

SAN FRANCISCO
CITY PLANNING COMMISSION

MOTION NO. 17007

ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED RINCON HILL PLAN, WHICH WOULD CREATE A NEW ZONING DISTRICT IN THE AREA OF SAN FRANCISCO GENERALLY BOUNDED BY FOLSOM STREET, STEUART STREET, THE EMBARCADERO, BRYANT STREET, BEALE STREET, THE BAY BRIDGE APPROACH AND THE TRANSBAY TERMINAL RAMPS.

MOVED, That the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the Final Environmental Impact Report identified as case file No. 2000.1081E, the Rincon Hill Plan (hereinafter "Project") based upon the following findings:

- 1) The City and County of San Francisco, acting through the Planning Department (hereinafter "Department") fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 *et seq.*, hereinafter "CEQA"), the State CEQA Guidelines (Cal. Admin. Code Title 14, Section 15000 *et seq.*, (hereinafter "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31").
 - a. The Department determined that an Environmental Impact Report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on March 10, 2001.
 - b. On September 25, 2004, the Department published the Draft Environmental Impact Report (hereinafter "DEIR") and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice.
 - c. Notices of availability of the DEIR and of the date and time of the public hearing were posted near the project site by Department staff on September 25, 2004.
 - d. On September 25, 2004, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse.
 - e. Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on September 25, 2004.
- 2) The Commission held a duly advertised public hearing on said Draft Environmental Impact Report on November 29, 2004 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on December 10, 2004.
- 3) The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 64-day 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, published on April 11, 2005 was distributed to the Commission and to all parties who commented on the DEIR, and was available to others upon request at Department offices.

4) A Final Environmental Impact Report has been prepared by the Department, consisting of the Draft Environmental Impact Report, any consultations and comments received during the review process, any additional information that became available, and the Summary of Comments and Responses all as required by law.

5) Project Environmental Impact Report files have been made available for review by the Commission and the public. These files are available for public review at the Department offices at 1660 Mission Street, and are part of the record before the Commission.

6) On April 21, 2005, the Commission reviewed and considered the Final Environmental Impact Report and hereby does find that the contents of said report and the procedures through which the Final Environmental Impact Report was prepared, publicized and reviewed comply with the provisions of CEQA, the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code.

7) The project sponsor has indicated that the presently preferred alternative is the Alternative referred to as the Revised Preferred Option, as described in the Final Environmental Impact Report.

8) The Planning Commission hereby does find that the Final Environmental Impact Report concerning File No. 2000.1081E, the Rincon Hill Plan, reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Comments and Responses document contains no significant revisions to the DEIR, and hereby does CERTIFY THE COMPLETION of said Final Environmental Impact Report in compliance with CEQA and the CEQA Guidelines.

8) The Commission, in certifying the completion of said Final Environmental Impact Report, hereby does find that the project described in the Environmental Impact Report and the project preferred by the project sponsor, described as the Revised Preferred Option in the Final Environmental Impact Report:

will have unavoidable project-specific significant impacts on the environment by: 1) adding traffic and changing street configurations which will cause significant unavoidable adverse traffic impacts at the Fremont/Harrison, First/Market, Embarcadero/Folsom intersections; 2) contributing considerably to significant cumulative traffic impacts at the First/Market and First/Folsom intersections; and 3) encouraging and facilitating the loss of the Union Oil Company Building and potentially the Edwin W. Tucker Company Building, the 375 Fremont Street building, as well as other architectural resources in the Plan Area, resulting in potentially significant adverse impacts on historical resources.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of May 5, 2005.

Linda Avery
Commission Secretary

AYES: Commissioners S. Lee, Alexander, Antonini, Bradford-Bell, Hughes, B. Lee, Olague

NOES: None

ABSENT: None

ADOPTED: May 5, 2005