

TO: File No. 95.134E, Pier 52, Improve Public Boat Ramp, add Bait Shop and Cafe, Public Access.
FROM: Joy Navarrete, Office of Environmental Review (OER)
SUBJECT: Proposed revisions to project/Addendum to Negative Declaration

A final negative declaration, 95.134E, for the subject project was adopted and issued on September 12, 1995. The Port of San Francisco is proposing improvements to facilities near Pier 52: redesign and rebuild the existing boat launch; construct a small building where marine and fishing supplies as well as food service would be available; build a new deck that would extend partially over the water, add a gangplank to serve a floating dock where boats could tie up; and provide parking spaces to accommodate vehicles with trailers. The proposed non-maritime uses were authorized by a public vote in November of 1994. Some bay fill would be required.

Section 31.35(c) of the San Francisco Administrative Code states that a modified project must be reevaluated and that, "If on the basis of such reevaluation, the Department of City Planning determines that there could be no substantial change in the environmental effects of the project as a result of such modification, this determination and the reasons therefor shall be noted in the case record, and no further evaluation shall be required by this Chapter."

On July 15, 1996, OER reevaluated and determined that proposed modifications to the boat ramp project would not result in a substantial change in the environmental effects of the project and no further evaluation was required. The proposed modifications included new off-street parking, a larger boat ramp, reduced size of the café/bait shop, and reconfigured public access/landscape area.

On November 26, 1996, OER was notified of a minor design change, which included a double, rather than single, boat ramp design. No further evaluation was required.

Subsequent to the issuance of the final negative declaration and the July 15 and November 26, 1996 reevaluations, and due in part to the land transfers between the Port and Catellus Corporation, the project design was, again, modified. The revised project differs in a number of particulars from that analyzed in the negative declaration and the subsequent reevaluation.

As originally conceived and reviewed (9/12/95 Final Negative Declaration), the existing boat ramp would have remained and a larger ramp constructed over it. The July 15, 1996 proposal shows removal of the existing ramp and a design with a new, larger and longer boat launch and boarding ramp. There would be a vehicular turn-around area on the land side that would not extend into Terry François Boulevard. New concrete piles would support it, minimizing the amount of shoreline demolition and alteration. The previously reviewed ramp would have been approximately 1500 square feet (sf) compared to the July 15, 1996 proposal of 2964 sf. The November 26, 1996 proposal incorporated a double boat ramp design. The new proposal involves the retention of the existing smaller, old boat ramp and gangway (next to the Bayview Boat Club), along with the construction of the new and larger boat ramp. Accordingly, with the retention of the existing boat ramp, the proposed (July 15, 1996) public access area, landscape improvements and shoreline protection area associated with removing the existing boat ramp would no longer be implemented.

Memorandum to File No. 95.134E
Pier 52 Improve Public Boat Launch and Facilities
February 17, 1998

The original proposal would have created 20 oversize on-street car and trailer parking spaces located on both sides of Terry François Boulevard. The July 15, 1996 proposal includes an off-street paved and drained parking area with diagonal oversize spaces for 20 cars and trailers and a boat wash area directly across from the proposed facility on the west side of Terry François Boulevard. The new proposal includes the relocation of this proposed off-street paved parking area approximately 500 feet south along Terry François Boulevard. The proposed parking lot components would not change.

In summary, the proposed parking lot would be located 500 feet south of the proposed plan; the existing smaller, old boat ramp and gangway would be retained instead of demolished; the amount of public access on the land side and over the water would be decreased from the July 15, 1996 proposal. This is similar to what was analyzed in the original negative declaration and the subsequent reevaluations.

New trip generation to the site as a result of the proposed revisions would not change. There would be no additional fill required as a result of this latest revision to the proposed project. Thus, no further environmental review is required.

The final project would be subject to the same review and permitting procedures by the Bay Conservation and Development Commission, and U.S. Army Corps of Engineers. Thus it can be seen that the differences between the original, subsequent and the modified project are not substantial, nor would have the potential to create any impacts not discussed in the Final Negative Declaration.

Based on the foregoing, it is concluded that the analyses conducted and the conclusions reached in the final negative declaration adopted and issued on September 12, 1995 remain valid and that no supplemental environmental review is required.

Facsimile Transmission

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From:	Name:	Joy Navarrete
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PLANNING DEPARTMENT

City and County of San Francisco 1660 Mission Street San Francisco, CA 94103-2414

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TO: File No. 95.134E, Pier 52, Improve Public Boat Ramp, add Bait Shop and Cafe, and Public Access.

