

RESOLUTION NO. 9-2005

Adopted January 18, 2005

ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL SUPPLEMENT TO A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED SOUTH OF MARKET REDEVELOPMENT PLAN AMENDMENT AND PROJECT AREA, GENERALLY BOUNDED BY STEVENSON, MISSION, AND NATOMA STREETS ON THE NORTH, FOURTH AND FIFTH STREETS ON THE EAST, HARRISON STREET ON THE SOUTH AND SEVENTH STREET ON THE WEST, ENCOMPASSING EIGHT ASSESSOR'S BLOCKS, IN PORTION OR ENTIRETY, AS FOLLOWS: 3703, 3704, 3725, 3726, 3731, 3732, 3753 and 3754; SOUTH OF MARKET EARTHQUAKE RECOVERY REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION

1. The staff of the Redevelopment Agency of the City and County of San Francisco ("Agency") has prepared a proposed amendment to the South of Market Earthquake Recovery Redevelopment Plan, whose principal changes are to convert such Earthquake Recovery Redevelopment Plan to a standard Redevelopment Plan, extend the expiration date by ten years from June 11, 2010 to June 11, 2020; authorize tax-increment financing for redevelopment, increase the amount of allocable tax increment, authorize the use of eminent domain, where necessary to alleviate physical and economic conditions of blight, and expands the South of Market Project Area to include the parcels and blocks around the Bessie Carmichael School near 7th and Harrison Streets (collectively "Plan Amendment").
2. The Plan Amendment is a project ("Project") within the meaning of the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., hereinafter "CEQA"), and the City and County of San Francisco ("City"), acting through the Planning Commission and the Agency, acting as Co-Lead Agencies, certified a Final Environmental Impact Report ("FEIR") on January 23, 1997 pursuant to 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").
3. The City's Planning Department ("Planning Department") and the Agency determined that a Supplement to the FEIR was appropriate for the proposed Project and on August 28, 2004, the Agency published the Draft Supplement to the Final Environmental Impact Report ("Draft Supplement"). Public notice of availability of the Draft Supplement for public review and comment was provided on a number of occasions, including the following:

- A. On August 28, 2004, a public notice was published in a newspaper of general circulation of the availability of the Draft Supplement for public review and comment, that indicated a public hearing would be scheduled during the public comment period before both the Agency Commission and Planning Commission.
 - B. On August 28, 2004, a notice of availability of the Draft Supplement for public review and comment was also mailed to property owners and residents within the Project Area, property owners within a 300 ft. radius of the Project Area, and Agency and Planning Department lists of persons requesting such notice.
 - C. On September 22, 2004, Agency staff posted supplemental notices throughout the Project Area of availability of the Draft Supplement for public review and comment, the date and time of the October 5, 2004, Agency Commission public hearing, and also indicating that an additional public hearing before the Planning Commission would occur on a date to be announced.
 - D. On September 25, 2004, an additional notice was published in a newspaper of general circulation as to the availability of the Draft Supplement for public review and comment, date and time of the Agency's public hearing on October 5, 2004, and that the Planning Commission hearing would occur on a date to be announced; this notice was also mailed to property owners and residents within the Project Area, property owners within a 300 ft. radius of the Project Area, and Agency and Department lists of persons requesting such notice.
- 4. The Agency Commission and the Planning Commission each held a duly noticed public hearing on the Draft Supplement on October 5, 2004 and October 14, 2004, respectively, at which opportunity for public comment was provided and public comment received on the Draft Supplement.
 - 5. The 48 day period for acceptance of comments on the Draft Supplement ended on October 14, 2004.
 - 6. Thereafter, the Agency, in consultation with the Planning Department, prepared responses to comments on the Draft Supplement received at the public hearing and in writing during the 48-day public review and comment period, prepared revisions to the text of the Draft Supplement based on such public comments and additional information that became available during the public review period, and corrected errors in the Draft Supplement, which were published in a "Comments and Responses" document, which, together with the Draft Supplement constitutes the Final Supplement.

7. The files pertaining to the proposed Project, the Draft and Final Supplement and the FEIR have been made available for public review at the Agency, 770 Golden Gate Avenue, and are part of the administrative record of environmental documents.
8. On January 13, 2005, the Planning Commission adopted a parallel motion regarding certification of the Final Supplement.

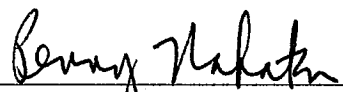
FINDINGS

9. The Final Supplement augments and updates the FEIR and indicates that implementation of the Project would result in Project-specific and cumulatively significant unavoidable environmental impacts associated with geology and seismology, due to ground shaking and associated liquefaction of soils during seismic events which cannot be completely mitigated.
10. The Final Supplement also finds that the implementation of the Project will have a cumulatively significant, unavoidable impact on Transportation, in that under future cumulative (year 2020) conditions, the intersection of Fifth/Mission would operate at LOS E. Based on the Project contributions to the traffic movements that determine overall LOS at this intersection, the Project would make a considerable contribution to a significant and unavoidable cumulative impact at this intersection.
11. The Final Supplement confirms the continuing applicability of other environmental impact determinations in the FEIR.
12. The Final Supplement reflects the independent judgment and analysis of the Agency and is adequate, accurate and objective.
13. The procedures through which the Final Supplement was prepared, publicized and reviewed comply with the provisions of CEQA, the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco, based on the foregoing findings, that it hereby certifies the Supplement to the Environmental Impact Report identified as Planning Department case file No. 1994.670E: South of Market Redevelopment Plan as having been prepared and completed in compliance with CEQA, the CEQA Guidelines and Chapter 31 of the San Francisco Code.

APPROVED AS TO FORM:


James B. Morales
Agency General Counsel