitat areas. Therefore, it is necessary and appropriate for the SFPUC to implement compensatory mitigation habitat improvements at these sites to minimize overall environmental impacts, and to achieve the overall habitat preservation and creation functions of the site(s), notwithstanding that mitigation at these sites may be in excess of resource agency requirements for the Project or other future SFPUC projects. By authorizing implementation of the full mitigation site(s) in connection with the Project, once approved by the resource agencies, neither the SFPUC nor this Board make any commitment to approve any other WSIP project or mitigation, nor do the SFPUC and this Board make any determination as to the adequacy of the five compensation sites as mitigation for any other WSIP project, and both the SFPUC and this Board retain full discretion to consider the environmental documents for other WSIP projects, including but not limited to mitigation measures therein, and to approve or disapprove the project and the compensatory mitigation habitat proposed for impacts resulting from those projects; and

WHEREAS, The Board of Supervisors has reviewed and considered the information and findings contained in the FEIR, PEIR and SFPUC Resolution No. 11-0015, 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 Project; and

WHEREAS, This Board of Supervisors adopted Ordinance No. 0092-10 that placed WSIP appropriated funds on Controller's Appropriation Reserve, by project, making release of appropriation reserves by the Controller subject to the prior occurrence of: (1) the SFPUC's and the Board's discretionary adoption of CEQA Findings for each project, following review and consideration of completed project-related environmental analysis, pursuant to CEQA, the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, where required, and (2) the Controller's certification of funds availability, including proceeds of indebtedness. The ordinance also placed any project with construction costs in excess of

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$100 million on Budget and Finance Committee reserve pending review and reserve release by that Committee, and Project costs are above that threshold. Funding for the Project will be provided from Calaveras Dam Replacement Project No. CUW37401, together with funding for the Mitigation Habitat Actions that will be provided, in part, from Project No. CUW3880100, referred to as the Habitat Reserve Program in the Supplemental Appropriation Ordinance 0092-10; now, therefore, be it

RESOLVED, That the Board of Supervisors has reviewed and considered the FEIR and record as a whole, finds that the FEIR is adequate for its use as the decision-making body for the action taken herein including, but not limited to, approval of the Project 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 Resolution No. 11-0015; and be it

FURTHER RESOLVED, That the Board finds that the Project mitigation measures set forth in the FEIR and the MMRP, including but not limited to the Mitigation Habitat Actions, and adopted by the SFPUC and herein by this Board will be implemented as reflected in and in accordance with the MMRP; and be it

FURTHER RESOLVED, The Board finds that since the FEIR was finalized, there have been no substantial project changes and no substantial changes in Project circumstances that would require major revisions to the FEIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the FEIR; and be it

FURTHER RESOLVED, That the Board directs the Clerk of the Board to forward this Resolution to the Controller for the release of the reserved funds.
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 Water System Improvement Program Calaveras Dam Replacement Project, in Alameda and Santa Clara Counties, including the mitigation habitat actions at various sites; and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

March 09, 2011 Budget and Finance Sub-Committee - REFERRED WITHOUT RECOMMENDATION

March 15, 2011 Board of Supervisors - ADOPTED
Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar and Wiener
Excused: 3 - Campos, Cohen and Mirkarimi

I hereby certify that the foregoing Resolution was ADOPTED on 3/15/2011 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor Edwin Lee

Date Approved: 3/16/11