SAN FRANCISCO RECREATION AND PARK COMMISSION

RESOLUTION NO. XXXXXX

RESOLUTION ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE CONCEPT PLAN FOR INDIA BASIN.

WHEREAS, India Basin is located in the Bayview Hunters Point (“BVHP”) neighborhood along the San Francisco Bay generally between the PG&E Power Plant Site and Hunters Point Shipyard; and

WHEREAS, In August 2014, the City of San Francisco (the “City”) acquired 900 Innes, which is adjacent to India Basin Shoreline Park, India Basin Open Space, and 700 Innes; and

WHEREAS, The San Francisco Recreation and Park Department (“SFRPD”) manages India Basin Shoreline Park, India Basin Open Space, and 900 Innes; and

WHEREAS, 700 Innes, which is adjacent to 900 Innes, is owned by India Basin Investment, LLC and is being developed by BUILD Inc. (“Build”); and

WHEREAS, The India Basin Mixed-Use Development Project (“Project”) consists of two main components; and

WHEREAS, The 700 Innes Avenue Development Project, the first main component proposed by BUILD Inc. (“Build”), envisions the creation of a mixed-use village with retail shops, apartments, and townhomes intricately linked to a six-acre park along the shoreline; and

WHEREAS, The India Basin Waterfront Parks and Trails Project, the second main component proposed by SFRPD, includes the creation of a new City park at 900 Innes (1.8 acres) along with the rehabilitation India Basin Shoreline Park (5.6 acres) and India Basin Open Space (6.2 acres); and

WHEREAS, In 2015, the India Basin Waterfront Task Force was formed with key regional and Bayview Hunters Point community stakeholders and all relevant property owners; and

WHEREAS, The concept design process for the India Basin Waterfront Parks and Trails Project was a cooperative effort led by SFRPD, the San Francisco Parks Alliance (“SFPA”), and the Trust for Public Land (“TPL”), with support from A. Phillip Randolph Institute (“APRI”), Parks 94124, and the Green Action Network, all local non-profit organizations with expertise in engaging this community; and

WHEREAS, SFRPD staff presented to the Recreation and Park Commission with a 900 Innes/India Basin Shoreline Park Concept Design in March 2017 (“the 2017 Concept Design”), and presented again in March 2018 with a modified concept design (“the 2018 Concept Design”), after considering feedback from community members, environmental organizations, regulatory agencies, and RP Staff; and

WHEREAS, The India Basin Waterfront Parks and Trails Project proposes to remediate an existing brownfield and create 1.7 miles of contiguous shoreline at India Basin through a seamless waterfront park experience that will preserve the history and restore natural areas with a resilient design; and

WHEREAS, The restoration of the Shipwright’s Cottage will feature a welcome and education center, with small café; and

WHEREAS, The Paint Shop will be repurposed to offer boat building workshops and other maker-and life-skills classes for youth; and
WHEREAS, The Overlook Pavilion will provide a space for BVHP-based food vendors to operate and provides opportunities for fresh and healthy food options; and

WHEREAS, The site will feature active recreational opportunities including basketball courts, fitness stations, recreational loops, skate paths, open play lawn, playgrounds, and in-water recreation including kayaking, canoeing, and paddleboarding; and

WHEREAS, The site will also provide tremendous opportunities for passive recreation to allow for the enjoyment of nature, picnic/BBQs, trail walking, and community gathering areas such as open lawns and porch swings; and

WHEREAS, The proposed shoreline design will increase the amount and quality of existing habitat; the proposed habitat will provide greater habitat connectivity to existing sites such as Heron’s Head and India Basin Open Space; more importantly, the marsh edge will be designed to adapt to sea level rise and storm surges; and

WHEREAS, The 2018 Concept Design is attached as Exhibit A, and incorporated herein by this reference; and

WHEREAS, A total of 24 public meetings and outreach events regarding the 2017 and 2018 Concept Designs have been held from December 2014 through June 2018; and

WHEREAS, The City is in the process of negotiating a Development Agreement (“DA”) with Build, which would authorize Build to proceed with its portion of the Project in exchange for its delivery of various public benefits, such as the creation of a new open space called the Big Green, infrastructure and related improvements, and Build’s assistance in forming a Community Facilities District (“CFD”) to help pay for certain improvements and ongoing maintenance; and