FROM: Sharon A. Rogers, Office of Environmental Review (OER) *SR*

SUBJECT: Proposed revisions to project/Addendum to Negative Declaration

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Section 31.35(c) of the San Francisco Administrative Code states that a modified project must be reevaluated and that, "If on the basis of such reevaluation, the Department of City Planning determines that there could be no substantial change in the environmental effects of the project as a result of such modification, this determination and the reasons therefor shall be noted in the case record, and no further evaluation shall be required by this Chapter."

Subsequent to the issuance of the final negative declaration, on the basis of recommendations of a citizen's committee, the project design was modified. The revised project differs in a number of particulars from that analyzed in the negative declaration.

As originally conceived and reviewed, the existing boat ramp would have remained and a larger ramp constructed over it. The new proposal shows removal of the existing ramp and a design with a new, larger and longer boat launch and boarding ramp. There would be a vehicular turn-around area on the land side that would not extend into Terry Francois Boulevard. New concrete piles would support it, minimizing the amount of shoreline demolition and alteration. The previously reviewed ramp would have been approximately 1500 square feet (sf) compared to the new proposal of 2964 sf.

The small cafe and bait shop would be reduced in size from the originally proposed 3000 sf to no more than 2500 sf. The outdoor deck would reduce its proposed bay coverage from 5000 sf to 4000 sf and a floating boarding ramp and guest dock would wrap around the observation deck. The existing rip-rap treatment of the shoreline of 5,500 sf would be replaced with 10,260 sf of engineered shoreline protection. Public access would be increased from 9500 sf to 18,500 sf.

The original proposal would have created 20 oversize on-street car and trailer parking spaces located on both sides of Terry Francois Boulevard. At this time an off-street paved and drained parking area, with diagonal oversize spaces, and a boat wash area, for 20 cars and trailers would be built directly across from the proposed facility and on the west side of Terry Francois Boulevard. The off-street parking would add approximately 26,000 sf to the original site size of 30,000 sf. It would be a public lot, and would replace the parallel curb parking that presently

Exhibit 2: CEQA Documents

Memorandum to File No. 95.134E
Pier 52 Improve Public Boat Launch and Facilities
July 15, 1996

exists. It would be drained to the public sewer in the vicinity of the boat wash area to be located at the southern side of the installation. There would also be a collection tank that would capture the sediment in the runoff from the boats before it was discharged into the sewer system. Some landscaping would be installed and the overhead utility lines would be either undergrounded or relocated on the periphery of the property.

According to the Bay Conservation and Development Commission definition of fill, there would be approximately 13,500 sf of fill, a 5000 sf increase compared to the original proposed amount of 8500 sf. This additional fill would be the result of the proposed larger replacement boat ramp, the engineered shoreline treatment, and the slightly larger guest dock and boarding float.

In summary, the size of the proposed new food service and bait shop building has been reduced as has the size of the outdoor deck; the amount of public access on the land side and over the water has been increased; the proposed boat launch has been enlarged and provided with a turnaround on the landside. The amount of bay coverage would be approximately 5000 sf. This is more than was analyzed in the original negative declaration. However, the new boat launch ramp would meet Cal Boating requirements more adequately and be set on piles with the old concrete ramp removed from the bay, and the existing older and discontinuous rip-rap would be replaced by a continuous engineered shoreline treatment with a steeper slope that would provide more protection to the existing shoreline. It would not extend as far into the Bay as some of the rip-rap that exists. Thus, the type and design of the additional fill would not be considered to be the type or of such substantial quantity as to require further environmental review.

New trip generation to the site as a result of the proposed revisions would not change. The site can only be served by automobiles for two reasons: the purpose of the project is to provide an improved boat launch without any boat storage so that most users of the facility would arrive towing their boat to the facility; the nearest public transportation is one-half mile away. The parking situation would be improved by the development of an off-street parking area for cars and boat trailers. The boat washing facility was not included in the original proposal. The final project would be subject to the same review and permitting procedures by the Bay Conservation and Development Commission, and U.S. Army Corps of Engineers. Thus it can be seen that the differences between the original and the modified project are not substantial, nor would have the potential to create any impacts not discussed in the Final Negative Declaration.

Based on the foregoing, it is concluded that the analyses conducted and the conclusions reached in the final negative declaration adopted and issued on September 12, 1995 remain valid and that no supplemental environmental review is required.



