

431-09

[CEQA Findings in Connection with the Exploratorium Relocation Project.]

Resolution adopting findings pursuant to the California Environmental Quality Act (CEQA) and Administrative Code Chapter 31 in connection with the Exploratorium Relocation Project proposed to be located on Pier 15 and a portion of Pier 17 in the Port of San Francisco, City and County of San Francisco.

WHEREAS, The Exploratorium proposes to lease Pier 15 and a portion of Pier 17 on the San Francisco waterfront under a long-term lease of sixty-six years ("Lease") with the Port of San Francisco ("Port") for the Exploratorium's museum and ancillary operations at Pier 15 and portions of Pier 17, with the possibility of expanding the museum into Pier 17 in the future and to initially repair and restore Pier 15 in accordance with the Secretary's Standards ("Project") and if it expands the museum into Pier 17 in the future, repair and restore Pier 17 at that time, in accordance with the Secretary's Standards (the "Expanded Project"); and

WHEREAS, The Exploratorium is a world-renowned museum and educational center, providing access to, and information about, science, nature, art, and technology, and serving more than 480,000 visitors annually, including teachers and children on field trips; and

WHEREAS, The Exploratorium has been housed since its inception in 1969 at the Palace of Fine Arts and over the past few years, with the support of the City, has been engaged in an extensive search for a new site that will better meet its need to be located in a more visible, accessible, transit-friendly location with sufficient capacity to meet its expanding program and constituency and house its accessory functions such as exhibit development and fabrication, administrative space, and ancillary restaurant and retail space; and

1 WHEREAS, "Project" as referenced in this Resolution encompasses both the Project
2 and the Expanded Project described in the CEQA Findings contained in Attachment A hereto;
3 and

4 WHEREAS, The City and County of San Francisco ("City") has conducted a planning
5 and environmental review process for the Project and provided public hearings before the
6 Planning and Port Commissions; and

7 WHEREAS, This Resolution is adopted in connection with proposed actions by the
8 Board of Supervisors relating to the Project, including: approving and authorizing a 66-year
9 Lease of Pier 15 and a portion of Pier 17 and a related 16-year parking agreement at Seawall
10 Lot 321, two curb indent licenses in front of Piers 15 and 17 and a curb space license at
11 Green Street (collectively, "Board Actions"). Said Board Actions are more particularly
12 described in a companion Resolution, a copy of which is in the file of the Clerk of the Board,
13 File No. 091178; and

14 WHEREAS, The Project Approvals listed in Attachment A, Article III, attached hereto
15 and incorporated herein by reference, are part of a series of considerations in connection with
16 approval of the Project, as more particularly defined in Attachment A. A copy of said
17 Attachment is on file with the Clerk of the Board of Supervisors in File No. 091179; and

18 WHEREAS, On January 28, 2009, the Planning Department ("Department") released
19 for public review and comment the Draft Environmental Impact Report ("DEIR") (SCH No.
20 2007052052) for the Project; and

21 WHEREAS, The Planning Commission held a duly noticed DEIR public hearing on
22 March 5, 2009; and

23 WHEREAS, The Department prepared a Final Environmental Impact Report ("FEIR")
24 for the Project consisting of the DEIR, the comments received during the review period, any
25

1 additional information available, and the Comments and Responses, all as required by law;
2 and

3 WHEREAS, On July 9, 2009, the Planning Commission reviewed and considered the
4 FEIR and, by Motion No. 17916, found that the contents of the FEIR and the procedures
5 through which it was prepared, publicized and reviewed complied with the provisions of the
6 California Environmental Quality Act ("CEQA"), the CEQA Guidelines and Chapter 31 of the
7 San Francisco Administrative Code. Said Motion is incorporated herein by reference and a
8 copy is on file with the Clerk of the Board in Supervisors in File No. 091179; and

9 WHEREAS, By Motion No. 17916, the Planning Commission (i) found that the FEIR
10 reflected the independent judgment and analysis of the City, was adequate, accurate and
11 objective, (ii) found that the Comments and Responses document prepared as part of the
12 FEIR contained no significant revisions to the DEIR; and (iii) certified the completion of the
13 FEIR for the Project in compliance with CEQA and the CEQA Guidelines; and

14 WHEREAS, On September 8, 2009, the Port Commission took various actions related
15 to the Project, and in connection therewith adopted findings and a Mitigation Monitoring and
16 Reporting Program ("MMRP"), as required by CEQA, regarding the FEIR, alternatives and
17 variants, mitigation measures and significant environmental impacts analyzed in the FEIR,
18 proposed associated actions listed in Attachment A (the "Port Commission Action"). The Port
19 Commission Action in Resolution No. 09-46 is incorporated herein by reference. Copies of
20 the Motion and Resolution described above are on file with the Clerk of the Board of
21 Supervisors in File No. 091179. Such materials are available to the public and this
22 Board of Supervisors for its review, consideration, and action; and

23 WHEREAS, The FEIR files and other Project-related Department files are available for
24 review by this Board of Supervisors and the public. The Department files are available at
25

1 1650 Mission Street, 4th Floor. Those files are part of the record before this Board of
2 Supervisors; and

3 WHEREAS, The Board has reviewed and considered the information contained in the
4 FEIR and the findings contained in Port Commission Resolution No. 09-46 and all written and
5 oral information provided by the Department, the public, relevant public agencies, the Port
6 Commission and other experts and the administrative files for the Project and this approval;
7 now, therefore, be it

8 RESOLVED, The Board has reviewed and considered the FEIR and record as a whole,
9 finds that the FEIR is adequate for its use as the decision-making body for the actions taken
10 herein in connection with the Exploratorium Relocation Project, as set forth in Board of
11 companion Resolution No. 091178, and adopts the CEQA findings attached hereto
12 as Attachment A, including Exhibit 1 (MMRP), and incorporates the same herein by this
13 reference; and be it

14 FURTHER RESOLVED, The Board finds that the project mitigation measures adopted
15 by the Port Commission will be implemented as reflected in and in accordance with the
16 MMRP; and, be it

17 FURTHER RESOLVED, The Board finds that since the FEIR was finalized, there have
18 been no substantial project changes and no substantial changes in project circumstances that
19 would require major revisions to the FEIR due to the involvement of new significant
20 environmental effects or an increase in the severity of previously identified significant impacts,
21 and there is no new information of substantial importance that would change the conclusions
22 set forth in the FEIR.



City and County of San Francisco

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Tails
Resolution

File Number: 091179

Date Passed:

Resolution adopting findings pursuant to the California Environmental Quality Act (CEQA) and Administrative Code Chapter 31 in connection with the Exploratorium Relocation Project proposed to be located on Pier 15 and a portion of Pier 17 in the Port of San Francisco, City and County of San Francisco.

November 3, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 091179

I hereby certify that the foregoing Resolution was ADOPTED on November 3, 2009 by the Board of Supervisors of the City and County of San Francisco.

11-10-09

Date Approved

Angela Calvillo
Clerk of the Board

Mayor Gavin Newsom