Motion affirming the determination by the Planning Department that the proposed Seawall Lot 330, a SAFE Navigation Center Project, is categorically exempt from further environmental review.

WHEREAS, On April 19, 2019, the Planning Department issued a CEQA Categorical Exemption Determination for the proposed project on Seawall Lot 330 for a SAFE Navigation Center ("Project") under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative Code, Chapter 31; and

WHEREAS, The Project is located on Seawall Lot 330 and includes installation of a SAFE Navigation Center for up to 200 people and removal of approximately 155 surface parking spaces and installation of two portable structures to serve as dormitories containing up to 200 beds and an additional demountable tensile structure of approximately 6,000 square feet, which includes 1,640 square feet of office space, 2,520 square feet of community and dining space with a pantry room, and 1,840 square feet of additional support space, and installation of additional temporary structures to contain 25 toilets, 6 urinals, and 18 showers, and placement of 12 shipping containers on-site for client storage needs; these temporary structures would be placed to create an approximately 10,000 square-foot outdoor gathering space; and

WHEREAS, The Planning Department, pursuant to Title 14 of the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300-15333), issued a categorical exemption for the Project on April 19, 2019, finding that the Project is exempt from the California Environmental Quality Act (CEQA) as a Class 32 categorical exemption, which allows for In-Fill Development Projects, characterized as in-fill development...
meeting the following conditions outlined in Section 15332: (a) The project is consistent with
the applicable general plan designation and all applicable general plan policies as well as with
applicable zoning designation and regulations; (b) The proposed development occurs within
city limits on a project site of no more than five acres substantially surrounded by urban uses;
(c) The project site has no value as habitat for endangered, rare or threatened species; (d)
Approval of the project would not result in any significant effects relating to traffic, noise, air
quality, or water quality; and (e) The site can be adequately served by all required utilities and
public services; and

WHEREAS, On April 23, 2019, the Port Commission held a public hearing and
approved the Project by approving the Embarcadero Memorandum of Understanding (MOU)
between the Department of Homelessness and Supportive Housing (HSH) and the Port of
San Francisco (Port); and

WHEREAS, On May 22, 2019, Stephen M. Williams, on behalf of the Portside Master
Association and Portside Homeowners Association ("Portside Appellant") filed an appeal with
the Office of the Clerk of the Board of Supervisors of the categorical exemption determination
for the Project and on May 23, 2019, Peter Prows of Briscoe Ivester & Bazel LLP, on behalf of
Safe Embarcadero For All ("SEFA Appellant") filed an appeal with the Office of the Clerk of
the Board of Supervisors of the categorical exemption determination for the Project; and

WHEREAS, By memorandum to the Clerk of the Board dated May 28, 2019, the
Planning Department’s Environmental Review Officer determined that the appeals were timely
filed; and

WHEREAS, On June 25, 2019, this Board held a duly noticed public hearing to
consider the appeals of the exemption determination filed by Portside Appellant and SEFA
Appellant (collectively, "Appellants"); and
WHEREAS, In reviewing the appeals of the exemption determination, this Board reviewed and considered the exemption determination, the appeal letters, the responses to the appeal 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 exemption determination appeals; and

WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors affirmed the exemption determination for the Project based on the written record before the Board of Supervisors as well as all of the testimony at the public hearing in support of and opposed to the appeals; and

WHEREAS, The written record and oral testimony in support of and opposed to the appeals and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeals of the exemption determination is in the Clerk of the Board of Supervisors File No. 190611, and is incorporated in this motion as though set forth in its entirety; now, therefore, be it

MOVED, That the Board of Supervisors hereby adopts as its own and incorporates by reference in this motion, as though fully set forth, the April 19, 2019, exemption determination; and, be it

FURTHER MOVED, That the Board of Supervisors finds that based on the whole record before it there are no substantial project changes, no substantial changes in project circumstances, and no new information of substantial importance that would change the conclusions set forth in the exemption determination by the Planning Department that the Project is exempt from environmental review; and, be it

FURTHER MOVED, That after carefully considering the appeals of the exemption determination, 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 exemption
determination, this Board concludes that the Project qualifies for an exemption determination under CEQA.
Motion affirming the determination by the Planning Department that the proposed project at Seawall Lot 330, a SAFE Navigation Center Project, is categorically exempt from further environmental review.

June 25, 2019 Board of Supervisors - APPROVED
Ayes: 9 - Brown, Fewer, Haney, Mandelman, Mar, Safai, Stefani, Walton and Yee
Excused: 2 - Peskin and Ronen

File No. 190612

I hereby certify that the foregoing Motion was APPROVED on 6/25/2019 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board