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Planning Commission Motion No. 20635

HEARING DATE: JANUARY 30, 2020

Case No.:	**2017-011878ENV**
Project Title:	**Potrero Power Station Mixed-Use Development Project**
Zoning:	M-2 (Heavy Industrial) and PDR 1-G (Production, Distribution and Repair - General), 40-X and 65-X Height District
Block/Lot:	Assessor's Block 4175/Lot 002, Block 4175/Lot 017, Block 4175/Lot 018, Block 4232/Lot 001, Block 4232/Lot 006; and non-assessed Port and City/County of San Francisco properties
Project Sponsor:	California Barrel Company, LLC Jim M. Abrams, J. Abrams Law, P.C jabrams@jabramslaw.com, (415) 999-4402
Staff Contact:	Rachel Schuett – (415) 575-9030 rachel.schuett@sfgov.org

ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED POTRERO POWER STATION MIXED-USE DEVELOPMENT PROJECT.

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the final Environmental Impact Report identified as Case No. 2017-011878ENV, the "Potrero Power Station Mixed-Use Development Project" (hereinafter "Project"), based upon the following findings:

1. The City and County of San Francisco, acting through the Planning Department (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 Environmental Impact Report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on November 1, 2017.

   B. The Department held a public scoping meeting on November 15, 2017 in order to solicit public comment on the scope of the Project's environmental review.

   C. On October 3, 2018, the Department published the Draft Environmental Impact Report (hereinafter "DEIR") and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public

hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice.

D. Notices of availability of the DEIR and of the date and time of the public hearing were posted near the project site on October 3, 2018.

E. On October 3, 2018, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, and to government agencies, the latter both directly and through the State Clearinghouse.

F. A Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on October 3, 2018.

2. The Commission held a duly advertised public hearing on said DEIR on November 8, 2018 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on November 19, 2018.

3. The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 45-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a Responses to Comments document, published on December 11, 2019, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.

4. A Final Environmental Impact Report (hereinafter "FEIR") has been prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Responses to Comments document, all as required by law.

5. Project EIR files have been made available for review by the Commission and the public. These files are available for public review at the Department at 1650 Mission Street, Suite 400, and are part of the record before the Commission.

6. On January 30, 2020, the Commission reviewed and considered the information contained in the FEIR and hereby does find that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

7. The Planning Commission hereby does find that the FEIR concerning File No. 2017-011878ENV reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate, and objective, and that the Responses to Comments document contains no significant revisions to the DEIR that would require recirculation of the document pursuant to CEQA Guideline section 15088.5, and hereby does CERTIFY THE COMPLETION of said FEIR in compliance with CEQA, the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code.

8. The Commission, in certifying the completion of said FEIR, hereby does find that the Project Variant described in the FEIR (with or without the PG&E subarea) would have the following significant unavoidable environmental impacts, which cannot be mitigated to a level of insignificance:

   A. **CR-4:** The Project Variant would demolish the Meter House and the Compressor House, two individually significant historic architectural resources, and would also partially demolish Station A, a third individually significant historic architectural resource, which would materially alter in an adverse manner the physical characteristics that justify their inclusion in the California Register of Historical Resources.

   B. **TR-5**: The Project Variant would result in significant impacts on Muni transit operations on the 22 Fillmore and 48 Quintara/24th Street bus routes due to increases in transit travel time.

   C. **C-TR-5:** The Project Variant would substantially contribute to significant impacts on Muni transit operations on the 22 Fillmore and 48 Quintara/24th Street bus routes due to increases in transit travel time.

   D. **NO-2**: Construction of the Project Variant would cause a substantial temporary or periodic increase in ambient noise levels at noise-sensitive receptors, above levels existing without the project.

   E. **NO-8:** Operation of the Project Variant would cause substantial permanent increases in ambient noise levels along some roadway segments in the project vicinity that would affect off-site noise-sensitive receptors.

   F. **C-NO-1:** Concurrent construction of the Project Variant and other development in the area would result in substantial temporary or periodic in ambient noise levels that would affect future planned offsite and proposed onsite noise-sensitive receptors.

   G. **C-NO-2:** Traffic increases associated with operation of the Project Variant, in combination with other cumulative development, would result in a substantial contribution to increases in ambient noise levels along roadway segments in the project vicinity.

   H. **AQ-2:** Construction of the portions of the Project Variant concurrent with operation of other portions of the Project Variant would result in emissions of ozone precursors at levels exceeding significance thresholds, which would violate an air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants.

   I. **AQ-3:** Criteria air pollutant emissions—reactive organic gases and oxides of nitrogen—during operation of the Project Variant would exceed significance thresholds, which would violate an air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants.

J. **C-AQ-1:** Criteria air pollutant emissions from implementation of the Project Variant, in combination with past, present, and reasonably foreseeable future development in the project area, would result in a substantial contribution to cumulative regional air quality impacts.

K. **WS-2:** The phased construction of the Project Variant could alter localized wind conditions in a manner that substantially affects public areas on or near the project site, under interim conditions prior to full buildout.

9. The Commission reviewed and considered the information contained in the FEIR prior to approving the Project.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of January 30, 2020.

Jonas P. Ionin
Commission Secretary

AYES: Diamond, Fung, Koppel, Melgar, Moore

NOES: None

ABSENT: Johnson, Richards

ADOPTED: January 30, 2020