

1 [Authorization to Expend Funds for Yosemite Slough Sediment Site Studies]

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3 **Resolution authorizing the San Francisco Public Utilities Commission to expend funds,**  
4 **subject to appropriation, to perform pre-design technical studies in support of cleanup**  
5 **of the Yosemite Slough Sediment Site as required by the interim settlement of the**  
6 **United States Environmental Protection Agency’s unlitigated claim against the City and**  
7 **County of San Francisco approved in Resolution No. 350-16 and Ordinance No. 18-20.**

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9 WHEREAS, On December 15, 2008, the United States Environmental Protection  
10 Agency (“EPA”) served notice on the City and County of San Francisco (“City”) identifying the  
11 San Francisco Public Utilities Commission (“SFPUC”), along with other public and private  
12 entities, as a potentially responsible party (“PRP”) under the Comprehensive Environmental  
13 Response, Compensation, and Liability Act of 1980, 42 U.S.C. §9601 et seq., for the cleanup  
14 of contaminated sediment at Yosemite Slough, a tidal channel flowing to the South Basin of  
15 the San Francisco Bay between Hunters Point and Candlestick Point (the “Site”); and

16 WHEREAS, On January 27, 2015, EPA issued a demand, pursuant to 42 U.S.C.  
17 §9622(e) (“Special Notice Letter”), that the City and other PRPs complete pre-design technical  
18 studies in support of EPA’s chosen cleanup plan for the Site, and in 2016 the City and PRPs  
19 California Department of Parks and Recreation, California State Lands Commission, and  
20 United States Defense Logistics Agency entered into a settlement with EPA, approved by the  
21 Board of Supervisors by Resolution No. 350-16, to perform four of the studies (“EPA Interim  
22 Settlement”); and

23 WHEREAS, In 2019 EPA demanded the PRPs perform two additional technical studies  
24 and the City agreed to perform the studies pursuant to an amendment to the EPA Interim  
25 Settlement, approved by the Board of Supervisors in Ordinance No. 18-20; and

1           WHEREAS, The cost of this work has significantly increased since the Board adopted  
2 that ordinance in early 2020 due to inflation and other factors; now, therefore, be it

3           RESOLVED, That the SFPUC is authorized to expend additional funds, subject to  
4 appropriation, as needed to perform pre-design technical studies in support of cleanup of the  
5 Yosemite Slough Sediment Site as required by the EPA Interim Settlement.  
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<p>9           APPROVED:</p> <p>10           DAVID CHIU 11           City Attorney</p> <p>12           _____</p> <p>13           /s/</p> <p>14           ELAINE O'NEIL 15           Deputy City Attorney 16           Construction and Public Contracting 17           Team Leader</p>	<p>9           RECOMMENDED:</p> <p>10           SAN FRANCISCO PUBLIC UTILITIES 11           COMMISSION</p> <p>12           _____</p> <p>13           /s/</p> <p>14           DENNIS J. HERRERA 15           General Manager of the San Francisco 16           Public Utilities Commission</p> <p>17           APPROVED:</p> <p>18           _____</p> <p>19           /s/</p> <p>20           DONNA HOOD 21           Commission Secretary</p>
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**City and County of San Francisco**  
**Tails**  
**Resolution**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 230432

**Date Passed:** June 06, 2023

Resolution authorizing the San Francisco Public Utilities Commission to expend funds, subject to appropriation, to perform pre-design technical studies in support of cleanup of the Yosemite Slough Sediment Site as required by the interim settlement of the United States Environmental Protection Agency's unlitigated claim against the City and County of San Francisco approved in Resolution No. 350-16 and Ordinance No. 18-20.

June 01, 2023 Government Audit and Oversight Committee - RECOMMENDED AS COMMITTEE REPORT

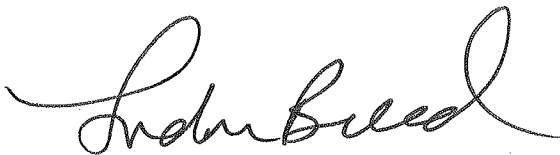
June 06, 2023 Board of Supervisors - ADOPTED

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Safai, Stefani and Walton  
Excused: 1 - Ronen

File No. 230432

I hereby certify that the foregoing Resolution was ADOPTED on 6/6/2023 by the Board of Supervisors of the City and County of San Francisco.

  
f Angela Calvillo  
Clerk of the Board



London N. Breed  
Mayor

6/16/23

Date Approved