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NEGATIVE DECLARATION

Publication Date of Preliminary Negative Declaration: August 11, 1995

LEAD AGENCY: Planning Department-
City and County of San Francisco
1660 Mission Street, 4th Floor
San Francisco, CA 94103
CONTACT: Sharon A. Rogers, OER
(415)558-6382

PROJECT TITLE: 95.134E - At Pier 52, improve Public Boat Ramp, add Bait Shop and Cafe, and Public Access.

CONTACT: Joe R. Wyman - 274-0352, Staff for Port of San Francisco

PROJECT SPONSOR: Port of San Francisco - Dennis P. Bouey, Executive Director

PROJECT ADDRESS: Pier 52, Off of Terry Francois Boulevard, south of Mission Rock Street
ASSESSORS BLOCK & LOT: Block 9900- Piers do not have lot numbers. Bayside of Seawall Lot 337.
CITY AND COUNTY: San Francisco

PROJECT SUMMARY: The Port of San Francisco is proposing improvements to facilities near Pier 52: redesign and rebuild the existing boat launch; construct a small building where marine and fishing supplies as well as food service would be available; build a new deck that would extend partially over the water; add a gangplank to serve a floating dock where boats could tie up; provide parking spaces to accommodate vehicles with trailers. The proposed non-maritime uses were authorized by a public vote in November of 1994. Some bayfill would be required.

BUILDING PERMIT APPLICATION NUMBERS, if applicable: Not Applicable, Port issues building permits on Port controlled land.

THIS PROJECT COULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance) and 15070 (Decision to Prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached.
- OVER -

Mitigation measures, if any, included in this project to avoid potentially significant effects: NONE

FINAL NEGATIVE DECLARATION adopted as amended and issued on: September 12, 1995

In the independent judgement of the Department of City Planning, there is no substantial evidence that the project could have a significant effect on the environment.

- cc: Robert W. Passmore
- Monica Jacobs (1st page only)
- Port of San Francisco:
- Frank Palumbo &
- Joe Wyman
- Bulletin Board
- Master Decision File

Barbara W. Sahn
Barbara W. Sahn
Environmental Review Officer

Exhibit 2: CEQA Documents

PROJECT DESCRIPTION: The Port of San Francisco proposes to repair and upgrade the facilities at Pier 52 and its immediate area where the only existing public recreational boat launch in the City is located. The dry land site is approximately 30,000 square feet. In, as well as over the water, there could be up to 8500 square feet of solid fill, cantilevered, and floating fill as described in the following paragraphs. Precise amounts of the various types of fill cannot be determined until the design and engineering work is underway.

The proposed project includes a number of different elements. It would improve the existing public boat launch. Weeds and debris would be removed from the existing public access and rip-rap that exists along the shoreline. There would be no additions to the rip-rap. A small building of approximately 3000 square feet and 16 to 18 feet high with high glass skylights would be constructed to serve as a bait shop and cafe. New landscaping around the building and in the shoreline public access area would be installed. An outdoor deck would be built for dining and additional public access; it would be of no more than 5000 square feet extending out from the building, over the water, and be supported by piles. A gangway and floating dock of up to 2000 square feet is proposed; this would allow a small number of boats to tie up. All facilities would be handicapped accessible. The bait shop and cafe would be leased to a concessionaire. The signage, landscaping, benches, and other pedestrian improvements would be paid for and installed by the Port and maintained by the concessionaire. Figure 1, page 5 is a vicinity map that shows existing facilities. Figure 2, page 6 shows the approximate location of the proposed site improvements, and Figure 3, page 7 is a schematic drawing showing the possible appearance of the new facilities.

The following aspects of the proposal are considered bay fill by the Bay Conservation and Development Commission (BCDC): extension of the toe of the ramp into the Bay, the construction of an outdoor deck, and the gangway leading to a small floating dock. The extension of the toe of the ramp could result in 1500 square feet of solid fill. The deck would require up to 5000 square feet of cantilevered fill. The gangway out over the water connecting to the floating dock, and the dock, together are estimated to be approximately 2000 square feet, held in place by piles; these two structures would be considered floating fill. At the present time, it would appear that the amount of all types of Bay fill would not exceed 8500 square feet. All fill must be authorized by the BCDC.

