



RESOLUTION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; APPROVING THE FINDINGS OF FACT; APPROVING THE STATEMENT OF OVERRIDING CONSIDERATIONS; AND ADOPTING THE AVOIDANCE, MINIMIZATION AND MITIGATION MONITORING PLAN FOR THE YERBA BUENA ISLAND RAMPS IMPROVEMENT PROJECT

WHEREAS, In its capacity as the Congestion Management Agency for San Francisco, the San Francisco County Transportation Authority (Authority) is working jointly with the Treasure Island Development Authority (TIDA) and the Office of Economic and Workforce Development (OEWD) on the development of the I-80/Yerba Buena Island (YBI) Ramps Improvement Project; and

WHEREAS, OEWD, representing TIDA, is currently working with the Authority in securing the certification and approval of an Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the project; and

WHEREAS, Over the last two years, the Authority YBI Ramps project team has worked closely with the California Department of Transportation (Caltrans) in the preparation of draft engineering and environmental technical studies in support of the Draft EIR/EIS, with Caltrans as the National Environmental Policy Act (NEPA) lead agency under delegation from Federal Highway Administration (FHWA) and the Authority as the California Environmental Quality Act (CEQA) lead agency; and

WHEREAS, A Draft EIR/EIS has been prepared by Caltrans and the Authority for the project and was circulated for public comment for 45 days from February 25, 2011 to April 11, 2011; and



WHEREAS, Five comment letters were received respectively from the US Department of the Interior, US Environmental Protection Agency, US Navy, US Coast Guard, and the California Regional Water Quality Control Board, and a public hearing was held on March 16, 2011 at Pier 1; and

WHEREAS, All comments received to date have been supportive of the project; and

WHEREAS, The planning process for identifying, designing and screening alternatives began with the consideration of many alternatives and concepts presented to stakeholders and the public, most alternatives were deemed nonviable and were eliminated from further study based on project Purpose and Need, engineering, environmental, construction, right-of-way and feasible financial cost considerations; and

WHEREAS, Three alternatives—the No Build, Alternative 2B and Alternative 4—were analyzed in the environmental document; and

WHEREAS, On April 12, 2011, the Project Development Team (PDT), consisting of representatives from Caltrans, FHWA, US Coast Guard, TIDA and the Authority, unanimously selected Alternative 2B as the environmentally preferred alternative as compared to Alternative 4 and other identified alternatives because Alternative 2B better meets the Purpose and Need factors of safety, geometric design and operations, would have less impacts to land use and visual appearance, allows for better integration with the San Francisco-Oakland Bay Bridge (SFOBB) project, incorporates a high-occupancy vehicle bypass lane, avoids the BCDC 100-foot shoreline band and the material required and cost to implement would be 50 percent less than Alternative 4; and

WHEREAS, On May 24, 2011, through Resolution 11-56, the Authority unanimously selected Alternative 2B as the locally preferred alternative; and

WHEREAS, Recent discussions between Caltrans, the Bay Area Toll Authority (BATA),



TIDA, OEWD and the Authority have focused on the need to coordinate construction of the YBI Ramps with the construction of the SFOBB East Span Seismic Safety Project to minimize the construction cost and complexity of delivering the YBI Ramps project; and

WHEREAS, Under the Memorandum of Agreement (MOA) between the Authority and TIDA, TIDA is responsible for reimbursing the Authority for all costs, including the costs of any advancement of Authority funds; and

WHEREAS, As security for any outstanding reimbursement obligations, TIDA assigns to the Authority the senior security interest in TIDA's right, title, and interest in and to, the rents accruing under the Agreement between TIDA and the John Stewart Company, relating to the subleasing of existing and future residential units on Treasure Island and to other certain revenues necessary for the repayment of the reimbursement obligation; and

WHEREAS, The senior assignment of rents and other certain revenues remains in effect until TIDA's obligation to reimburse the Authority, for project costs and the costs of any advancement of funds, has been fully satisfied; and

WHEREAS, The FHWA's NEPA regulations require that the Final EIS identify the preferred alternative and evaluate all reasonable alternatives considered; and

WHEREAS, The Authority identified Alternative 2B as the Locally Preferred Alternative for the YBI Ramps Improvement Project for the limited purpose of identifying a locally preferred alternative in the Final EIR/EIS for further consideration by the Authority and Caltrans; and

WHEREAS, A Final EIR/EIS was prepared by the Authority and the FHWA in accordance with the requirements of CEQA and NEPA, which includes responses to comments on the Draft EIR/EIS, and which identifies Alternative 2B as the preferred alternative for the YBI Ramps project; and

WHEREAS, Alternative 2B is more fully described in Chapter 2 of the Final EIR/EIS; and



WHEREAS, The Authority finds that all applicable requirements of CEQA and the State CEQA Guidelines are satisfied in the Final EIR/EIS; and

WHEREAS, The Authority finds that the Final EIR/EIS was posted on the Authority's website and made available to public agencies and the public electronically and on paper as of October 24, 2011, and copies of the Final EIR/EIS were distributed on November 7, 2011, to the public and public agencies that submitted comments on the Draft EIR/EIS; and

