

AMENDMENT OF THE WHOLE – 11/5/03

FILE NO. 031321

RESOLUTION NO.

1 [CEQA, General Plan, Golden Gate Park Master Plan Findings in Connection with the Golden
2 Gate Park Concourse Authority Projects.]

3 **Resolution ~~affirming the Planning Commission's certification of the Golden Gate Park Concourse~~**
4 **~~Authority Projects Final Environmental Impact~~; adopting environmental findings pursuant to**
5 **the California Environmental Quality Act, State Guidelines, and Administrative Code**
6 **Chapter 31; and adopting General Plan and Planning Code Section 101.1 findings in**
7 **connection with the Golden Gate Park Concourse Authority Projects.**

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9 WHEREAS, The Golden Gate Park Concourse Authority ("Authority") proposes an
10 underground parking facility and related surface improvements (also known as Phase I)
11 between the New DeYoung Museum and the California Academy of Sciences and in the
12 Music Concourse area of Golden Gate Park and various transportation improvement
13 measures (the "Projects"); and,

14 WHEREAS, The City and County of San Francisco ("City") conducted a planning and
15 environmental review process for the proposed Projects and provided public hearings before
16 the Planning and Recreation and Park Commissions and the Authority; and,

17 WHEREAS, The actions listed in Attachment A (the "Actions"); ~~attached hereto and~~
18 ~~incorporated herein by reference~~, are part of a series of considerations in connection with
19 approval of the Projects, as more particularly defined in Attachment A (the "CEQA Findings").
20 A copy of said Attachment is attached hereto, incorporated herein by reference, and on file with the
21 Clerk of the Board of Supervisors in File No. _____; and,

22 WHEREAS, On December 14, 2003~~2~~, the Planning Department ("Department")
23 released for public review and comment the Draft Environmental Impact Report ("DEIR")
24 (Planning File No. 2001.911E) for the Projects; and,

1 WHEREAS, The Planning Commission held a duly noticed DEIR public hearing on
2 January 23, 2003; and,

3 WHEREAS, The Department prepared a Final Environmental Impact Report ("FEIR")
4 for the Projects consisting of the DEIR, the comments received during the review periods, any
5 additional information that became available, and the Summary of Comments and
6 Responses, all as required by law; and,

7 WHEREAS, On July 17 and 24, 2003, the Planning Commission reviewed and
8 considered the FEIR and, by Motion No. 16620, found that the contents of such report and the
9 procedures through which the FEIR was prepared, publicized and reviewed complied with the
10 provisions of the California Environmental Quality Act ("CEQA"), the CEQA Guidelines (Title
11 14, California Code of Regulations §§ 15000 et seq.), and Chapter 31 of the San Francisco
12 Administrative Code. Said Motion is incorporated herein by reference and a copy is on file
13 with the Clerk of the Board of Supervisors in File No.s. 031450 and 031482; and,

14 WHEREAS, By Motion No. 16620 the Planning Commission (i) found that the FEIR
15 was adequate, accurate and objective, reflected the independent judgment and analysis of the
16 Planning Commission; (ii) found that the FEIR recognized significant environmental impacts
17 associated with the Project; (iii) determined that no significant new information was added
18 between public notice of the availability of the DEIR and certification of the FEIR; and
19 (iv) certified the completion of the FEIR for the Project in compliance with CEQA, the CEQA
20 Guidelines, and Chapter 31 of the San Francisco Administrative Code; and,

21 WHEREAS, On August 13, 2003, two appeals to the Planning Commission's FEIR certification
22 were duly file; and

23 WHEREAS, On September 16, 2003, this Board conducted a duly noticed hearing on the
24 appeals, rejected said appeals, and affirmed the Planning Commission's FEIR certification in Motions
25 No. M03-0161 and M03-0162. Copies of said Motions are on file with the Clerk of the Board of

1 Supervisors in File Nos. 031450 and 031482, respectively, and are incorporated herein by reference;
2 and

3 WHEREAS, The Planning and Recreation and Park Commissions and the Authority
4 took various actions related to the Projects, and in connection therewith adopted findings, as
5 required by CEQA, regarding the FEIR, alternatives and variants, mitigation measures and
6 significant environmental impacts analyzed in the FEIR, associated Actions listed in
7 Attachment A, and a proposed mitigation monitoring program. The Planning Commission
8 action in Motion No. _____ (~~August 21~~October 2, 2003), the Recreation and Park
9 Commission action in Resolution No. _____ (~~August 28~~October 16, 2003), and the
10 Authority action_s in Resolution No_s. 03-001 (August 12, 2003) and _____ (October 14,
11 2003), are incorporated herein by reference. Copies of said Motion and Resolutions are on file
12 with the Clerk of the Board of Supervisors in File No. _____. Such materials are
13 available to the public and this Board of Supervisors for its review, consideration, and action;
14 and,

