

RESOLUTION NO. 58-2010

Adopted June 3, 2010

CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED CANDLESTICK POINT – HUNTERS POINT SHIPYARD PHASE II DEVELOPMENT PLAN PROJECT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; BAYVIEW HUNTERS POINT AND HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREAS

BASIS FOR RESOLUTION

1. The Redevelopment Agency of the City and County of San Francisco (“Agency”) and the City and County of San Francisco, acting through the Planning Department (“Department”), acting as joint lead agencies, fulfilled all procedural requirements of the California Environmental Quality Act (“CEQA”) as set forth in Cal. Pub. Res. Code Section 21000 *et seq.*, and the State CEQA Guidelines as set forth in Cal. Admin. Code Title 14, Section 15000 *et seq.*
2. The Agency and the Department determined that an Environmental Impact Report (“EIR”) was required for the proposed Candlestick Point – Hunters Point Shipyard Phase II Development Plan Project (“Project”), published a Notice of Preparation of an EIR and Notice of Public Scoping Meetings (“NOP”) on September 1, 2007, and provided public notice thereof by publication in a newspaper of general circulation on September 1, 2007.
3. On September 1, 2007, the Agency and the Department mailed the NOP to local, state, and federal agencies, the Bayview Hunters Point Project Area Committee (“PAC”), the Hunters Point Shipyard Citizens Advisory Committee (“CAC”), and other interested parties, initiating a 30-day public comment period that extended through September 2007.
4. The Agency and the Department filed a Notice of Completion of the NOP with the State Secretary for Resources via the State Clearinghouse on August 31, 2007.
5. The Agency and the Department held public scoping meetings on September 17, 2007, and September 25, 2007, in order to receive public input regarding the proposed scope of the EIR analysis. Attendees were provided an opportunity to voice comments or concerns regarding potential effects of the Project.
6. On November 10 and 11, 2009, notices of availability of the Draft EIR or copies of the Draft EIR were mailed or otherwise delivered to: a list of persons requesting such items; those noted on the distribution list in the Draft EIR, including, but not limited, to the Agency Commission, the Planning Commission, the PAC, and the

CAC; and government agencies, the latter both directly and through the State Clearinghouse. The Draft EIR was also made available for review at the Agency's offices and the Department's offices. In addition, a copy of the Draft EIR was posted on the Department's internet website, and the Agency's internet website included a link to the Department's website.

7. Pursuant to the requirements of CEQA, a Draft EIR ("Draft EIR") was prepared for the proposed Project. On November 12, 2009, the Agency and the Department published the Draft EIR for the proposed Project and provided public notice in a newspaper of general circulation of the availability of the Draft EIR for public review and comment and of the date and time of the Agency Commission and Planning Commission public hearings on the adequacy of the Draft EIR.
8. The Agency and the Department filed a Notice of Completion of the Draft EIR with the State Secretary for Resources via the State Clearinghouse on November 12, 2009.
9. The Agency Commission held a duly advertised public hearing on the adequacy of the Draft EIR on December 15, 2009 and January 5, 2010. The Planning Commission held a duly advertised public hearing on the adequacy of the Draft EIR on December 17, 2009. Notices of the public hearings were posted near the project site by the project sponsors on November 18, 2009. At each of the aforementioned public hearings, opportunity for public comment was provided and public comment was received on the Draft EIR. The period for acceptance of written comments on the Draft EIR ended January 12, 2010.
10. The Agency and the Department prepared responses to substantive comments on environmental issues received at the public hearing and in writing during the 60-day public review period for the Draft EIR, prepared revisions to the text of the Draft EIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the Draft EIR. This material was presented in a Comments and Responses document ("C&R"). The C&R, which summarized additional information reviewed after the publication of the Draft EIR and amplifies or clarifies the information and analysis previously contained in the Draft EIR, was published on May 13, 2010 and mailed or otherwise delivered to the Agency Commission and the Planning Commission, the PAC, the CAC, all parties who commented on the Draft EIR, and other interested parties, and made available to others upon request at the Agency offices and the Department offices. In addition, a copy of the C&R was posted on the Department's internet website, and the Agency's internet website included a link to the Department's website.
11. The proposed Final EIR for the Project consists of the C&R and the Draft EIR, as required by law.

