



GENERAL PLAN CONSISTENCY DETERMINATION AND CEQA FINDINGS

June 3, 2024

Ms. Carla Short
Director
San Francisco Public Works
49 South Van Ness Avenue, Suite 1600
San Francisco, CA 94103

Project Title: Mission Bay South Parks P22 and P19 – Acceptance and Permitting of Public Improvements and Related Actions
Assessor’s Blocks(s)/Lot(s): 8721-007, 8722-005, and 8722-006
Design Review Approval No.(s): 96.771 EMTZR
Zoning District(s): Public (P) and Mission Bay Redevelopment (MB-RA) Zoning Districts; 40-Mission Rock, 90/120-Mission Rock, MB-RA Height/Bulk District
Staff Contact: Elizabeth Purl, 628.652.7529, elizabeth.purl@sfgov.org

Dear Ms. Short:

This letter addresses the proposed acceptance of public improvements and related actions by the Board of Supervisors and various City departments associated with the Mission Bay South Parks P22 (“Bayfront Park”) and P19, located on the following Assessor’s Parcel Blocks/Lots: 8721-007, 8722-005, and 8722-006. The public improvements are shown in the plans (“Plans”) for Public improvements that the Port of San Francisco (“Port”) will own and maintain constructed under Street Improvement Permits (SIP) #19IE-00483, approved by Public Works Street Use and Mapping on May 17, 2019 for Bayfront Park and SIP # 13E-0473, approved on November 1, 2013 for Park P19. Work performed under these SIPs consisted of park improvements, including paving, and curbs; SFPUC green infrastructure improvements, including stormwater, domestic water, and electrical service;; and SFPort park improvements including landscaping, park lighting, and furnishings. In addition, this letter addresses the Board of Supervisors acceptance of an Offer of Dedication, including a grant deed, for APN 8721-014 from FOCIL-MB, LLC (“Lot 14”) that will be absorbed into Bayfront Park.

On September 17, 1998, the San Francisco Planning Commission and the Redevelopment Agency Commission issued a series of approvals for the Mission Bay Project, consisting of the Mission Bay North Redevelopment Plan and the Mission Bay South Redevelopment Plan, which includes Bayfront Park (Planning Department Record 96.771E; San Francisco Redevelopment Agency Case ER 919-97). These approval actions included certification of the Final Subsequent Environmental Impact Report (“FSEIR”) through Redevelopment Agency Commission Resolution No. 182-98 and Planning Commission Motion No. 14696; adoption of California Environmental Quality Act (“CEQA”) findings through Planning Commission Motion No. 14697; adoption of General Plan and Planning Code Section 101.1 consistency findings through Planning Commission Resolution No. 14702; and approval of the Mission Bay North Redevelopment Plan through Redevelopment Agency Commission Resolution No. 191-98 and the Mission Bay South Redevelopment Plan through

Redevelopment Agency Commission Resolution No. 188-98. The Plan approvals included the Mission Bay North Owner Participation Agreement (as subsequently amended, the “North OPA”) and Mission Bay South Owner Participation Agreement (as subsequently amended, the “South OPA”). The North and South OPAs incorporated into the Plan the mitigation measures identified in the Mission Bay FSEIR and adopted by the former Redevelopment Agency Commission at the time of Plan approval.

The San Francisco Board of Supervisors adopted the Mission Bay South Plan on November 2, 1998 through Ordinance No. 335-98, and adopted the CEQA Findings (incorporating by reference the General Plan consistency findings) through Ordinance No. 330-98 on October 30, 1998.

Planning Department Staff has reviewed the Plans and considered the Board of Supervisors legislation and related actions including acceptance of a grant deed for Lot 14, and finds them consistent with the Planning Commission’s approvals for the Project. Therefore, the Planning Department finds that these actions are within the scope of the FSEIR and the CEQA findings under Planning Commission Motion Nos. 14696 and 14697, and there is no need for subsequent environmental review. In addition, the Planning Department finds that these actions are, on balance, consistent with and covered within the scope of the General Plan and Planning Code Section 101.1 Consistency Findings contained in Planning Commission Resolution No. 14702. For purposes of the actions identified in this letter, the Planning Department relies on and incorporates by reference these Planning Commission Motions and their associated findings, copies of which are attached to this letter.

