CONSIDERING THE APPEAL TO THE PRELIMINARY NEGATIVE DECLARATION AND ADOPTING THE FINAL NEGATIVE DECLARATION FOR THE PROPOSED DEVELOPMENT OF 3433 THIRD STREET (LOT 23 OF ASSESSOR'S BLOCK 5203) AND THE PROPOSED AMENDMENT TO THE REDEVELOPMENT PLAN; INDIA BASIN INDUSTRIAL PARK REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION

1. The Redevelopment Agency of the City and County of San Francisco (the "Agency"), acting as the lead agency for conducting this environmental review, has fulfilled all procedural, format and content requirements of the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq. ("CEQA")), the State CEQA Guidelines (Cal. Admin. Code Title 14, Section 15000 et seq. ("CEQA Guidelines")), Chapter 31 of the San Francisco Administrative Code ("Chapter 31"), and the Agency’s Resolution No. 59-77, adopted March 8, 1977 (the "Resolution").

2. On September 23, 2000, the Agency published the Preliminary Negative Declaration on the proposed development of 3433 Third Street, Lot 23 of Assessor’s Block 5203 (the “Project”) and the proposed Amendment to the India Basin Industrial Park Redevelopment Plan (the “Amendment”), and provided public notice in a newspaper of general circulation of the availability of the Preliminary Negative Declaration for public review and comment, and the deadline for the filing of an appeal of the Preliminary Negative Declaration of 5:00 p.m. on October 13, 2000.

3. On September 22, 2000, the Agency mailed a notice of availability of the Preliminary Negative Declaration to property owners and occupants within the India Basin Industrial Park Redevelopment Project Area, a list of persons and firms within a 300-foot radius of Assessor’s Block 5203, Lot 23 (the “Project Site”), the taxing agencies and the Agency’s list of persons, firms and agencies requesting such notice.

4. On September 25, 2000, the Agency mailed copies of the Preliminary Negative Declaration to persons and firms within a 300-foot radius of the Project Site, the taxing agencies and the Agency’s list of persons, firms and agencies requesting the Preliminary Negative Declaration.

5. On October 13, 2000, the Agency received one (1) appeal of the Preliminary Negative Declaration, prior to the end of the appeal period.

6. On October 20, 2000, the Agency scheduled a public hearing on the appeal of the Preliminary Negative Declaration on October 31, 2000, and mailed a notice of the public hearing to the appellant, the list of persons and firms within a 300-foot radius of the
Project Site, the taxing agencies and the Agency's list of persons, firms and agencies requesting such notice.

7. The Agency Commission held a duly advertised public hearing on the appeal of the Preliminary Negative Declaration on October 31, 2000 at which there was an opportunity for public comment on the appeal of the Preliminary Negative Declaration. Members of the public provided their comments and the public hearing was closed.

8. The Project, the Amendment and the Negative Declaration files have been made available for review by the Agency Commission and the public, and these files are part of the record before the Agency Commission.

FINDINGS

1. The Agency has received, reviewed and considered the Preliminary Negative Declaration dated September 23, 2000, and finds the contents of the Preliminary Negative Declaration and the procedures through which the Preliminary Negative Declaration was prepared, publicized and reviewed comply with CEQA, the State CEQA Guidelines, Chapter 31 of the San Francisco Administrative Code and the Agency’s Resolution No. 59-77, adopted March 8, 1977.

2. The Preliminary Negative Declaration reflected the independent judgement and analysis of the Agency, was adequate, accurate and objective.

3. The Preliminary Negative Declaration includes mitigation measures.

4. The Agency has considered the appeal and the public comments received by the Agency at the public hearing held on October 31.

5. The Agency finds that the Project and Redevelopment Plan Amendment as described in the Preliminary Negative Declaration would not have any unavoidable significant environmental impacts.

RESOLUTION

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

1. The Findings of the Negative Declaration as set forth herein are hereby incorporated by reference.

2. The Appeal to the Preliminary Negative Declaration has been considered by the Agency and rejected.
3. The Final Negative Declaration is hereby adopted as adequate, objective and complete Declaration in full compliance with CEQA, the State CEQA Guidelines, Chapter 31 of the San Francisco Administrative Code and the Agency’s Resolution No. 59-77, and the Agency hereby requires that the mitigation measures contained therein be incorporated into the Project.

4. The Executive Director is hereby directed to issue the Final Negative Declaration.

APPROVED AS TO FORM:

[Signature]
Bertha A. Ontiveros
Agency General Counsel