12. The Agency Commission and the Planning Commission have independently reviewed the administrative record and the Final EIR, and have determined that the C&R contains no “significant new information,” as defined in CEQA Guidelines Section 15088.5, and there is no other “significant new information” that has become available that indicates any of the following:
 - a. A new significant environmental impact would result from the Project or from a mitigation measure; or
 - b. There will be a substantial increase in the severity of an environmental impact that would result unless mitigation measures are adopted to reduce such environmental impact to a level of insignificance; or
 - c. A feasible Project alternative or mitigation measure considerably different from the Project alternatives and mitigation measures discussed in the Draft EIR would clearly lessen any significant environmental impacts of the Project; or
 - d. The Draft EIR was so fundamentally inadequate and conclusory that meaningful public review and comments were precluded.

13. The Final EIR discloses that the Project will have the following significant effects on the environment. The impacts listed herein are project-specific impacts, with the exception of impacts related to transportation and circulation (denoted with the alpha-numeric code “TR-”), which, as described, include both project-specific and cumulative impacts.
 - a. Impact TR-1: Effect of Project Construction on Vehicle Traffic and Roadway Construction on Transportation System. The Project would impact the transportation system through construction vehicle traffic and roadway construction and contribute to cumulative construction impacts in the vicinity of the Project.
 - b. Impact TR-2: Effect of Project on Traffic Volumes. The Project would cause an increase in traffic that would be substantial relative to the existing and proposed capacity of the street system.
 - c. Impact TR-3: Effect of Project Traffic at Certain Area Intersections. The Project would have significant impacts on nine intersections in the Project vicinity, and would contribute to cumulative traffic conditions at these intersections: Third Street at Oakdale, Revere, Carroll, Jamestown, Jerrold and Williams/Van Dyke; and Bayshore Boulevard at Paul, Cortland and US 101 Northbound Off-ramp/Cesar Chavez.
 - d. Impact TR-4: Effect of Project Traffic at Tunnel/Blanken. The Project would result in significant Project AM peak hour traffic impacts and contribute to cumulative PM peak hour traffic impacts at the intersection of Tunnel/Blanken.
 - e. Impact TR-5: Project Contribution to Traffic at Degraded Intersections. The Project would contribute significant traffic to intersections in the Project vicinity that would operate at LOS E or LOS F under 2030 No Project

conditions. The Project contributions to cumulative traffic conditions would be significant in twenty intersections in the Project vicinity, and at sixteen of these intersections no feasible mitigation measures were identified. These sixteen intersections are: Third Street at 25th Street, Cesar Chavez Street, Cargo Way, Evans Avenue, Palou Avenue and Paul Avenue; Bayshore Boulevard at Visitacion Avenue, Alemany Boulevard/Industrial Street, Blanken, Bacon Street and Sunnydale Avenue; San Bruno Avenue at Paul Avenue, Silver Avenue and Mansell Avenue/US 101 Southbound Off-ramp; Cesar Chavez Street at Pennsylvania/I 280; and Evans Avenue at Napoleon Avenue/Toland Street. (The other four intersections are discussed below, under Impacts TR-6, TR-7 and TR-8.)

