

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS TEMPLATE
for use by
RESPONSIBLE AGENCIES
in their
DISCRETIONARY APPROVAL ACTIONS
related to the
SAN FRANCISCO PUBLIC UTILITIES COMMISSION
SAN ANDREAS PIPELINE NO. 2 UPGRADE PROJECT

THE COUNTY OF SAN MATEO, a political subdivision of the State of California (“**County**”), hereby adopts the following findings under the California Environmental Quality Act.

Acting as a responsible agency under the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., hereinafter “**CEQA**”) and in accordance with CEQA and the State CEQA Guidelines (Cal. Admin. Code Title 14, Section 15000 et seq., (hereinafter “**CEQA Guidelines**”), County hereby adopts the following findings of fact and law in conjunction with its approval of the Memorandum of Agreement dated as of _____, 2017 (“**MOA**”) between County and the City and County of San Francisco (“**CCSF**”);

1. CCSF, acting by and through its Public Utilities Commission (“**SFPUC**”), owns and operates a regional water system that serves San Francisco and twenty-seven (27) wholesale water customers located in San Mateo, Santa Clara, and Alameda counties in the Bay Area. As part of CCSF’s Water System Improvement Program (“**WSIP**”), CCSF is engaged in the San Andreas Pipeline No. 2 Upgrade Project (the “**Project**”), which includes, among other improvements, the repair and replacement of portions of CCSF’s San Andreas Pipeline No. 2 (the “**Pipeline**”) that are within CCSF’s right of way that crosses County, for the purpose of improving the seismic reliability, water delivery, and drought-management goals outlined in WSIP, for the benefit of County and its residents and businesses.

2. The pipeline rehabilitation, removal, and replacement work contemplated by the Project relates to similar work performed in connection with a previous pipeline rehabilitation, repair, and replacement project entitled the Peninsula Pipeline Seismic Upgrade Project (the “**PPSU Project**”). The PPSU Project is a Water System Improvement Program (“**WSIP**”) Project included in the WSIP programmatic EIR (“**PEIR**”) approved by SFPUC Resolution No. 08-0200, on October 30, 2008. On April 10, 2013, CCSF published a Draft Environmental Impact Report (“**DEIR**”) for the PPSU Project, which tiered off of the PEIR. After the close of a forty-five (45)-day public review period on May 28, 2013, CCSF prepared responses to comments on environmental issues received at the public hearings and in writing during the public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a Draft Comments and Responses document (“**C&R**”), published on October 17, 2013. A Final Environmental Impact Report (“**FEIR**”) was prepared by the San Francisco Planning Department (the “**Department**”), consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, the Comments and Responses document, and several Errata Sheets, which made minor clerical corrections. PPSU Project files on the FEIR are available for public review at the Department offices at 1650 Mission Street, San Francisco, California.

3. On October 17, 2013, the San Francisco Planning Commission, acting as lead agency on behalf of the CCSF, certified the FEIR by Motion 19004. On October 22, 2013, the SFPUC approved the PPSU Project by SFPUC Resolution No. 13-061, and, in so doing, adopted findings (“**CEQA Findings**”) under the California Environmental Quality Act (“**CEQA**”), Public

Resources Code section 21000 et seq., including a statement of overriding considerations for the PPSU Project's significant and unavoidable impacts, rejected project alternatives, and adopted a mitigation monitoring and reporting program (“**MMRP**”).

4. On April 12, 2017, the Department issued Addendum No. 1 to the FEIR, finding that proposed modifications to the PPSU Project to address four additional segments of the Pipeline that have been identified as deteriorated and in need of rehabilitation. The four segments are located in portions of the Pipeline that run from the Harry Tracy Water Treatment Plant, near the intersection of I-280 and Crystal Springs Road, to Sneath Lane, near the southern boundary of the Golden Gate National Cemetery. The Addendum stated that the Project will not cause new significant impacts not identified in the FEIR, will not increase the severity of significant impacts identified in the FEIR, and will not require new mitigation measures to reduce significant impacts. Addendum No. 1 among other considerations, identifies and discusses recommended modifications to two previously adopted mitigation measures, Mitigation Measure LU-1a, which provides for public notification to interested parties a week before construction activities, and Mitigation Measure LU-1b, which provides a 14-day’s advance notice to residents, tenants, and property owners whose homes are potentially subject to significant and unavoidable noise impacts. Addendum No. 1 concludes that the modifications, which would add the areas within the Project to areas in the FEIR requiring these notices, would not result in new or more severe impacts.

5. The FEIR has been made available for review by County and the public. County, as a responsible agency under CEQA, has reviewed and considered the FEIR for the Project, including the environmental effects of the Project set forth therein. The FEIR is available for public review at the San Mateo County Parks Department offices at 455 County Center, Redwood City, California, which is the custodian of records. The FEIR is adequate for this approval of the MOA.

6. The Project, as described in the FEIR, will result in significant environmental effects that could not be mitigated to a less than significant level with implementation of mitigation measures.

7. San Francisco has responsibility for all the mitigation measures identified in the FEIR and has already adopted all such mitigation measures. County has no authority over implementation of the Project. To the extent applicable, County hereby incorporates by reference as though fully set forth herein SFPUC Resolution No. 13-0161 and 17-0091, including their respective CEQA findings, and hereby finds that the mitigation monitoring and reporting program that the SFPUC adopted is being implemented by the SFPUC as it implements the Project. Thus the mitigation measures can and have been adopted by San Francisco. This incorporation by reference provides the findings required by CEQA Guidelines Sections 15091 and 15093, San Francisco has already undertaken implementation of the Project and County has no authority over the decision to implement the Project.

8. County finds that this approval within the scope of the Project and activities evaluated in the FEIR.

9. The cooperative measures contemplated by the MOA would not be considered substantial Project changes or 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.

10. County has not identified any feasible alternative or additional feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the Project would have on the environment.

11. The SFPUC has already adopted the mitigation measures recommended in the FEIR, has authority to implement the mitigation measures or to seek any required approvals for the mitigation measures, and County has no direct authority to implement the mitigation measures.