

RESOLUTION NO. 071371

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF
CALIFORNIA**

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RESOLUTION:

- A. ACCEPTING A CALIFORNIA ENVIRONMENTAL QUALITY ACT
MITIGATION MONITORING AND REPORTING PROGRAM FOR THE
CRYSTAL SPRINGS PIPELINE NO. 2 REPLACEMENT PROJECT; AND
B. AUTHORIZING THE PRESIDENT OF THE BOARD TO EXECUTE A
MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND COUNTY OF
SAN FRANCISCO, ACTING THROUGH ITS PUBLIC UTILITIES COMMISSION,
AND THE COUNTY OF SAN MATEO FOR THE CONSTRUCTION OF THE
CRYSTAL SPRINGS PIPELINE NO. 2 REPLACEMENT PROJECT**

RESOLVED, by the Board of Supervisors of the County of San Mateo,

State of California, that

WHEREAS, the City and County of San Francisco ("CCSF") has proposed to upgrade its existing waterline facilities located within the unincorporated areas of the County of San Mateo; and

WHEREAS, one component of the proposed upgrade of the existing waterline facilities is the Crystal Springs Pipeline No.2 Replacement Project (the "Project"); and

WHEREAS, CCSF has prepared and certified a Final Environmental Impact Report for the Project that has been assigned California State Clearinghouse Number 2008112050 ("FEIR 2008112050") in compliance with the California Environmental Quality Act (CEQA) and the Guidelines for Implementation of the California Environmental Quality Act (the "Guidelines"); and

071371

WHEREAS, CCSF now wishes to enter into a Memorandum of Agreement (MOA) with the County of San Mateo for work associated with the Project to delineate the roles and responsibilities for each agency on the Project; and

WHEREAS, the Director of Public Works has reviewed the MOA and recommends that the Board approve it; and

WHEREAS, this Board has reviewed the MOA as to form and substance and desires to enter into it; and

WHEREAS, the CCSF is the "lead agency" for the purposes of environmental review of the Project under CEQA and the Guidelines; and

WHEREAS, under CEQA and the Guidelines, the County is a "responsible agency" with respect to the Project; and

WHEREAS, the CCSF has analyzed the potential environmental impacts of the Project and the various actions to be taken in connection therewith in FEIR 2008112050; and

WHEREAS, the County has received, reviewed, and considered FEIR 2008112050 prepared and certified by the CCSF and has considered the effects of the Project as discussed in FEIR 2008112050 and has independently considered these matters; and

WHEREAS, the CCSF has also developed a Mitigation Monitoring and

Report Program (MMRP) and a Statement of Overriding Considerations with respect to the environmental impacts identified in FEIR 2008112050; and

WHEREAS, the County has received, reviewed and independently considered the MMRP and Statement of Overriding Considerations; and

WHEREAS, this Board finds that FEIR 2008112050, the MMRP, and the Statement of Overriding Considerations remain adequate and appropriate environmental documents pursuant to CEQA and the Guidelines for purposes of analysis and consideration of the Project.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that:

The Board of Supervisors of the County of San Mateo adopts the following recitals as true and correct:

1. The Board of Supervisors has independently reviewed and considered FEIR 2008112050, the MMRP, and the Statement of Overriding Considerations, and the administrative record related thereto and that they reflect the Board's independent judgment, acting on behalf of the County as a responsible agency for the proposed Project and the Board hereby adopts each of the findings set forth in the document entitled *California Environmental Quality Act Findings of the County of San Mateo for its Discretionary Approval Actions Related to the San Francisco Public Utilities Commission's Crystal Springs Pipeline No. 2 Replacement*

Project; and

2. On the basis of its review of FEIR 2008112050, the MMRP and the Statement of Overriding Considerations, and the administrative record related thereto, the Board of Supervisors finds that there is no substantial evidence that execution of the Project will have a significant effect on the environment, except to the extent, as set forth in the Statement of Overriding Considerations, that specific economic, legal, social, technological, or other considerations make infeasible mitigation of environmental impacts to the threshold of insignificance.
3. The Board of Supervisors finds that there is no substantial evidence that would support requiring any subsequent environmental review of the Project.

IT IS FURTHER DETERMINED AND ORDERED that the Board of Supervisors hereby approves the MOA between the CCSF, acting through its Public Utilities Commission, and the County and it hereby directs the President of the Board to sign the MOA on behalf of the Board and the Clerk of the Board shall attest the President's signature thereto.

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Regularly passed and adopted this 10th day of May, 2011.

AYES and in favor of said resolution:

Supervisors:

CAROLE GROOM

DON HORSLEY

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said resolution:

Supervisors:

NONE

Absent Supervisors:

NONE

CAROLE GROOM

President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

R. Romero

Rebecca Romero, Deputy
Clerk of the Board of Supervisors

071371