Sincerely,



Elizabeth Purl
Senior Planner

cc: *(via email)*

Cathal Hennessy, Infrastructure Task Force, Public Works

Attachments:

Planning Commission Motion No. 14696 (September 17, 1998)

Planning Commission Motion No. 14697 (September 17, 1998)

File No.: 96.771E
Mission Bay North Redevelopment Plan
Mission Bay South Redevelopment Plan

SAN FRANCISCO

CITY PLANNING COMMISSION

MOTION NO. 14696

ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR MISSION BAY NORTH AND MISSION BAY SOUTH REDEVELOPMENT PLANS AND VARIOUS OTHER ACTIONS NECESSARY TO IMPLEMENT SUCH PLANS.

MOVED, That the San Francisco City Planning Commission (hereinafter "Commission") hereby CERTIFIES the Final Subsequent Environmental Impact Report identified as case file No. 96.771E, for the Mission Bay North and Mission Bay South Redevelopment Plans and various other related implementing actions (hereinafter "Project") based upon the following findings:

1) The City and County of San Francisco, acting through the Department of City Planning (hereinafter "Department") fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., hereinafter "CEQA"), the State CEQA Guidelines (Cal. Admin. Code Title 14, Section 15000 et seq., (hereinafter "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31").

a. The Department determined that an EIR was required and provided public notice of that determination by publication in a newspaper of general circulation on September 20, 1997.

b. On April 11, 1998, the Department published the Draft Subsequent Environmental Impact Report (hereinafter "DSEIR") and provided public notice in a newspaper of general circulation of the availability of the DSEIR for public review and comment and of the date and time of the City Planning Commission public hearing on the DSEIR; this notice was mailed to the Department's list of persons requesting such notice.

c. On April 11, 1998 copies of the DSEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DSEIR, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse.

d. Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on April 9, 1998.

- 2) The Commission held a duly advertised public hearing on said Draft Subsequent Environmental Impact Report on May 12, 1998 at which opportunity for public comment was given, and public comment was received on the DSEIR. The period for acceptance of written comments ended on June 9, 1998.
- 3) The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 59-day public review period for the DSEIR, prepared revisions to the text of the DSEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DSEIR. This material was presented in a "Draft Summary of Comments and Responses," published on September 3, 1998, was distributed to the Commission and to all parties who commented on the DSEIR, and was available to others upon request at Department offices.
- 4) A Final Subsequent Environmental Impact Report ("FSEIR") has been prepared by the Department, consisting of the Draft 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) Project Environmental Impact Report 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.
- 6) On September 17, 1998, the Commission reviewed and considered the FSEIR and finds that the contents of said report and the procedures through which the FSEIR was prepared, publicized and reviewed comply with the provisions of CEQA, the CEQA Guidelines and Chapter 31.
- 7) The City Planning Commission hereby does find that the FSEIR concerning File No. 96.771E: Mission Bay Redevelopment Plans reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Summary of Comments and Responses contains no significant revisions to the DSEIR, and hereby does CERTIFY THE COMPLETION of said Final Subsequent Environmental Impact Report in compliance with CEQA and the CEQA Guidelines.
- 8) The Commission, in certifying the completion of said Final Subsequent Environmental Impact Report, hereby does find that the project described in the FSEIR, and the project proposed for adoption, consisting of the project described in the Project Description plus Variants 1, 2, 3A and 5, as described in the Project Description and Combination of Variants Chapters of the FSEIR, would have the following unavoidable significant environmental impacts, which could not be mitigated to a level of nonsignificance:
 - a. project and cumulative traffic intersection impacts, primarily affecting intersections at or near I-280 and I-80 in the South of Market area;

- b. contribution to cumulative bridge and bridge on-ramp impacts (lengthening of peak congestion);
- c. project and cumulative regional air quality impacts from increased vehicular emissions (exceedance of BAAQMD significance thresholds for reactive organic gases and oxides of nitrogen, which are ozone precursors, and for particulate matter);
- d. unknown, but potentially significant risks from toxic air contaminants from mobile sources, from individual stationary sources, from the combined risk due to emissions from multiple facilities, and from cumulative risks;
- e. contribution to cumulative hazardous waste generation and disposal impacts.
- f. cumulative water quality impacts (although the project's contribution to cumulative water quality impacts could be reduced to less than significant levels if mitigation measures are imposed).

I hereby certify that the foregoing Motion was ADOPTED by the City Planning Commission at its regular meeting of September 17, 1998.

