Motion affirming the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act by the Planning Commission for the Hall of Justice project located at 850 Bryant Street.

WHEREAS, The Planning Commission has approved a Final Mitigated Negative Declaration (FMND) under the California Environmental Quality Act (CEQA), the CEQA Guidelines, and San Francisco Administrative Code, Chapter 31, for a project located at 850 Bryant Street; and

WHEREAS, The project would include construction of an approximately 200,000-gsf, 95-foot-tall (plus an additional 15-foot-tall mechanical penthouse) Rehabilitation and Detention Facility (RDF) on the project building site; and

WHEREAS, All the existing buildings on the project building site, with the exception of the buildings at 480-484 Sixth Street and 800-804 Bryant Street, would be demolished; and

WHEREAS, The proposed RDF would replace the existing County Jail No. 3 (CJ#3) and County Jail No. 4 (CJ#4) and is a part of a larger program to relocate City agencies from the seismically deficient Hall of Justice (HOJ) building; and

WHEREAS, The proposed RDF would be constructed as a maximum security facility, compliant with adult detention facility codes and standards, with a capacity of up to 640 beds, a 30 percent reduction (265 fewer beds) from the combined capacity in CJ#3 and CJ#4 of 905 beds; and

WHEREAS, The proposed RDF would also include space for administrative offices, staff support, exercise, mental and medical health services, and programs and classroom space for the inmates; and
WHEREAS, The proposed project includes improvements within the Harriet Street and Ahern Way rights-of-way, including the construction of a subterranean tunnel underneath the Harriet Street roadway, which would connect the existing HOJ to the basement level of the proposed RDF; and

WHEREAS, The Preliminary Mitigated Negative Declaration (PMND) for the project was published on May 13, 2015, and Californians United for a Responsible Budget filed an appeal to the Planning Commission of the Planning Department's PMND on June 3, 2015; and

WHEREAS, On June 25, 2015, the Planning Commission affirmed the Department's decision to issue the PMND for the project; and

WHEREAS, This Board of Supervisors will consider the City's first approval action following this decision affirming the FMND, and is considering the FMND as the elected decision-making body, without a required appeal action; and

WHEREAS, On July 21, 2015, this Board held a duly noticed public hearing to consider the FMND; and

WHEREAS, In reviewing the FMND, this Board reviewed and considered the FMND, all correspondence, the information and documents that the Planning Department prepared, the other written records before the Board of Supervisors, and all of the public testimony made in support of and opposed to the FMND; and

WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors approves the Planning Commission's approval of the FMND for the project based on the written record before the Planning Commission and the Board of Supervisors, as well as all of the testimony at the public hearing; and

WHEREAS, The written record and oral testimony and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the
public is in the Clerk of the Board of Supervisors File No. 150703 and is incorporated in this
Motion as though set forth in its entirety; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco
hereby affirms the FMND and finds that the FMND is adequate, accurate and objective,
reflects the independent analysis and judgment of the City, and that the summary of
comments and responses contained no significant revisions to the PMND, and affirms the
FMND for the Project in compliance with CEQA, the CEQA Guidelines, and Chapter 31; and,
be it

FURTHER MOVED, That after carefully considering the appeal of the FMND, including
the written information submitted to the Board of Supervisors and the public testimony
presented to the Board of Supervisors at the hearing on the FMND, this Board concludes that
the project qualifies for a negative declaration and that no fair argument supported by
substantial evidence in the record has been presented that the project as proposed could
result in any significant impact on the environment.
Motion: M15-120

File Number: 150704
Date Passed: July 21, 2015

Motion affirming the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act by the Planning Commission for the Hall of Justice project located at 850 Bryant Street.

July 21, 2015 Board of Supervisors - AMENDED
Ayes: 10 - Avalos, Breed, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee
Excused: 1 - Campos

July 21, 2015 Board of Supervisors - APPROVED AS AMENDED
Ayes: 7 - Breed, Christensen, Cohen, Farrell, Tang, Wiener and Yee
Noes: 3 - Avalos, Kim and Mar
Excused: 1 - Campos

File No. 150704

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 7/21/2015 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board