RESOLUTION NO. 21-2004

Adopted February 17, 2004

ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND STATE GUIDELINES IN CONNECTION WITH AMENDMENTS TO THE MISSION BAY NORTH OWNER PARTICIPATION AGREEMENT, THE MISSION BAY SOUTH OWNER PARTICIPATION AGREEMENT, AND THE MISSION BAY SOUTH DESIGN FOR DEVELOPMENT; MISSION BAY NORTH AND SOUTH REDEVELOPMENT PROJECT AREAS

BASIS FOR RESOLUTION

1. The Redevelopment Agency of the City and County of San Francisco (the "Agency") and the San Francisco Planning Department, together acting as co-lead agencies for conducting environmental review for the Redevelopment Plan for the Mission Bay North Redevelopment Project Area and the Mission Bay South Redevelopment Project Area (the "Plans"), the Redevelopment Plan for the Mission Bay North Owner Participation Agreement and the Mission Bay South Owner Participation Agreement (the "OPAs"), and other permits, approvals and related and collateral actions (the "Project"), prepared and certified a Final Subsequent Environmental Impact Report ("FSEIR").

2. On September 17, 1998, the Agency adopted Resolution No. 182-98, which certified the FSEIR for the Project, and adopted Resolution No. 183-98, which adopted environmental findings (and a statement of environmental considerations), pursuant to the California Environmental Quality Act ("CEQA") and State Guidelines in connection with the approval of the Plans, the OPAs, and other Project approvals.

3. The San Francisco Planning Commission certified the FSEIR by Resolution No. 14696 on September 17, 1998.

4. On October 19, 1998, the Board of Supervisors adopted Motion No. 98-132 affirming certification of the FSEIR by the Planning Commission and the Agency, and Resolution No. 854-98 adopting environmental findings and a statement of overriding considerations.

5. The Agency Commission is currently considering the following actions: (a) Resolution No. 22-2004 Authorizing Amendments to the Mission Bay North Owner Participation Agreement; (b) Resolution No. 23-2004 Authorizing Amendment to the Mission Bay South Owner Participation Agreement; and (c) Resolution No. 24-2004 Authorizing an Amendment to the Mission Bay South Design for Development (the "Actions").
6. Agency staff and consultants have analyzed the potential environmental impacts of the Amendment to the Design for Development as documented in an addendum to the FSEIR dated February 10, 2004 (the “Addendum”), which was prepared and reviewed in compliance with CEQA and reflects the independent judgment and analysis of the Agency. The Addendum analyzed the environmental effects of the Amendment to the Design for Development and any potential changes in circumstances since the FSEIR and concluded that the Amendment to the Design for Development does not require a Supplemental or Subsequent EIR, and that no new information has been presented which indicates the potential for new significant environmental impacts or any substantial increase in the severity of previously identified significant effects.

7. The Addendum also considered the amendments to the North and South OPA’s proposed in Resolution Nos.22-2004 and 23-2004 and determined that the proposed changes do not relate to potential physical impacts on the environment, and do not have the potential to result in impacts different from those previously analyzed in the FSEIR.

8. Documents related to the Actions, the FSEIR files, and the Addendum 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.

9. The FSEIR is a program EIR under CEQA Guidelines Section 15158 and a redevelopment plan EIR under CEQA Guidelines Section 15180. The Actions are an undertaking pursuant to and in furtherance of the plan pursuant to CEQA Guidelines Section 15180.

10. The FSEIR, findings of significant impacts, and overriding considerations adopted by the Agency Commission by Resolution No. 183-98 dated September 17, 1998, reflected the independent judgment and analysis of the Agency, were adequate, accurate and objective and were prepared and adopted following the procedures required by CEQA, and the findings in such resolution are incorporated herein by reference as applicable to the Actions.

**FINDINGS**

The Agency finds and determines that the Actions are within the scope of the Project analyzed in the FSEIR and no new environmental documentation is required for the following reasons:

1. The Action does not incorporate modifications into the Project analyzed in the FSEIR, and will not require important revisions to the FSEIR due to the involvement of new significant environmental effects or 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 analyzed in the FSEIR was undertaken which would require major revisions to the FSEIR due to the involvement of new significant environmental effects, or a substantial increase in the severity of effects identified in the FSEIR.

3. No new information of substantial importance to the Project analyzed in the FSEIR has become available which would indicate that (a) the Actions will have significant effects not discussed in the FSEIR; (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 FSEIR will substantially reduce one or more significant effects on the environment.

RESOLUTION

ACCORDINGLY, IT IS HEREBY RESOLVED by the Redevelopment Agency of the City and County of San Francisco that Agency staff has reviewed and considered the FSEIR and the Addendum and hereby adopts the Findings incorporated herein.

APPROVED AS TO FORM:

James B. Morales  
Agency General Counsel