AMENDED IN COMMITTEE 2/5/18 RESOLUTION NO 36-18

FILE NO. 171286

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[California Environmental Quality Act Findings - Seawall Lot 337 and Pier 48 Mixed-Use Project]

Resolution affirming the Planning Department's certification of the Final Environmental Impact Report and adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and San Francisco Administrative Code, Chapter 31, including findings of fact, findings regarding significant impacts and significant and unavoidable impacts, evaluation of mitigation measures and alternatives, a statement of overriding considerations, and adoption of a mitigation monitoring and reporting program related to the approvals for the proposed Seawall Lot 337 and Pier 48 Mixed-Use Project.

WHEREAS, The Board of Supervisors makes the following findings in compliance with the California Environmental Quality Act (CEQA), California Public Resources Code, Sections 21000 et seq., the CEQA Guidelines, 14 Cal. Code Reg. Code, Sections 15000 et seq. (CEQA Guidelines), and San Francisco Administrative Code, Chapter 31 (Chapter 31); and

WHEREAS, The proposed area for development is an approximately 28-acre project site that consists of the 14.2-acre Seawall Lot 337; the 0.3-acre strip of land along the south boundary of Seawall Lot 337, referred to as P20; the 6.0-acre Pier 48; the existing 2.2-acre China Basin Park; and 5.4 acres of streets and access areas within or adjacent to the boundaries of Seawall Lot 337 and Pier 48 (Project Area); and

WHEREAS, The Planning Department ("Department") has undertaken a planning and environmental review process for the proposed Project Area and provided for appropriate public hearings before the Planning Commission; and

WHEREAS, The actions listed in Attachment A, "Seawall Lot 337 and Pier 48 Mixed Use Project California Environmental Quality Act Findings; Findings of Fact, Evaluation of

Mitigation Measures and Alternatives, and Statement of Overriding Considerations," San Francisco Planning Commission, October 5, 2017, a copy of which is in Board File No. 171286, and available on the Board's website, and incorporated herein as though fully set forth, ("Actions") are various actions proposed to implement the Seawall Lot 337 and Pier 48 Mixed Use Project (Project), as more particularly defined in Attachment A; and,

WHEREAS, On April 26, 2017, the Department released for public review and comment the Draft Environmental Impact Report for the Project, (Department Case No. 2013.0208ENV); and

WHEREAS, The Planning Commission on June 1, 2017, held public hearings on the Draft Environmental Impact Report and received written public comments until 5:00 pm on June 12, 2017, for a total of 47 days of public review; and

WHEREAS, The Department prepared a Final Environmental Impact Report ("FEIR") for the Project consisting of the Draft Environmental Impact Report, the comments received during the review period, any additional information that became available after the publication of the Draft Environmental Impact Report, and the Draft Summary of Comments and Responses, all as required by law, a copy of which is in Board File No. 171286, and available on the Board's website and is incorporated into this resolution by this reference; and

WHEREAS, The FEIR files and other Project-related Department files have been available for review by this Board of Supervisors and the public, and those files are part of the record before this Board of Supervisors; and

WHEREAS, On October 5, 2017, the Planning Commission reviewed and considered the FEIR and, by Motion No. 20017, 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. 20017, found that the FEIR was adequate, accurate and objective, reflected the independent judgment and analysis of Commission and that the summary of Comments and Responses contained no significant revisions to the Draft Environmental Impact Report; and

WHEREAS, By Motion No. 20017, adopted findings that the Project will have significant and unavoidable project impacts and make a considerable contribution to cumulative impacts in the areas of transportation, noise, air quality and wind; and

WHEREAS, By Motion No. 20017, certified the completion of the Final Environmental Impact Report for the Project in compliance with CEQA and the CEQA Guidelines; and

WHEREAS, On October 5, 2017, by Motion No. 20018, the Planning Commission adopted Findings, as required by CEQA, regarding the alternatives, mitigation measures, significant environmental impacts analyzed in the FEIR, and a statement of overriding considerations, for approving the Project, including all of the actions listed in Attachment A. The Planning Commission also adopted a mitigation monitoring and reporting program, denoted as Attachment B, a copy of which is in Board File No. 171286, which material was made available to the public and this Board of Supervisors for its review, consideration and actions;

WHEREAS, The Board has reviewed and considered the information in the memorandum from the Environmental Review Officer of the Planning Department dated

February 1, 2018, (Planning Memorandum) that considers a change in the Hotel Variant. The Final EIR considered the effects of constructing an approximately 300 room hotel of 200,000 gross square feet (gsf) instead of constructing 200,000 gsf of residential use. The Planning Memorandum considers the environmental effects of replacing 200,000 gross of commercial space instead of an equivalent amount of residential space with a hotel of approximately 300 rooms and 200,000 gsf. The Planning Memorandum concludes that such a change in the

Hotel Variant would not result in any additional environmental effects beyond those analyzed in the Final EIR for the reasons stated in the memorandum, a copy of which is in Board File No. 171286, available on the Board's website, and incorporated into this resolution by this reference; now, therefore, be it

RESOLVED, That the Board of Supervisors has reviewed and considered Planning Commission Motion No. 20017 certifying the FEIR and finding the FEIR adequate, accurate and objective, and reflecting the independent judgment and analysis of the Planning Commission, and hereby affirms the Planning Commission's certification of the FEIR; and be it

FURTHER RESOLVED, That the Board of Supervisors finds that (1) modifications incorporated into the Project_including without limitation, the change in the Hotel Variant analyzed in the Planning Memorandum, and reflected in the Actions will not require important revisions to the FEIR 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 or the Actions are undertaken that would require major revisions to the FEIR due to the involvement of new significant environmental effects, or a substantial increase in the severity of effects identified in the FEIR; and (3) no new information of substantial importance to the Project or the Actions has become available that would indicate (a) the Project or the Actions will have significant effects not discussed in the FEIR; (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 FEIR, would substantially reduce one or more significant effects on the environment; and, be it

FURTHER RESOLVED, That the Board of Supervisors has reviewed and considered the FEIR and hereby adopts the CEQA Findings contained in Planning Commission Motion No. 20018, including the Findings in Attachment A, and the mitigation monitoring and reporting program contained in Attachment B, on file in Board File No.171286, and incorporates the same into this resolution by this reference.

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City and County of San Francisco **Tails**

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Resolution

File Number:

171286

Date Passed: February 13, 2018

Resolution affirming the Planning Department's certification of the Final Environmental Impact Report and adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and San Francisco Administrative Code, Chapter 31, including findings of fact, findings regarding significant impacts and significant and unavoidable impacts, evaluation of mitigation measures and alternatives, a statement of overriding considerations, and adoption of a mitigation monitoring and reporting program related to the approvals for the proposed Mission Rock mixed-use project located at Seawall Lot 337 and Pier 48.

February 05, 2018 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

February 05, 2018 Land Use and Transportation Committee - RECOMMENDED AS **AMENDED**

February 13, 2018 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

File No. 171286

I hereby certify that the foregoing Resolution was ADOPTED on 2/13/2018 by the Board of Supervisors of the City and County of San Francisco.

> Angela Calvillo Clerk of the Board

Mark E. Farrell

Mayor