

April 22, 2004
File No. 2000.048E
Assessor's Block 3719, Lot 003;
Assessor's Block 3720, Lot 001;
Assessor's Block 3721, Lot 006 and
various others

SAN FRANCISCO
CITY PLANNING COMMISSION

MOTION NO. 16773

ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED TRANSBAY TERMINAL/ EXTENSION OF CALTRAIN/REDEVELOPMENT PLAN, LOCATED AT THE 425 MISSION STREET (TRANSBAY TERMINAL); THE REDEVELOPMENT PLAN AREA GENERALLY BOUNDED BY MISSION, MAIN, SPEAR, FOLSOM, ESSEX, I-80, SECOND AND MINNA STREETS; AND THE TRACK ALIGNMENT IS UNDER TOWNSEND AND SECOND STREETS.

MOVED, That the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the Final Environmental Impact Report identified as Case File No. 2000.048E - Transbay Terminal/Caltrain Extension/Redevelopment 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 Sections 21000 *et seq.*, hereinafter "CEQA"), the State CEQA Guidelines (Cal. Admin. Code Title 14, Sections 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 17, 2001. A Notice of Intent to prepare an Environmental Impact Statement was published in the Federal Register by the Federal Transit Administration on March 28, 2001.
 - b. On October 5, 2002, the Department published the Draft Environmental Impact Statement/Environmental Impact Report (hereinafter "DEIS/EIR") and provided public notice in a newspaper of general circulation of the availability of the document 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 DEIS/EIR and of the date and time of the public hearings were posted near the project site by Department staff on October 4, 2002.
 - d. On October 3, 2002, copies of the DEIS/EIR 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 October 7, 2002.

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- 2) The Commission held a duly advertised public hearing on said Draft Environmental Impact Report on November 26, 2002 at which time opportunity for public comment was given, and public comment was received on the DEIS/EIR. The period for acceptance of written comments ended on December 20, 2002.
- 3) The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 77-day public review period for the DEIS/EIR, prepared revisions to the text of the DEIS/EIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIS/EIR. This material was presented in Volumes I and II of a Final EIS/EIR document, published on March 18, 2004 was distributed to the Commission and to all parties who commented on the DEIS/EIR, and was available to others upon request at Department offices.
- 4) A Final Environmental Impact Statement/Environmental Impact Report has been prepared by the Department and the other co-lead agencies, consisting of the Draft Environmental Impact Statement/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) In March 2003, the Transbay Joint Powers Authority (TJPA) adopted as its preferred alternative the Locally Preferred Alternative (LPA) as described in the Final EIS/EIR. The LPA consists of the Transbay Terminal West Ramp Alternative, which includes associated bus ramps, circulation, and off-site storage; the Second Street to Main Street track alignment for the Caltrain downtown extension, which includes a "stacked drift" tunneling option for the segment between Townsend Street and Folsom Street; and the "Full Build" Redevelopment Plan.
- 6) Project environmental 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.
- 7) On April 22, 2004, 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 Statement/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.
- 8) The Planning Commission hereby does find that the Final Environmental Impact Report concerning Case File No. 2000.048E - TRANSBAY TERMINAL/EXTENSION OF CALTRAIN/REDEVELOPMENT PLAN reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Final EIS/EIR documents which include the Comments and Responses contains no significant new information to the Draft EIS/EIR. In addition, since publication of the DEIS/EIR there has been no significant new information that would require recirculation of the document pursuant to

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CEQA Guideline Section 15088.5; and hereby does CERTIFY THE COMPLETION of said Final Environmental Impact Report in compliance with CEQA, the CEQA Guidelines, and Chapter 31.

9) The Commission, in certifying the completion of said Final Environmental Impact Report, hereby does find that the proposed project described in the Final Environmental Impact Statement/Environmental Impact Report and as preferred by the TJPA would have the following significant unavoidable environmental impacts, which could not be mitigated to a level of non-significance:

a. A significant adverse effect on the environment to following intersections under both the baseline plus project and 2020 cumulative conditions: (1) First/Market, (2) First/Mission, (3) First/Howard, (4) Fremont/Howard, (5) Beale/Howard, (6) Second/Folsom, and (7) Second/Bryant. As a result of the constraints at downstream intersections and the I-80/U.S. 101 on-ramps and mainline, mitigation measures for the seven intersections have not been proposed, and the impacts associated with the Project would be considered adverse and unmitigable. Therefore, the project would add vehicles to those movements that would represent a considerable contribution to the baseline and cumulative conditions and the project would have an adverse impact on these intersections.

b. A significant effect on the environment resulting from demolition of historical resources. The present Transbay Terminal and the associated bus ramps and approach structures, which are historic resources as components of a multi-component structure listed in the National Register of Historic Places, would be demolished to construct the new Transbay Terminal aspect of the Proposed Project. In addition three historic properties located at 580 Howard Street (Block 3721, Lots 092 through 106), 165-173 Second Street (Block 3721, Lot 025) and 191 Second Street (Block 3721, Lot 022) would be demolished to construct the Caltrain Downtown Extension component of the Proposed Project.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at a special joint meeting with the Peninsula Corridor Joint Powers Board on April 22, 2004.

Linda Avery
Commission Secretary

Ayes: Commissioners B. Lee, Antonini, Feldstein, Hughes, Boyd, S. Lee and Bradford Bell
Nays: none
Absent: none