- f. Impact TR-6: Project Traffic at Freeway Ramps. The Project would contribute significant traffic at the intersections of Geneva/US 101 Southbound Ramps and Harney/US 101 Northbound Ramps, which would operate at LOS F under 2030 No Project conditions.
- g. Impact TR-7: Project Traffic at Amador/Cargo/Illinois. The Project would contribute significant traffic to the intersections of Amador/Cargo/Illinois, which would operate at LOS E under 2030 No Project conditions.
- h. Impact TR-8: Project Traffic at Bayshore/Geneva. The Project would contribute significant traffic to the intersection of Bayshore/Geneva, which would operate at LOS F under 2030 No Project conditions.
- i. Impact TR-10: Project Traffic Effects. The Project would result in increased traffic volumes on area roadways, and most substantially on key north/south and east/west streets, which would also experience cumulative traffic growth. As a result, the existing residential streets could be used as “cut-throughs,” shortcuts, or bypasses by non-neighborhood traffic. Substantial amounts of cut-through traffic can result in impacts such as noise, safety impacts to pedestrians, impaired driveway access, interference with emergency vehicle access, increased dust, exhaust, and litter, and similar annoyances that adversely affect neighborhood character.
- j. Impact TR-11: Project Traffic at Freeway Segments. The Project would contribute cumulatively considerable amounts of traffic to four freeway segments expected to operate at LOS E or LOS F under 2030 No Project conditions, specifically, US 101 northbound from Sierra Point to Alana/Geneva/Harney; US 101 southbound from the I 80 Merge to Cesar Chavez; US 101 southbound from Third/Bayshore to Alana/Geneva/Harney; and US 101 southbound from Alana/Geneva/Harney to Sierra Point.
- k. Impact TR-12: Project Traffic Impact at Freeway Ramps. The Project would cause four ramp junctions to deteriorate from acceptable LOS D or better to LOS E or F conditions or from LOS E to LOS F conditions, specifically, the US 101 northbound on-ramp from Alemany Boulevard; US 101 northbound on-ramp from Harney Way; US 101 northbound on-ramp from Bayshore

Boulevard/Cesar Chavez Street; US 101 southbound on-ramp from Harney Way/Geneva Avenue.

- l. Impact TR-13: Project Traffic Contribution to Cumulative Impacts at Freeway Ramps. The Project would contribute to significant cumulative traffic impacts at 12 freeway ramp locations. The Project would contribute cumulatively significant traffic increases at ramp junctions projected to operate at LOS E or LOS F under 2030 No Project conditions, specifically: US 101 northbound on-ramp from Sierra Point Parkway; US 101 northbound on-ramp from Harney Way; US 101 northbound on-ramp from Alemany Boulevard; US 101 northbound on-ramp from Bayshore Boulevard/Cesar Chavez Street; US 101 southbound off-ramp to Bayshore Boulevard/Cesar Chavez Street; US 101 southbound on-ramp from Third Street/Bayshore Boulevard; US 101 southbound on-ramp from Harney Way/Geneva Avenue; US 101 southbound on-ramp from Sierra Point Parkway; I 280 northbound off-ramp to Cesar Chavez Street; I 280 northbound on-ramp from Indiana Street/25th Street; I 280 southbound off-ramp to Pennsylvania Avenue/25th Street; and I 280 southbound on-ramp from Pennsylvania Avenue/25th Street.
- m. Impact TR-14: Project Traffic Impact to Diverge Queue Storage at Harney/US 101 Northbound Off-ramp. The Project would result in significant impacts related to freeway diverge queue storage at the Harney/US 101 Northbound Off-ramp. The Project would result in increases in traffic volumes that would cause the US 101 northbound off-ramp to Harney Way to experience queues that may extend back to the upstream freeway mainline segment which could result in unsafe conditions on the freeway mainline, resulting in significant traffic impacts at this location.
- n. Impact TR-15: Project Traffic Contribution to Diverge Queue Storage Impacts. The Project could contribute to significant cumulative traffic impacts related to freeway diverge queue storage at some off-ramp locations: US 101 northbound off-ramp to Harney Way and Bayshore/Cesar Chavez; US 101 southbound Off-ramp to Harney Way/Geneva Avenue and Sierra Point/Lagoon; and I-280 northbound off-ramp at Cesar Chavez.
- o. Impact TR-21: Project Traffic Impacts to 9-San Bruno Transit Line. The Project would increase congestion and contribute to cumulative conditions at intersections along San Bruno Avenue, which would increase travel times and impact operations of the 9-San Bruno. Project-related transit delays due to traffic congestion and passenger loading delays associated with increased ridership would result in significant impacts on the operation of the 9-San Bruno, which would add up to 8 minutes of delay per bus during peak hours.
- p. Impact TR-22: Project Traffic Impacts to 23-Monterey, 24-Divisadero, 44-O'Shaughnessy Transit Lines. The Project would contribute traffic to cumulative conditions at intersections along Palou Avenue, which would increase travel times and impact operations of the 23-Monterey, 24-Divisadero, and the 44-O'Shaughnessy. Project-related transit delays due to traffic