Under the McAteer-Petris Act (the BCDC law), Bay fill can only be permitted for certain water-oriented uses specified in the law, or minor fill for improving shoreline appearance, or public access to the Bay. Fill includes earth or any other material including pilings; any water coverage whether on pilings or by cantilever; and floating structures moored for extended periods of time, such as houseboats and floating docks. /1/

Any fill, to be permitted, must meet the following conditions: a/ there is no alternative upland location; b/ the fill is the minimum necessary; c/ the nature, location, and extent of any fill will minimize harmful effects to the Bay; d/ the fill is constructed in accordance with sound safety standards; e/ the fill will, to the maximum extent feasible, establish a permanent shoreline; and /2/ the person proposing to fill has sufficient title to the properties in question as to be able to fill it in the manner and for the uses to be approved.

Applying the above definitions and standards, the proposed fill would appear to fall within the BCDC permissible classifications, being for the purposes of water-related recreation and to improve public access. The BCDC must make the final determination following the presentation of the architectural and engineering plans to the BCDC Design Review Committee and the BCDC Engineering Criteria Review Board. The BCDC Special Area Plan recommends that the public launching ramp located in this area be retained. /3/

All property in the vicinity, including the street and vacant parcels on the other side of the street (west of the site), is controlled by the Port. The Port proposes to restripe and define twenty curbside spaces for vehicles with trailers and install meters along the east side of Terry Francois Boulevard adjacent to the proposed project. Pump out facilities for boats may be provided, along with an oil recycling shed, and a trash dumpster.

The existing dedicated public access area that is incorporated into the proposed site and runs along the shoreline of the proposed new facility was required by BCDC for another project. This access is located immediately north of the boat launch and consists of approximately 9,725 square feet of an asphalted area and an abandoned kiosk to be redesigned and incorporated into the new project. It was required of a former Port tenant at Pier 50 and is managed now by Service Engineering Corporation, a current tenant on Pier 50. Maintenance would be transferred to the operator of the proposed facilities.

The new launch would be designed to meet the California Department of Boating and Waterways Standards. It would be necessary to demolish the existing driveway and gangway. The redesign of the boat launch would incorporate the existing ramp. The new launch would extend out into the water beyond the present toe of the ramp to reach below the low-low tide line. The existing fence, and a portion of the asphalt area and kiosk described above would be removed. Some site excavation and grading (not to exceed 50 cubic yards) would be required for landscaping, and in addition there would be repairs to the seawall. Existing foundations remain in the Bay from a small clubhouse that belonged to the Dolphin Swim Club; these may not be removed but would simply be covered over by the construction of the proposed deck.

SETTING: The site is located on the waterfront south of Mission Rock Street, on the east side of Terry Francois Boulevard, in the Central Waterfront Planning Area of the San Francisco Master Plan. The existing 9,725 square feet of minimally improved public access is paved and contains an abandoned kiosk which occupies a portion of the 30,000 square foot land side of the site. The boat launch ramp to be replaced is located on the southern edge of the site. It has deteriorated, and has limited utility, and the gangway from the shore to a small float is substandard. There are two small, private boat clubs located on the north and south sides of the proposal. /4/ Along the shoreline between China Basin Street on the north and the Central Basin on the south, this area continues to be used for break-bulk cargo handling, ship repair and other maritime based activities including small boat repair and storage. There are also piers that are vacant and dilapidated, and much of the land is under-utilized. For example, in the immediate vicinity, the Pier 64 site is fenced off because of the danger to anyone who would attempt to climb on the decaying structure. Along the section of the waterfront from Mission Rock Street on the north and Mariposa Street on the south, there are small boat repair, rental and storage places, the Mission Rock Resort and restaurant, and an artifact from early railroad days, the pier and tracks which would load rail cars onto the ferries going to Oakland. A sizable number of mobile homes and trailers park on both sides of Terry Francois Boulevard in this vicinity.

To the west of the site is the approved but unbuilt Mission Bay development area. Much of this land is covered by the tracks of an abandoned railroad storage yard. There is also vacant land, truck storage, and a paper recycling facility on the western side of the street.

ZONING: The project site is located in an M-2 (Heavy Industrial) zoning district with a 40-X height and bulk limit. This zoning includes all Port property, including the Piers, from 30/32 south to Hunters Point. M-2 zoning is the least restricted as to use. Many industrial uses that would be required to

Exhibit 2: CEQA Documents

operate in an enclosed building in other zoning districts can be conducted in the open in this M-2 zoning. All M-2 designated areas are located on the eastern edge of the City and separated from residential and commercial areas.

