

File No. 170046

Committee Item No. _____

Board Item No. 61.

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____
Board of Supervisors Meeting

Date: _____
Date: February 28, 2017

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Click the text below for a direct link to the document)

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| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Prepared by: John Carroll
Prepared by: _____

Date: February 24, 2017
Date: _____

1 [Conditionally Reversing the Final Environmental Impact Report Certification - Significant
2 Natural Resource Areas Management Plan]

3 **Motion conditionally reversing the Planning Commission's certification of the Final**
4 **Environmental Impact Report prepared for the proposed Significant Natural Resource**
5 **Areas Management Plan, subject to the adoption of written findings of the Board in**
6 **support of this determination.**

7
8 WHEREAS, The San Francisco Recreation and Parks Department (SFRPD) developed
9 the Natural Resources Management Plan (NRMP), formerly referred to as the Significant
10 Natural Resource Areas Management Plan (SNRAMP), which addresses 31 Natural Areas in
11 San Francisco, scattered mostly throughout the central and southern portions of San
12 Francisco, and the Sharp Park Natural Area in Pacifica; and

13 WHEREAS, These Natural Areas range in size from less than one acre to almost 400
14 acres, support sensitive plant and animal species and habitats, and are used as recreational
15 open spaces by residents and visitors; and

16 WHEREAS, The stated purpose of the NRMP is to provide for long-term management
17 of the Natural Areas through natural resource protection, habitat restoration, trail and access
18 improvements, other capital projects, and maintenance activities over the next 20 years; and

19 WHEREAS, The activities planned for the Natural Areas can generally be divided
20 between routine maintenance and programmatic projects, and also include the proposed
21 restoration of Sharp Park (referred to as the "Sharp Park Laguna Salada Restoration Project")
22 in Pacifica; and

23 WHEREAS, The Planning Department sent a Notice of Preparation (NOP) of an
24 Environmental Impact Report and Initial Study to more than 2,400 interested parties on
25 April 22, 2009; and

1 WHEREAS, The Draft EIR for the proposed Project was first published on
2 August 31, 2011, and circulated to local, state, and federal agencies and to interested
3 organizations and individuals for a 45-day public review period that was later extended for two
4 weeks by the San Francisco Planning Commission, resulting in a 61-day public review period
5 that began August 31, 2011, and continued through October 31, 2011; and

6 WHEREAS, The Planning Commission held a public hearing on the Draft EIR on
7 October 6, 2011; and

8 WHEREAS, A second public review comment period, during which written comments
9 were once again invited, was provided from April 27, 2012, to June 11, 2012, for a total of an
10 additional 46 days; and

11 WHEREAS, The Planning Department prepared a Responses to Comments document
12 (RTC), responding to all comments received orally at the public hearings and in writing, and
13 published the RTC on November 16, 2016; and

14 WHEREAS, Following publication of the RTC, the Recreation and Parks Department
15 proposed modifications to the Project Description with respect to proposed actions at the
16 Sharp Park Natural Area with the intent of emphasizing the preferred use of soil spoils for
17 habitat restoration purposes and identifying the other disposal sites required for excess spoils
18 as equal disposal options, and on December 15, 2016, the Planning Department issued an
19 Errata to the EIR, analyzing the proposed modifications to the Project Description and finding
20 that they would not result in any new significant environmental impacts or substantially
21 increase the severity of a significant impact identified in the Draft EIR, and no new mitigation
22 measures would be necessary, and that these modifications to the project description and
23 additional revisions to the EIR, do not change any of the conclusions in the Draft EIR and do
24 not constitute significant new information that requires recirculation of the Draft EIR; and
25

1 WHEREAS, On December 15, 2016, the Planning Commission, by Motion No. 19825,
2 certified a Final Environmental Impact Report (Final EIR) for the proposed Project under the
3 California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.,
4 the CEQA Guidelines, 14 California Code of Regulations, Section 15000 et seq., and San
5 Francisco Administrative Code Chapter 31, finding that the Final EIR reflects the independent
6 judgment and analysis of the City and County of San Francisco, that it is adequate, accurate
7 and objective, and contains no significant revisions to the Draft EIR; and

8 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on
9 January 5, 2017, Dee Seligman, Rupa Bose, and Tom Borden, of the San Francisco Forest
10 Alliance, appealed the Final EIR certification, and by letter to the Clerk of the Board, received
11 by the Clerk's Office on January 17, 2017, Brent Plater of the Wild Equity Institute, on behalf
12 of the Sierra Club's San Francisco Bay Chapter, the National Parks Conservation Association,
13 Golden Gate Audubon Society, and the Sequoia Audubon Society, appealed the Final EIR
14 certification, (together, "Appellants"); and

15 WHEREAS, The Planning Department's Environmental Review Officer, by
16 memorandum to the Clerk of the Board dated January 10, 2017, determined that the appeals
17 had been timely filed; and

18 WHEREAS, On February 28, 2017, this Board held a duly noticed public hearing to
19 consider the appeal of the Final EIR certification filed by Appellants and, following the public
20 hearing, conditionally reversed the Final EIR certification, subject to the adoption of written
21 findings in support of such determination; and

22 WHEREAS, In reviewing the appeal of the Final EIR certification, this Board reviewed
23 and considered the Final EIR, including the Draft EIR and the RTC, the appeal letters, the
24 responses to the appeal documents that the Planning Department prepared, the other written
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records before the Board of Supervisors and all of the public testimony made in support of and opposed to the appeal; and

WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors conditionally reversed the Planning Commission's certification of the Final EIR, subject to the adoption of written findings of the Board in support of such determination, based on the written record before the Board of Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeal; and

WHEREAS, The written record and oral testimony in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeal of the Infill Determination is in the Clerk of the Board of Supervisors File No. 170044 and is incorporated in this motion as though set forth in its entirety; now, therefore, be it

MOVED, That this Board of Supervisors conditionally reverses the certification of the Final EIR by the Planning Commission, subject to the adoption of written findings of the Board in support of this determination.

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Clerk of the Board

Subject:

Conditionally Reversing the Final Environmental Impact Report Certification - Significant Natural Resource Areas Management Plan

The text is listed below or attached:

Motion conditionally reversing the Planning Commission's certification of the Final Environmental Impact Report prepared for the proposed Significant Natural Resource Areas Management Plan, subject to the adoption of written findings of the Board in support of this determination.

Signature of Sponsoring Supervisor:

Alicia Gomez

For Clerk's Use Only:

170046