

SAN FRANCISCO
CITY PLANNING COMMISSION

MOTION NO. 17612

ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR A PROPOSED SAN FRANCISCO PUBLIC UTILITIES COMMISSION NEW CRYSTAL SPRINGS BYPASS TUNNEL PROJECT, LOCATED IN UNINCORPORATED SAN MATEO COUNTY NEAR POLEMUS AND CRYSTAL SPRINGS ROADS.

MOVED, That the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the Final Environmental Impact Report identified as case file No. 2003.0655E, the New Crystal Springs Bypass Tunnel 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 13, 2006 in the San Francisco Chronicle and San Mateo County Times.

b. On August 7, 2007, 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.

c. Notices of availability of the DEIR and of the date and time of the public hearing were posted near the project site by Department staff on August 7, 2007.

d. On August 7, 2007, 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, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse.

e. Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on August 7, 2007.

- 2) The Commission held a duly advertised public hearing on said Draft Environmental Impact Report on October 4, 2007 at which opportunity for public comment was given, and public comment was received on the DEIR. Testimony was also taken at a duly advertised public hearing held in San Mateo County. This hearing was held on September 11, 2007. Public testimony was received on the DEIR at this hearing. The transcript for the hearing is in the Project record. The period for acceptance of written comments, 45 days, was extended and ended on October 9, 2007.
- 3) The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 63-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 "Draft Comments and Responses" document, which was published on May 15, 2008, and was distributed to the Commission and to all parties who commented on the DEIR, and was available to others upon request at Department offices.
- 4) A Final Environmental Impact Report has been prepared by the Department, consisting of the Draft Environmental Impact Report, any consultations and comments received during the review process, any additional information that became available, and the Summary of Comments and Responses all as required by law.
- 5) Project Environmental Impact Report files have been made available for review by the Commission and the public. These files are available for public review at the Department offices at 1650 Mission Street, and are part of the record before the Commission.
- 6) On June 5, 2008, the Commission reviewed and considered the Final Environmental Impact Report and hereby does find that the contents of said report and the procedures through which the Final Environmental Impact Report 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 project sponsor has indicated that the presently preferred alternative is the Proposed Project, as described in the Final Environmental Impact Report.
- 8) The Planning Commission hereby does find that the Final Environmental Impact Report concerning File No. 2003.0655E, San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel, reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Comments and Responses document contains no significant revisions to the DEIR, and hereby does CERTIFY THE COMPLETION of said Final Environmental Impact Report in compliance with CEQA and the CEQA Guidelines.

9) The Commission, in certifying the completion of said Final Environmental Impact Report, hereby does find that the project described in the Environmental Impact Report and the project preferred by the project sponsor, described as the Proposed Project in the Final Environmental Impact Report:

a. Will have potentially unavoidable project-specific significant effects on the environment by temporarily impacting visual resources (scenic vistas and visual character) during the construction period resulting in nighttime light and glare impacts in the South Shaft area; and by potentially resulting in a substantial temporary increase in ambient noise levels in the project vicinity during the construction phase, specifically during daytime construction at the North and South Shaft areas and during nighttime construction at the South Shaft area; and

b. Will have a potentially significant effect on the environment in the following resource areas, as set forth in the Final Environmental Impact Report: Aesthetics; Biological Resources; Cultural Resources; Geology, Soils, and Seismicity; Air Quality; Noise; Land Use; Transportation and Circulation; Hydrology and Water Quality; Hazards and Hazardous Materials; and Cumulative Environmental Impacts. The DEIR proposes mitigation measures that would eliminate these significant effects and/or reduce them to less than significant levels.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of June 5, 2008.



Linda Avery
Commission Secretary

AYES: Olague, Antonini, W. Lee, Miguel, Moore, Sugaya

NAYS: 0

ABSENT:

ADOPTED: June 12, 2008