congestion and passenger boarding delays associated with increased ridership would result in significant impacts on the operation of the 23-Monterey, 24-Divisadero, and 44-O'Shaughnessy along Palou Avenue, which would add up to 7 minutes of delay per bus during peak hours.

- q. Impact TR-23: Project Traffic Impacts to 29-Sunset Transit Line. The Project would increase congestion at intersections along Gilman Avenue and Paul Avenue, which would increase travel times and would impact operations of the 29-Sunset. Project-related transit delays due to traffic congestion and passenger loading delays associated with increased ridership would result in significant impacts on the operation of the 29-Sunset, particularly at Third Street and Bayshore Boulevard. Overall, the Project-related congestion would add up to 17 minutes of delay per bus during peak hours.
- r. Impact TR-24: Project Traffic Impacts to 48-Quintara-24th Street Transit Line. The Project would increase congestion at intersections along Evans Avenue, which would increase travel times and impact operations of the 48-Quintara-24th Street. Project-related transit delays due to traffic congestion and passenger loading delays associated with increased ridership would result in significant impacts on the operation of the 48-Quintara-24th Street along Evans Avenue, particularly at the intersections of Third Street, Napoleon/Toland Streets and at Cesar Chavez Street. Overall, the Project-related congestion would add up to 3 minutes of delay per bus during peak hours.
- s. Impact TR-25: Project Traffic Impacts to 54-Felton Transit Line. The Project would increase congestion at several intersections in the area, and make a considerable contribution to cumulative impacts that would increase travel times and impact operations of the 54-Felton. The Project would create traffic congestion resulting in significant impacts to the operations of the 54-Felton, adding up to 6 minutes of delay per bus, particularly during the PM peak hour.
- t. Impact TR-26: Project Traffic Impacts to T-Third Transit Line. The Project would increase congestion at intersections along Third Street, and make a considerable contribution to cumulative impacts that would increase travel times and impact operations of the T-Third. Project-related transit delays due to traffic congestion on Third Street and passenger loading delays associated with increased ridership would result in significant impacts on the operation of the T-Third, particularly in the segment between Thomas Avenue and Kirkwood Avenue, resulting in overall delays of up to 3 minutes per bus during peak hours.
- u. Impact TR-27: Project Traffic Impacts to 28L-19th Avenue/Geneva Limited Transit Line. The Project could increase congestion at the intersection of Geneva Avenue and Bayshore Boulevard, increasing travel times and impacting operations of the 28L-19th Avenue/Geneva Limited. Increased congestion associated with Project vehicle trips would impact the operations of the 28L-19th Avenue/Geneva Limited, resulting in delays of up to 4 minutes per bus during peak hours.