WHEREAS, Prior to taking action, the Authority has reviewed, and considered, among other items: (1) the information and data in the Draft and Final EIR/EIS; (2) information and data in related technical documents and presentations presented to the Authority; (3) the proposed CEQA Findings of Fact and the Statement of Overriding Considerations; (4) the proposed Avoidance, Minimization and Mitigation Monitoring Plan; and (5) and all oral and written evidence presented to it; and

WHEREAS, The Final EIR/EIS, and the proposed CEQA Findings of Fact and the Statement of Overriding Considerations, reflect the independent judgment of the Authority and are deemed adequate for purposes of making decisions on a preferred alternative for the YBI Ramps project; and

WHEREAS, The Authority has considered the environmental effects of Alternative 2B as presented in the Final EIR/EIS and finds that with the inclusion of the described design practices and mitigation strategies, as further discussed in the attached CEQA Findings of Fact, the potential adverse impacts of the preferred alternative will be avoided, reduced and minimized to the extent feasible and that the feasible mitigation strategies identified will be applied to further avoid and reduce impacts; and

WHEREAS, On November 21, 2011, Caltrans as the Federal Lead Agency issued its Record of Decision attached hereto as Attachment 2 selecting Alternative 2B as the NEPA Environmentally



Preferred Alternative and the Section 4(f) least over all harm alternative; and

WHEREAS, On December 6, 2011, the Plans and Programs Committee unanimously approved a recommendation for certification of the Final EIR; approval of the Findings of Fact; approval of the Statement of Overriding Consideration; adoption of the Mitigation Monitoring Plan; and approval of Alternative 2B as the preferred alternative for the YBI Ramps Project; and

WHEREAS, On December 7, 2011, the Citizens Advisory Committee unanimously adopted a motion of support for certification of the Final EIR; approval of the Findings of Fact; approval of the Statement of Overriding Consideration; and adoption of the Mitigation Monitoring Plan; now, therefore, be it

RESOLVED, That the Authority hereby certifies the Final EIR pursuant to CEQA; approves of the Findings of Fact; approves the Statement of Overriding Considerations; and adopts the Avoidance, Minimization and Mitigation Monitoring Plan for the YBI Ramps Improvement project; and be it further

RESOLVED, That

Section 1. Certification. The Authority hereby certifies that:

- (a) The Final EIR/EIS has been prepared in compliance with CEQA;
- (b) The Final EIR/EIS has been presented to and reviewed by the Authority prior to its making a final decision; and
- (c) The Final EIR/EIS reflects the Authority's independent judgment.

Section 2. Approval of Findings. As the lead CEQA agency for the YBI Ramps Project, the Authority has reviewed and considered the information contained in the Final EIR/EIS and in the Findings of Fact attached hereto as Attachment 1 and supporting documentation. The Authority determines that the Findings of Fact contain a complete and accurate reporting of the environmental impacts and mitigation strategies associated with Alternative 2B as described in



Chapter 3 of the Final EIR/EIS. The Authority further finds that the Findings of Fact have been completed in compliance with CEQA and the State CEQA Guidelines. The Authority hereby approves and adopts the Findings of Fact attached hereto as Attachment 1.

Section 3. Approval of Statement of Overriding Considerations. The Authority hereby finds that the Statement of Overriding Considerations was completed in accordance with Public Resources Code section 21081 and State CEQA Guidelines Section 15093, subdivision (a), which states that CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. The Statement of Overriding Considerations is included in the Findings of Fact attached hereto as Attachment 1 and sets forth those significant effects on the environment that are found to be unavoidable, but are acceptable due to the overriding concerns and benefits expected to result from implementing Alternative 2B. The Authority hereby approves and adopts the Statement of Overriding Considerations included in the Findings of Fact attached hereto as Attachment 1.

Section 4. Adoption of Mitigation Monitoring Plan. Pursuant to Public Resources Code section 21081.6, and State CEQA Guidelines Section 15091, subdivision (d), the Authority hereby adopts the Mitigation Monitoring Plan attached hereto as Exhibit 1 of Attachment 1.

Attachments:

1. CEQA Findings of the Authority for the YBI Ramps Improvement Project EIR/EIS
2. Caltrans Record of Decision for the YBI Ramps Improvement Project

Enclosure:

1. YBI Ramps Improvement Project Final EIR/EIS



The foregoing Resolution was approved and adopted by the San Francisco County Transportation Authority at a regularly scheduled meeting thereof, this 13th day of December 2011, by the following votes:

Ayes: Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener (11)

Nays: (0)

Absent: (0)

A handwritten signature in black ink that reads "Ross Mirkarimi".

12/13/2011

Ross Mirkarimi
Chairperson

Date

ATTEST:

A large, stylized handwritten signature in blue ink that reads "José Luis Moscovich".

José Luis Moscovich
Executive Director

12/13/11
Date