APPROVAL PROCESS AND PERMITS REQUIRED FOR PROPOSALS ON PORT LAND:

All projects on lands under the jurisdiction of the Port require a complex approval process often involving special permits from local, state and federal agencies since public trust, tidelands and/or waters of the Bay are involved. The following discussion refers to the review and/or approvals for this particular proposal. According to the criteria of CEQA guidelines, Section 15073(b) and (c): where one or more state agencies will be a Responsible Agency or a Trustee Agency or will exercise jurisdiction by law over natural resources affected by the project, the Lead Agency shall send copies of the Negative Declaration to the State Clearinghouse for distribution to the state agencies. This establishes a thirty day review period for submitting comments to the lead agency. Following incorporation of comments and finalization of the negative declaration, these procedures would be set in motion: the Port Commission would select a consultant to perform the architectural and engineering work; final designs would be chosen. The Department of Public Works and Public Health must certify that the mandated Article 20 testing for toxics is not required since there is minimal excavation (less than 50 cubic yards) or disturbance of the existing surface. The site is within the 100 foot shoreline band of BCDC's jurisdiction and requires design review, Commission action, and a permit for the quantity of fill to be allowed. The BCDC staff will determine whether engineering criteria reviews also required. It is anticipated that the amount of pile supported and floating fill necessary to carry out the project would exceed the 2500 square foot Administrative Permit limit and require a major permit from the BCDC. An Army Corp of Engineers permit would be required for the pile driving and activity in the water. Design and construction approval for the reconstruction of the boat ramp and its appurtenances would be necessary from the Department of Boating and Waterways, State of California. Following the above agency actions, all of the construction permits would be issued by the building officials of the Port of San Francisco. Upon completion of the project, a lease with the new operator of the facility would have to be approved by the Port Commission. Certain leases may also require approval by the Board of Supervisors.

LAND USE AND VISUAL QUALITY: The uses proposed for Pier 52 would improve existing public access and add to the existing facilities on the site. The results would be quite similar to, and of the same scale as, the Bayview Boat Club and Mariposa Yacht Club which are private boat clubs in the vicinity. This project would still be the only public launching facility on the waterfront. The proposed uses would not create unexpected or disturbing land use impacts. While it would encourage some new activity in the area, the improvements would not be extensive enough to bring in significantly more people and boats than the area can handle. The new bait shop and cafe would serve people who are already in the vicinity along with any new users.

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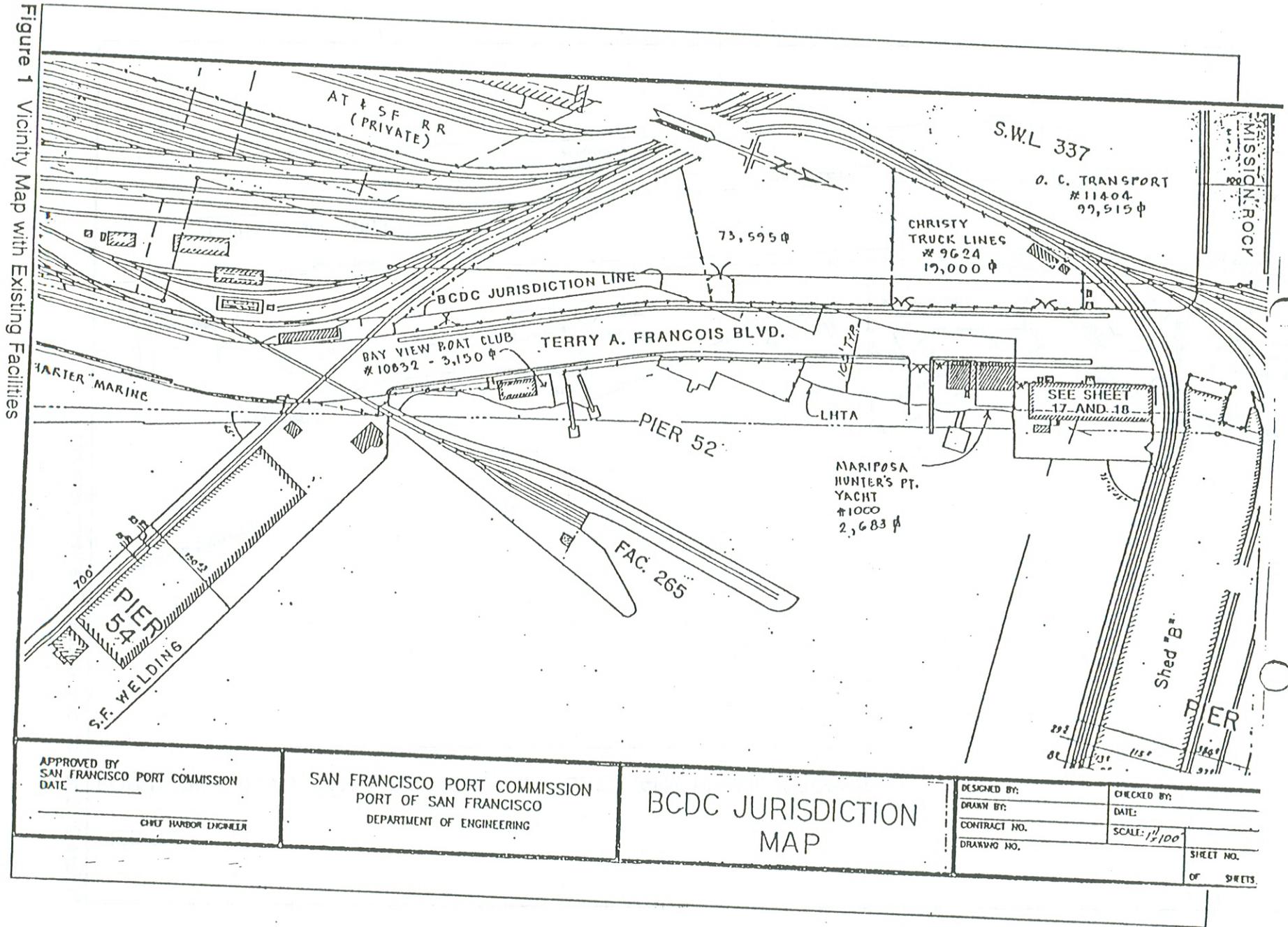