- v. Impact TR-28: Project Traffic Impacts to 9X, 9AX, 9BX-Bayshore Expresses and 14X-Mission Express Transit Lines. The Project would increase congestion on US 101 mainline and ramps, which would increase travel times and impact operations of the 9X, 9AX, 9BX-Bayshore Expresses, and 14X-Mission Express. The Project would also contribute to cumulative impacts on these transit routes on US 101.
- w. Impact TR-30: Project Traffic Impacts to SamTrans Bus Lines. The Project would increase congestion and contribute to cumulative congestion on US 101 and on Bayshore Boulevard, which would increase travel times and adversely affect operations of SamTrans bus lines on these facilities.
- x. Impact TR-32: Project Traffic Impacts to Bicycle Routes. Implementation of the Project's proposed transit preferential treatments and significant increases in traffic volumes on Palou Avenue could result in impacts on bicycle travel on Bicycle Routes #70 and #170 between Griffith Street and Third Street. The combination of the proposed transit preferential treatment and the substantial increase in traffic volumes and congestion would result in potentially significant impacts on bicycle travel on Bicycle Route #70 and Bicycle Route #170 on Palou Avenue.
- y. Impact TR-38: 49ers Game Site Access and Traffic Impacts. Implementation of the proposed 49ers stadium would result in significant impacts on study area roadways and intersections, for as many as 12 times a year.
- z. Impact TR-39: Stadium 49er Game Transit Impacts. Implementation of the Project with existing game day service and Project transit improvements would not be adequate to accommodate projected transit demand. It is estimated that there would be a capacity shortfall of approximately 3,640 passengers per hour during game days.
- aa. Impact TR-46: Stadium Secondary Event Site Access and Traffic Impacts. Weekday evening secondary events at the stadium would result in increased congestion at intersections, freeway mainline, and freeway ramps already operating at unacceptable LOS under Project conditions without a secondary event, and result in significant impacts at nine additional intersections and one additional freeway off-ramp.
- bb. Impact TR-47: Stadium Secondary Event Transit Impacts. With implementation of the Project, the existing transit service and Project improvements would not be adequate to accommodate projected transit demand during secondary events with attendance of 37,500 spectators. In addition, transit lines serving the area would experience additional delays due to traffic generated by the secondary event.

- cc. Impact TR-51: Project Site Access and Traffic Impacts from Arena Uses. With implementation of the Project, weekday evening events at the arena would exacerbate congestion at intersections, freeway mainline, and freeway ramps already operating at unacceptable LOS under Project conditions without an arena event, and result in significant traffic impacts at Harney Way and Jamestown Avenue, which would be operating acceptably under Project conditions without an arena event. Overall, since local streets and freeway facilities would experience increased congestion without an arena event, traffic impacts associated with the new arena would be significant.

- dd. Impact TR-52: Transit Impacts from Arena Uses. With implementation of the Project, the existing and proposed transit service would be affected by sell-out weekday evening events at the arena. With the stadium use at HPS Phase II, transit capacity would be adequate to accommodate projected transit demand, but because of traffic congestion in the area, impacts to transit would result. With the implementation of Variants 1 or 2A at the stadium site, traffic congestion would impact transit service and in addition, events at the arena might cause transit capacity impacts.

- ee. Impact AQ-4: Criteria Pollutants from Project Operations. Operation of the Project would violate the Bay Area Air Quality Management District (BAAQMD)'s CEQA significance thresholds for mass criteria pollutant emissions from mobile and area sources, and contribute substantially to an existing or projected air quality violation at full build-out in the year 2029. Project emissions of ROG, NO_x and PM₁₀ would exceed the BAAQMD CEQA thresholds and the ROG, NO_x, PM₁₀ and PM_{2.5} proposed BAAQMD CEQA thresholds.

- ff. Impact NO-2: Groundborne Vibration Impacts from Construction. Construction activities associated with the Project would create excessive groundborne vibration levels in existing residential neighborhoods adjacent to the Project site and at proposed on-site residential uses should the latter be occupied before Project construction activities on adjacent parcels are complete.

- gg. Impact NO-3: Increase in Ambient Noise Levels from Construction. Construction activities associated with the Project would result in a substantial temporary or periodic increase in ambient noise levels. Construction activities occurring within the Project site and in the Project vicinity for roadway and infrastructure improvements would involve demolition, grading, and excavation activities, followed by construction and external finishing of the proposed facilities and associated parking areas, as well as roadway and landscaping improvements. These activities would involve the use of heavy equipment.

