



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** March 25, 2014  
**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
**FROM:** Sarah B. Jones, Environmental Review Officer  
**RE:** California Coastal Protection Network Litigation Settlement

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Pending before the Board of Supervisors is a proposed Settlement Agreement (“Agreement”) with California Coastal Protection Network. The Agreement sets up a process whereby San Francisco will develop a long-term adaptive management plan for the South Reach of Ocean Beach, as well as interim measures to manage the South Reach. Both the long-term plan and the interim measures will be subject to appropriate environmental review after the City has identified preferred alternatives. The Agreement expressly retains the City’s full discretion to (i) make such modifications to a proposed project as are deemed necessary to mitigate significant environmental impacts; (ii) select other feasible alternatives to avoid such impacts; (iii) balance the benefits against unavoidable significant impacts prior to taking final action if such significant impacts cannot otherwise be avoided; or (iv) determine not to proceed with a proposed project if the City determines that the benefits of a proposed project fail to outweigh the unavoidable significant impacts. No physical changes to the environment would result from the Agreement, because the City has not committed itself to any specific alterations to Ocean Beach and any future alternative will be subject to full environmental review.

Establishing a process for the City to develop preferred alternatives and to submit them to environmental review does not qualify as a “project” under CEQA. The identification of a preferred alternative would not result in any changes to the environment, and the City has not committed itself to any specific long-term plan or to any specific interim measures. Therefore, the Agreement is not subject to review under CEQA.