

1 [Preparation of findings to disapprove certification of San Francisco Cruise Terminal Mixed  
2 Use Project and Brannan Street Wharf Project FSEIR]

3 **Motion directing the Clerk of the Board to prepare findings disapproving the**  
4 **certification by the Planning Commission of the Final Supplemental Environmental**  
5 **Impact Report for the San Francisco Cruise Terminal Mixed Use Project and Brannan**  
6 **Street Wharf Project located at Pier 30-32, Seawall Lot 330, and in the location of Piers**  
7 **34 and 36, in the Port of San Francisco.**

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9 WHEREAS, The San Francisco Cruise Terminal Mixed Use Project and Brannan  
10 Street Wharf Project (collectively the "Projects") are proposed to be constructed at Piers 30-  
11 32, on Seawall Lot 330, and in the location of Piers 34 and 36 and consist of three principal  
12 components: a mixed-use/cruise terminal component proposed for Pier 30-32, a residential  
13 component proposed for Seawall Lot 330 (collectively "The Cruise Terminal Mixed Use  
14 Project"); and a public open space proposed for the locations of Piers 34 and 36 (the  
15 "Brannan Street Wharf Project"). The projects are situated just south of the Bay Bridge along  
16 The Embarcadero between Bryant and Townsend Streets; and

17 WHEREAS, The Port of San Francisco and San Francisco Cruise Terminal, LLC  
18 (collectively "the project sponsor") submitted an application for environmental review of the  
19 Projects on November 29, 2000 (City Planning File No. 2000.1229E); and

20 WHEREAS, The Planning Department for the City and County of San Francisco (the  
21 "Department") determined that a Supplemental Environmental Impact Report ("SEIR") was  
22 required to supplement the Waterfront Land Use Plan Final EIR (City Planning File No.  
23 94.115E, certified on January 9, 1997), and provided public notice of that determination by  
24 publication in a newspaper of general circulation on June 9, 2001; and

1           WHEREAS, On November 17, 2001, the Department published the Draft Supplemental  
2 Environmental Impact Report ("DSEIR") for the Projects; and

3           WHEREAS, On December 20, 2001, the Commission held a duly noticed public  
4 hearing on the DSEIR, at which time opportunity for public comment was received on the  
5 DSEIR, and written comments were received through January 16, 2002; and

6           WHEREAS, The Department prepared responses to comments on environmental  
7 issues received at the public hearing on the DSEIR and submitted in writing to the  
8 Department, prepared revisions to the text of the DSEIR, and corrected errors in the DSEIR,  
9 and published a Draft Summary of Comments and Responses on April 30, 2002; and

10          WHEREAS, A Final Supplemental Environmental Impact Report ("FSEIR") for the  
11 Projects was prepared by the Department, consisting of the DSEIR, all supporting studies and  
12 materials, any consultations and comments received during the review process, any additional  
13 information that became available and the Draft Summary of Comments and Responses, and  
14 an errata thereto, all as required by law; and

15          WHEREAS, On May 9, 2002, the Commission reviewed and considered the FSEIR  
16 and, by Motion No. 16404, found that the contents of said report and the procedures through  
17 which the FSEIR was prepared, publicized and reviewed complied with the provisions of the  
18 California Environmental Quality Act (CEQA), the State CEQA Guidelines and Chapter 31 of  
19 the San Francisco Administrative Code; and

20          WHEREAS, By Motion No. 16404, the Commission found (1) that the FSEIR is  
21 adequate, accurate and objective, and reflects the independent judgment and analysis of the  
22 Department and the Commission and that the Summary of Comments and Responses  
23 contained no significant revisions to the DSEIR; (2) adopted findings relating to significant  
24 impacts associated with the Projects; and (3) certified the completion of the FSEIR in  
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1 compliance with CEQA, the State CEQA Guidelines and Chapter 31 of the San Francisco  
2 Administrative Code; and

3 WHEREAS, By letter to the Clerk of the Board of Supervisors dated May 28, 2002,  
4 Bluewater Network filed a timely appeal of the FSEIR certification to the Board of Supervisors  
5 pursuant to Administrative Code Section 31.16(a); and

6 WHEREAS, The Board of Supervisors held a duly-noticed public hearing on June 24,  
7 2002 to consider the appeal of the FSEIR; and

8 WHEREAS, The FSEIR files and all correspondence and other documents have been  
9 made available for review by the Board of Supervisors, the Planning Commission and the  
10 public; these files are available for public review by appointment at the Planning Department  
11 offices at 1660 Mission Street, and are part of the record before the Board of Supervisors; and

12 WHEREAS, This Board has reviewed and considered the FSEIR and the FSEIR files,  
13 and heard testimony and received public comment and written correspondence from the  
14 public and public agencies regarding the adequacy of the FSEIR; now, therefore, be it

15 MOVED, That this Board directs the Clerk of the Board to prepare findings specifying  
16 the basis for the Board's disapproval of the certification of the FSEIR by the Planning  
17 Commission.

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