WHEREAS, SFRPD is also in the process of preparing a declaration of open space covenants that will be recorded against certain parcels that are or will be subject to the Public Trust, to define the respective roles and responsibilities of RPD and the Port of San Francisco to manage those parcels in compliance with Public Trust requirements; and

WHEREAS, SFRPD and Build (“Project Sponsors”) have undergone a joint environmental review process for the proposed India Basin Mixed-Use Development Project; and

WHEREAS, Pursuant to and in accordance with the requirements of Section 21094 of the California Environmental Quality Act (“CEQA”) and Sections 15063 and 15082 of the CEQA Guidelines, the Planning Department, as lead agency, published and circulated a Notice of Preparation (“NOP”) on June 1, 2016, which solicited comments regarding the scope of the Environmental Impact Report (“EIR”) for the India Basin Mixed-Use Development Project; and

WHEREAS, The Planning Department prepared the Draft Environmental Impact Report (“DEIR”), which describes the DEIR Project and the environmental setting, analyzes potential impacts, identifies mitigation measures for impacts found to be significant or potentially significant, and evaluates alternatives to the DEIR Project; and

WHEREAS, On September 13, 2017, the Planning Department published the DEIR; circulated the DEIR to local, state, and federal agencies and to interested organizations and individuals for public review;
distributed notices of availability of the DEIR; published notification of its availability at the San Francisco County Clerk’s office; and posted notices at locations within the Project Area; and

WHEREAS, The DEIR identified one significant and unavoidable impact as a result of the Project components that are within the jurisdiction of the Recreation and Park Commission, that is, a significant an unavoidable impact to the India Basin Scow Schooner Boatyard Vernacular Cultural Landscape (at the India Basin Shoreline Park and 900 Innes Properties); and

WHEREAS, The DEIR identified mitigation measures to avoid or lessen that impact, as required by CEQA; and

WHEREAS, The Planning Department prepared the Comments and Responses to Comments (the “RTC”) on the DEIR document. The RTC includes copies of all of the comments received on the DEIR and written responses to each comment, as well as small revisions to the project and updated analysis of those changes, and was published on July 11, 2018 and distributed to the Recreation and Park Commission (the “Commission”); and

WHEREAS, The DEIR and the RTC together constitute the Final Environmental Impact Report under CEQA (“FEIR”); and

WHEREAS, On July 26, 2018, the Planning Commission reviewed and considered the FEIR for the project and found that the contents of the report and procedures through which the FEIR was prepared, publicized and reviewed complied with CEQA (Public Resources Code section 21000 et seq.), the CEQA Guidelines (14 Cal. Code Reg. section 15000 et seq.), and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, The Planning Commission found the FEIR to be adequate, accurate and objective, thus reflecting the independent analysis and judgment of the Planning Department and the Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and certified the FEIR for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31 by Motion No. [______]; and

WHEREAS, The Planning Commission by Motion No. [______] approved CEQA Findings, including a Statement of Overriding Considerations and adoption of a Mitigation Monitoring and Reporting Program (“MMRP”), under Case No. 2014-002541ENV, for approval of the Project, which findings and MMRP are incorporated by reference as though fully set forth herein; and

WHEREAS, The Planning Commission approved CEQA Findings, including a Statement of Overriding Considerations and adoption of a Mitigation Monitoring and Reporting Program (“MMRP”), under Case No. 2014-002541ENV, for approval of the Project, which findings and MMRP are incorporated by reference as though fully set forth herein; and

WHEREAS, The Planning Commission found the FEIR to be adequate, accurate and objective, thus reflecting the independent analysis and judgment of the Planning Department and the Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and certified the FEIR for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31 by Motion No. [______]; and

WHEREAS, The Planning Commission by Motion No. [______] approved CEQA Findings, including a Statement of Overriding Considerations and adoption of a Mitigation Monitoring and Reporting Program (“MMRP”), under Case No. 2014-002541ENV, for approval of the Project, which findings and MMRP are incorporated by reference as though fully set forth herein; and