Linda Avery
Commission Secretary

AYES: Commissioners Antenore, Chinchilla, Hills, Joe, Martin, Mills

NOES: None

ABSENT: Theoharis

ADOPTED: September 17, 1998

SAN FRANCISCO
CITY PLANNING COMMISSION
RESOLUTION NO. 14697

WHEREAS, the proposed Mission Bay North and South Redevelopment Areas are generally bounded by Townsend Street, Seventh Street and Interstate 280, Mariposa Street, Terry A. Francois Boulevard and Third Street (“Plan Areas”); and

WHEREAS, the Plan Areas comprise approximately 303 acres of an underutilized and underdeveloped industrial area characterized by deteriorated, obsolete or dysfunctional buildings and a lack of infrastructure in the Mission Bay South Project Area; and

WHEREAS, the Planning Department (“Department”) and the Redevelopment Agency (“Agency”) have undertaken a planning and environmental review process for the proposed Plan Areas and other uses in the Plan Areas and provided for appropriate public hearings before the Planning Commission and the Redevelopment Agency Commission; and

WHEREAS, the actions listed in Attachment A hereto (the “Actions”) are part of a series of considerations in connection with adoption of the Redevelopment Plans and various implementation actions (the “Project”), as more particularly defined in Attachment A hereto; and

WHEREAS, on April 11, 1998, the Department and the Agency released for public review and comment the Draft Subsequent Environmental Impact Report for the Project; and

WHEREAS, the Planning Commission and the Redevelopment Agency Commission held a joint public hearing on the Draft Environmental Impact Report on May 12, 1998 and further written public comments were received until 5:00 p.m. on June 9, 1998; and

WHEREAS, a Final Subsequent Environmental Impact Report (“FSEIR”) for the Project has been prepared by the Department and Agency consisting of the Draft Environmental Impact Report, the comments received during the review period, any additional information that became available and the Draft Summary of Comments and Responses, all as required by law; and

WHEREAS, the FSEIR files and other Project-related Department and Agency files have been available for review by this Planning Commission and the public, and those files are part of the record before this Planning Commission; and

WHEREAS, on September 17, 1998, the Planning Commission and the Redevelopment Agency Commission reviewed and considered the FSEIR and, by Motion No. 14696 and Resolution No. 182-98, respectively, found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed complied with the provisions of the California Environmental Quality Act ("CEQA") and the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, by Motion No. 14696 and Resolution No. 182-98, the Planning Commission and the Redevelopment Agency Commission, respectively, found that the Final Environmental Impact Report was adequate, accurate and objective, reflected the independent judgment of each Commission and that the summary of Comments and Responses contained no significant revisions to the draft Subsequent Environmental Impact Report, adopted findings of significant impacts associated with the Project and certified the completion of the Final Subsequent Environmental Impact Report for the Project in compliance with CEQA and the CEQA Guidelines; and

WHEREAS, the Department and Agency prepared proposed Findings, as required by CEQA, regarding the alternatives and variants, mitigation measures and significant environmental impacts analyzed in the FSEIR, overriding considerations for approving the Project including all of the actions listed in Attachment A hereto, and a proposed mitigation monitoring program, attached as Exhibit 1 to Attachment A, which material was made available to the public and this Planning Commission for the Planning Commission's review, consideration and actions; now, therefore, be it

RESOLVED, that the Planning Commission certified the FSEIR and found the FSEIR adequate, accurate and objective, and reflecting the independent judgment of the Planning Commission in Motion No.14696; and be it

FURTHER RESOLVED, that the Planning Commission has reviewed and considered the FSEIR and hereby adopts the Project Findings attached hereto as Attachment A, including its Exhibits 1 and 2, and incorporates the same herein by this reference.

Case No. 96.771EMTZR
Adoption of CEQA Findings for
Mission Bay North and Mission
Bay South Redevelopment Plans
and various other actions
Resolution No. 14697

I hereby certify that the foregoing Resolution was ADOPTED by the Planning Commission at a special joint hearing with the Redevelopment Agency Commission on September 17, 1998.

Linda Avery
Commission Secretary

AYES: Commissioners Antenore, Chinchilla, Hills, Joe, Martin and Mills

NOES: None

ABSENT: Commissioner Theoharis

ADOPTED: September 17, 1998

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