- hh. Impact NO-6: Noise Impacts from Project Traffic. Operation of the Project would generate increased local traffic volumes that would cause a substantial permanent increase in ambient noise levels in existing residential areas along the major Project site access routes. The increase in traffic resulting from implementation of the Project and ambient growth over the next 20 years would

increase the ambient noise levels at noise-sensitive locations along the major vehicular access routes to the Project site, particularly along sections of Jamestown Avenue, Carroll Avenue, and Gilman Avenue.

- ii. Impact NO-7: Noise Impacts from Stadium Events. Noise during football games and concerts at the proposed stadium would result in temporary increases in ambient noise levels that could adversely affect surrounding residents for the duration of a game or concert. There would be significant noise impacts during football game days and concert days on the existing residential uses closest to the proposed stadium and possibly for the new residential uses closest to the proposed stadium.
 - jj. Impact CP-1b: Impacts to Historic Resources from Construction Activities. Construction at HPS Phase II could result in a substantial adverse change in the significance of an historic resource. Implementation of the Project could result in the demolition of Buildings 211, 224, 231, and 253, which have been identified as historic resources in the potential Hunters Point Commercial Dry Dock and Naval Shipyard Historic District.
 - kk. Impact SH-1: New Shadow Effects on Outdoor Recreation Facilities. Under Tower Variant 3C and 3D, new shadow effects on Gilman Park are conservatively considered significant.
14. The Project will have the following significant cumulative effects on the environment, except for cumulative impacts related to transportation and circulation, which are listed in the preceding recital (see impacts listed therein denoted with the alpha-numeric code "TR-").
- a. Cumulative Contribution of Criteria Pollutants from Project Operation. Operation of the Project would violate BAAQMD CEQA significance thresholds for mass criteria pollutant emissions from mobile and area sources and contribute substantially to an existing or projected air quality violation at full build-out.
 - b. Cumulative Contribution to TAC and PM_{2.5} Impact Under the Proposed Bay Area Air Quality Management District CEQA Guidelines. The Project may result in a considerable contribution to a cumulative air quality impact regarding TACs and PM_{2.5} emissions under proposed BAAQMD CEQA Guidelines.
 - c. Cumulative Contribution to Noise from Construction Activities. Construction activities such as use of heavy equipment and pile driving associated with development of cumulative projects could contribute to a cumulative impact from increased noise levels for both off-site and on-site sensitive receptors.
 - d. Cumulative Contribution to Pile-Driving Activities. Construction of the Project would include pile-driving activities that may overlap with other nearby construction activities during Project development and make a considerable

contribution to cumulative construction-related temporary increases in ambient noise levels.

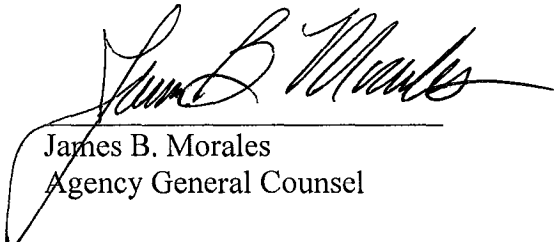
- e. Cumulative Contribution to Traffic Noise Levels. Project operation would make a considerable contribution to a substantial, permanent increase in cumulative traffic noise levels that would affect existing and future residential uses along all Project site access roads.
 - f. Cumulative Contribution to Ambient Noise During Stadium Events. Project operation would make a considerable contribution to a substantial increase in cumulative noise during stadium events.
 - g. Cumulative Contribution to Vibration Effects During Construction Activities. Pile-driving activities during construction could make a considerable contribution to cumulative vibration effects if pile driving would occur and/or heavy construction equipment would operate on multiple sites and collectively result in vibration impacts in excess of 85 VdB at nearby sensitive receptors.
 - h. Cumulative Contribution to Impacts on Historic Resources. The Project would make a considerable contribution to a cumulative impact on significant historic resources, including residential, commercial, and civic properties that are listed or eligible for listing on national, state, or local registers.
 - i. Cumulative Contribution to Demand for Police Services. Development of cumulative projects within the City and County of San Francisco ("City") would result in increased population and employment-generating uses and associated increased demand for police protection. While the Police Department considers population growth projections in its annual budgeting process to determine equipment and staffing needs for the coming year, it is possible that cumulative growth in the City could exceed the capacity of existing or planned staffing and facility improvements, and could require construction of one or more stations, resulting in a significant impact. Because the Project would require new or physically altered police facilities in order to maintain acceptable police services, the Project would make a cumulatively considerable contribution to a potential significant cumulative impact on police services.
15. Project EIR files have been made available for review by the Agency Commission and the public. These files are available for public review at the Agency offices at One South Van Ness Avenue, Fifth Floor, and are part of the administrative record before the Agency Commission.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco as follows:

1. The Agency Commission has reviewed the Final Environmental Impact Report for the proposed Candlestick Point – Hunters Point Shipyard Phase II Development Plan Project consisting of the Draft Environmental Impact Report (Volumes I - VI) and the Comments and Responses document (Volumes VII - X) (“C& R” document), which jointly constitute the Final EIR for the Project, and makes the following determinations, based on its independent judgment and review:
 - a. The C&R document does not contain any “significant new information,” as defined in CEQA Guidelines Section 15088.5 and the revisions to the Draft EIR contained in the C&R do not constitute a substantial revision of the Draft EIR.
 - b. The Final EIR reflects the independent judgment and analysis of the Agency.
2. The Final EIR concerning File No. ER06.05.07: Candlestick Point – Hunters Point Shipyard Phase II Development Plan Project is certified as adequate, accurate, and objective, and in compliance with CEQA and the State CEQA Guidelines.
3. This Resolution shall take effect concurrently with the San Francisco Planning Commission’s adoption of a parallel motion or resolution certifying the Final EIR as the Project EIR.

APPROVED AS TO FORM:



James B. Morales
Agency General Counsel

RESOLUTION NO. 59-2010

Adopted June 3, 2010

ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, INCLUDING THE ADOPTION OF A MITIGATION MONITORING AND REPORTING PROGRAM AND A STATEMENT OF OVERRIDING CONSIDERATIONS, FOR THE CANDLESTICK POINT – HUNTERS POINT SHIPYARD PHASE II DEVELOPMENT PLAN PROJECT; BAYVIEW HUNTERS POINT AND HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREAS

BASIS FOR RESOLUTION

1. The Redevelopment Agency of the City and County of San Francisco (“Agency”), the Planning Department of the City and County of San Francisco (“Department”), the Mayor’s Office, and other City Departments have been working on the proposed Candlestick Point – Hunters Point Shipyard Phase II development plan project (the “Project”), which is located in two Redevelopment Project Areas governed by two redevelopment plans: the Hunters Point Shipyard Redevelopment Plan for the Hunters Point Shipyard Phase II portion of the Project site and the Bayview Hunters Point Redevelopment Plan for the Candlestick Point portion of the Project site.
2. The Project is located on approximately 702-acres east of U.S. Highway 101 in the southeastern portion of the City and County of San Francisco consisting of 421 acres at Hunters Point Shipyard and 281 acres at Candlestick Point.
3. The Project includes a development project component that would create a mixed-use community with a wide range of residential, retail, office, research and development, civic and community uses, parks and recreational open space, and the possible development of a new 49ers stadium on Hunters Point Shipyard, via the proposed amendments of the Bayview Hunters Point Redevelopment Plan and the Hunters Point Shipyard Redevelopment Plan and Design for Development, as well as revisions to the San Francisco *General Plan*, *Planning Code*, and the Zoning Maps.
4. The Agency has prepared proposed amendments to the Hunters Point Shipyard Redevelopment Plan and the Bayview Hunters Point Redevelopment Plan, Designs for Development for Hunters Point Shipyard Phase II and Candlestick Point, and associated Project-related documents.
5. The proposed Redevelopment Plan amendments and Designs for Development will facilitate implementation of the development plan component. The Redevelopment Plan amendments establish Goals and Objectives and basic land use standards for the Project. The Designs for Development set urban design framework plan and specific development controls and design guidelines for the Project.