15 WHEREAS, The FEIR files and other Project-related Department files are available for
16 review by this Board of Supervisors and the public. The Planning Department files are
17 available at 1660 Mission Street and the Recreation and Park Department and Authority files
18 are available at McLaren Lodge, Golden Gate Park, 501 Stanyan Avenue. Those files are
19 part of the record before this Board of Supervisors and are incorporated by reference herein;
20 and,

21 WHEREAS, On ~~August 21~~ October 2, 2003, the Planning Commission reviewed and
22 considered the Projects, and in Motion No. _____ found that the Projects were
23 consistent with the General Plan and eight priority policy findings of Planning Code section
24 101.1. Said Motion ~~is incorporated herein by reference and a copy of such motion~~ is on file with the
25 Clerk of the Board of Supervisors in File No. _____; and,

1 WHEREAS, On August 12, 2003 and October 14, 2003, the Authority, in Resolutions No. 03-
2 001 and _____, respectively, approved the Projects, including the lease and other related
3 actions, and found such actions consistent with the Golden Gate Park Master Plan, Concourse Special
4 Area Plan, and Proposition J (adopted June 2, 1998 and codified in San Francisco Administrative
5 Code Appendix 41). Said Resolutions are on file with the Clerk of the Board of Supervisors in File No.
6 _____ ; and

7 WHEREAS, On ~~August 28~~ October 16, 2003, the Recreation and Park Commission
8 reviewed and considered the Projects, and in Resolution No. _____ found that the
9 Projects were consistent with the Golden Gate Park Master Plan, Concourse Special Area Plan,
10 and Proposition J. Said Resolution ~~is incorporated herein by reference and a copy of said Resolution~~
11 is on file with the Clerk of the Board of Supervisors in File No. _____; now,
12 therefore, be it

13 RESOLVED, ~~That the Board of Supervisors reviewed and considered Planning Commission~~
14 ~~Motion No. _____ certifying the FEIR, this Board finds that the FEIR is adequate, accurate,~~
15 ~~and objective, and reflects the independent judgment and analysis of the Board, and this Board hereby~~
16 ~~affirms the Planning Commission's certification of the FEIR; and,~~

17 ~~FURTHER RESOLVED,~~ That this Board of Supervisors finds on the basis of substantial
18 evidence in light of the whole record that since the Board of Supervisors' September 16, 2003
19 action on the FEIR: (1) modifications incorporated into the Project and reflected in the Actions
20 will not require important revisions to the FEIR due to the involvement of new significant
21 environmental effects or substantial increase in the severity of previously identified significant
22 effects; (2) no substantial changes have occurred with respect to the circumstances under
23 which the Project or the Actions were undertaken which would require major revisions to the
24 FEIR due to the involvement of new significant environmental effects, or a substantial
25 increase in the severity of effects identified in the FEIR; and (3) no new information of

1 substantial importance to the Project or the Actions has become available *since the Planning*
2 *Commission action* which would indicate (a) the Project or the Actions will have significant
3 effects not discussed in the FEIR; (b) significant environmental effects will be substantially
4 more severe; (c) mitigation measures or alternatives found not feasible which would reduce
5 one or more significant effects have become feasible; or (d) mitigation measures or
6 alternatives which are considerably different from those in the FEIR would substantially
7 reduce one or more significant effects on the environment; and, be it

8 FURTHER RESOLVED, That the Board of Supervisors reviewed and considered the
9 FEIR and hereby adopts the *Project CEQA* Findings attached hereto as Attachment A and its
10 Exhibits 1 (FEIR Mitigation Measures) and 2 (Golden Gate Park Concourse Authority Project
11 Mitigation Monitoring and Reporting Program) *; and incorporates the same herein by this*
12 *reference*; and, be it

13 FURTHER RESOVLED, That the Board of Supervisors reviewed and considered the
14 Planning Commission's General Plan and Planning Code section 101.1 consistency findings
15 and the Recreation and Park Commission's Golden Gate Park Master Plan findings and
16 hereby adopts said findings as its own as though fully set forth herein.

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