

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

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

11
12 WHEREAS, The Board of Supervisors makes the following findings in compliance with
13 the California Environmental Quality Act (CEQA), California Public Resources Code, Sections
14 21000 et seq., the CEQA Guidelines, 14 Cal. Code Reg. Code, Sections 15000 et seq.

15 (CEQA Guidelines), and San Francisco Administrative Code, Chapter 31 (Chapter 31); and

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

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

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

1 Mitigation Measures and Alternatives, and Statement of Overriding Considerations," San
2 Francisco Planning Commission, October 5, 2017, a copy of which is in Board File No.
3 171286, and available on the Board's website, and incorporated herein as though fully set
4 forth, ("Actions") are various actions proposed to implement the Seawall Lot 337 and Pier 48
5 Mixed Use Project (Project), as more particularly defined in Attachment A; and,

6 WHEREAS, On April 26, 2017, the Department released for public review and
7 comment the Draft Environmental Impact Report for the Project, (Department Case No.
8 2013.0208ENV); and

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

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

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

21 WHEREAS, On October 5, 2017, the Planning Commission reviewed and considered
22 the FEIR and, by Motion No. 20017, found that the contents of said report and the procedures
23 through which the FEIR was prepared, publicized and reviewed complied with the provisions
24 of the California Environmental Quality Act ("CEQA") and the CEQA Guidelines and Chapter
25 31 of the San Francisco Administrative Code; and

1 WHEREAS, By Motion No. 20017, found that the FEIR was adequate, accurate and
2 objective, reflected the independent judgment and analysis of Commission and that the
3 summary of Comments and Responses contained no significant revisions to the Draft
4 Environmental Impact Report; and

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

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

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

18 WHEREAS, The Board has reviewed and considered the information in the
19 memorandum from the Environmental Review Officer of the Planning Department dated
20 February 1, 2018, (Planning Memorandum) that considers a change in the Hotel Variant. The
21 Final EIR considered the effects of constructing an approximately 300 room hotel of 200,000
22 gross square feet (gsf) instead of constructing 200,000 gsf of residential use. The Planning
23 Memorandum considers the environmental effects of replacing 200,000 gross of commercial
24 space instead of an equivalent amount of residential space with a hotel of approximately 300
25 rooms and 200,000 gsf. The Planning Memorandum concludes that such a change in the

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

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

10 FURTHER RESOLVED, That the Board of Supervisors finds that (1) modifications
11 incorporated into the Project, including without limitation, the change in the Hotel Variant
12 analyzed in the Planning Memorandum, and reflected in the Actions will not require important
13 revisions to the FEIR due to the involvement of new significant environmental effects or a
14 substantial increase in the severity of previously identified significant effects; (2) no substantial
15 changes have occurred with respect to the circumstances under which the Project or the
16 Actions are undertaken that would require major revisions to the FEIR due to the involvement
17 of new significant environmental effects, or a substantial increase in the severity of effects
18 identified in the FEIR; and (3) no new information of substantial importance to the Project or
19 the Actions has become available that would indicate (a) the Project or the Actions will have
20 significant effects not discussed in the FEIR; (b) significant environmental effects will be
21 substantially more severe; (c) mitigation measures or alternatives found not feasible, which
22 would reduce one or more significant effects, have become feasible; or (d) mitigation
23 measures or alternatives, which are considerably different from those in the FEIR, would
24 substantially reduce one or more significant effects on the environment; and, be it
25

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

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