6. The Agency shall utilize the Design for Development, along with the Redevelopment Plan amendments in consideration of entitlements for the future development of the Project, and will follow the design review procedure described therein.
7. The Agency and the Department determined that an Environmental Impact Report ("EIR") was required for the proposed Project, and provided for appropriate public hearings before the Agency Commission and the Planning Commission.
8. The Agency and the Department released for public review and comment the Draft EIR for the Project (Agency File No. ER06.05.07) on November 12, 2009. The period for acceptance of written comments on the Draft EIR ended January 12, 2010.
9. The Agency Commission held a public hearing on the adequacy of the Draft EIR on December 15, 2009 and January 5, 2010. The Planning Commission held a public hearing on the adequacy of the Draft EIR on December 17, 2009.
10. The Agency and the Department published a Comments and Responses document ("C&R") on May 13, 2010, that included responses to substantive comments on environmental issues received at the public hearing and in writing during the 60-day public review period for the Draft EIR, and revisions to the Draft EIR text in response to comments received or based on additional information that became available during the public review period, and correction of errors in the Draft EIR.
11. The EIR files and other Project-related Agency files have been available for review by the Agency Commission and the public, and those files are part of the record before the Agency Commission.
12. The Agency Commission reviewed and considered the Final EIR consisting of the Draft EIR together with the C&R and determined, by Resolution No. 58-2010, that the contents of the Final EIR complied with the provisions of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the Agency-adopted CEQA guidelines. Further, the Agency Commission found, by Resolution No. 58-2010, that the Final EIR was adequate, accurate and objective, and reflected the independent judgment and analysis of the Commission, and that the C&R contained no significant revisions to the Draft EIR.
13. On June 3, 2010, the Agency Commission adopted Resolution No. 58-2010, certifying the completion of the Final EIR for the Project in compliance with CEQA and the State CEQA Guidelines. Copies of the Final EIR are on file with the Agency.

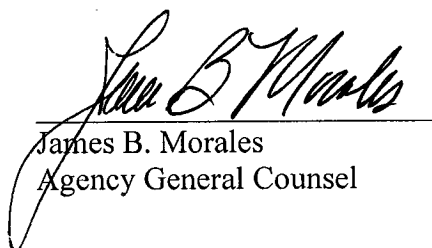
14. The Agency and the Department prepared Findings, as required by CEQA, regarding the alternatives, mitigation measures, and significant environmental impacts analyzed in the Final EIR, and overriding considerations for approving the proposed Project, including all of the actions listed in Attachment A hereto, and a proposed Mitigation Monitoring and Reporting Program, attached as Attachment B hereto, which material was made available to the public and this Agency Commission for its review, consideration, and action.

RESOLUTION

ACCORDINGLY IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that:

1. The Agency Commission certified the Final EIR as adequate, accurate, and objective, and reflecting the independent judgment of the Agency in Resolution No. 58-2010.
2. The Agency Commission finds, based on substantial evidence in light of the whole record, that: (1) modifications incorporated into the Project will not require important revisions to the Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) no substantial changes have occurred with respect to the circumstances under which the Project is undertaken that would require major revisions to the Final EIR due to the involvement of new significant environmental effects, or a substantial increase in the severity of effects identified in the Final EIR; and (3) no new information of substantial importance to the Project has become available that would indicate (a) the Project will have significant effects not discussed in the Final EIR; (b) significant environmental effects will be substantially more severe; (c) mitigation measures or alternatives found not feasible, which would reduce one or more significant effects, have become feasible; or (d) mitigation measures or alternatives, which are considerably different from those in the Final EIR, would substantially reduce one or more significant effects on the environment.
3. The Agency Commission has reviewed and considered the Final EIR and hereby adopts the Findings attached hereto as Attachment A and the Mitigation Monitoring and Reporting Program attached hereto as Attachment B, and incorporates the same herein by this reference.

APPROVED AS TO FORM:


James B. Morales
Agency General Counsel