WHEREAS, The Recreation and Park Commission has reviewed and consider the FEIR, the CEQA Findings (attached herein as Exhibit B), and the MMRP (attached herein as Exhibit C); now therefore be it

RESOLVED, That the Recreation and Park Commission relies on the FEIR for purposes of its actions and adopts the CEQA Findings as its own though fully set forth herein; and be it

FURTHER RESOLVED, That the Recreation and Park Commission adopts the MMRP and imposes all mitigation and improvement measures contained therein that are within its jurisdiction, as conditions of Project approval, except for Mitigation Measure M-CR-1d: Retain the Boatyard Office Building, for the reasons set forth below. Specifically, the Recreation and Park Commission herein adopts and imposes the following mitigation and improvement measures:
Cultural Resources

**M-CR-1a:** Prepare and Implement Historic Preservation Plans and Ensure that Rehabilitation Plans Meet Performance Criteria

**M-CR-1b:** Document Historical Resources

**M-CR-1c:** Develop and Implement an Interpretative Plan

**M-CR-1e:** Vibration Protection Plan

**M-CR-2a:** Undertake an Archaeological Testing Program

**M-CR-3a:** Implement Legally Required Measures in the Event of Inadvertent Discovery of Human Remains

**M-CR-4a:** Implement Tribal Cultural Resources Interpretive Program

Noise

**M-NO-2a:** Implement Noise Control Measures during Project Construction

**M-NO-2b:** Implement Noise Control Measures for Pile Driving

**M-NO-3:** Design Future Noise-Generating Uses near Residential Uses to Minimize the Potential for Noise Conflicts

**M-NO-6:** Implement Vibration Mitigation Measure for Pile Driving

Air Quality

**M-AQ-1a:** Minimize Off-Road Construction Equipment Emissions

**M-AQ-1b:** Minimize On-Road Construction Equipment Emissions

**M-AQ-1c:** Utilize Best Available Control Technology for In-Water Construction Equipment

**M-AQ-1d:** Offset Emissions for Construction and Operational Ozone Precursor (NOx and ROG) Emissions

**M-AQ-1e:** Implement Best Available Control Technology for Operational Diesel Generators

**M-AQ-1f:** Prepare and Implement Transportation Demand Management

Wind

**M-WI-1b:** Temporary Wind Reduction Measures during Construction

Biological Resources

**M-BI-1a:** Prepare and Implement a Hydroacoustic Monitoring Program for Special-Status Fish and Marine Mammals

**M-BI-1b:** Implement Avoidance and Minimization Measures for Special-Status Species
M-BI-1c: Prepare and Implement a Vegetation Restoration Plan and Compensatory Mitigation
M-BI-1d: Avoid Ridgway’s Rail Habitat During the Nesting Season
M-BI-1e: Avoid Nests during Bird Nesting Season

Hydrology and Water Quality

M-HY-1a: Monitor Turbidity during Construction
M-HY-1b: Implement Pile Removal Best Management Practices
M-HY-1c: Use Clamshell Dredges

Hazards and Hazardous Materials Mitigation Measures

M-HZ-2a: Prepare and Implement a Site Mitigation Plan for Areas Above the Mean High-Water Line
M-HZ-2b: Prepare and Implement a Nearshore Sediment and Materials Management Plan for Areas Below the Mean High-Water Line
M-HZ-2c: Prepare and Implement a Remedial Action Plan for the 900 Innes Property Improvement Measures

Aesthetics

I-AE-I: Prepare and Implement Construction Staging, Access, and Parking Plan to Reduce Impacts on Visual Character/Quality During Construction

Transportation and Circulation Improvement Measures

I-TR-10: Implement Construction Management Strategies

; and be it

FURTHER RESOLVED, That the Recreation and Park Commission concurs with the finding in the CEQA Findings that Mitigation Measure M-CR-1d: Retain the Boatyard Office Building, is infeasible, for the reasons set forth therein; and be it

FURTHER RESOLVED, That the Recreation and Park Commission approves the 2018 Concept Design for 900 Innes/India Basin Shoreline Park.

Approved on August 16, 2018

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Recreation and Park Commission Secretary