Figure 1 Vicinity Map with Existing Facilities

5

APPROVED BY
 SAN FRANCISCO PORT COMMISSION
 DATE _____

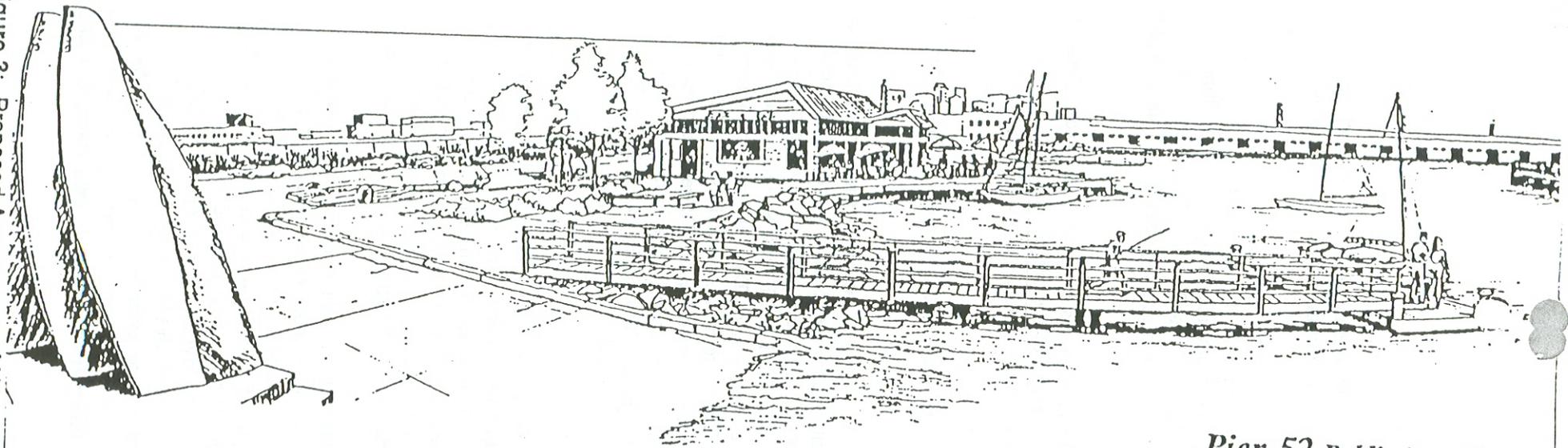
 CHIEF HARBOR ENGINEER

SAN FRANCISCO PORT COMMISSION
 PORT OF SAN FRANCISCO
 DEPARTMENT OF ENGINEERING

BCDC JURISDICTION
 MAP

DESIGNED BY:	CHECKED BY:
DRAWN BY:	DATE:
CONTRACT NO.	SCALE: 1/100
DRAWING NO.	SHEET NO.
	OF SHEETS

Figure 3: Proposed Appearance of New Facilities



*Pier 52 Public Boat Ramp,
Bait & Boat Shop, and Cafe.*

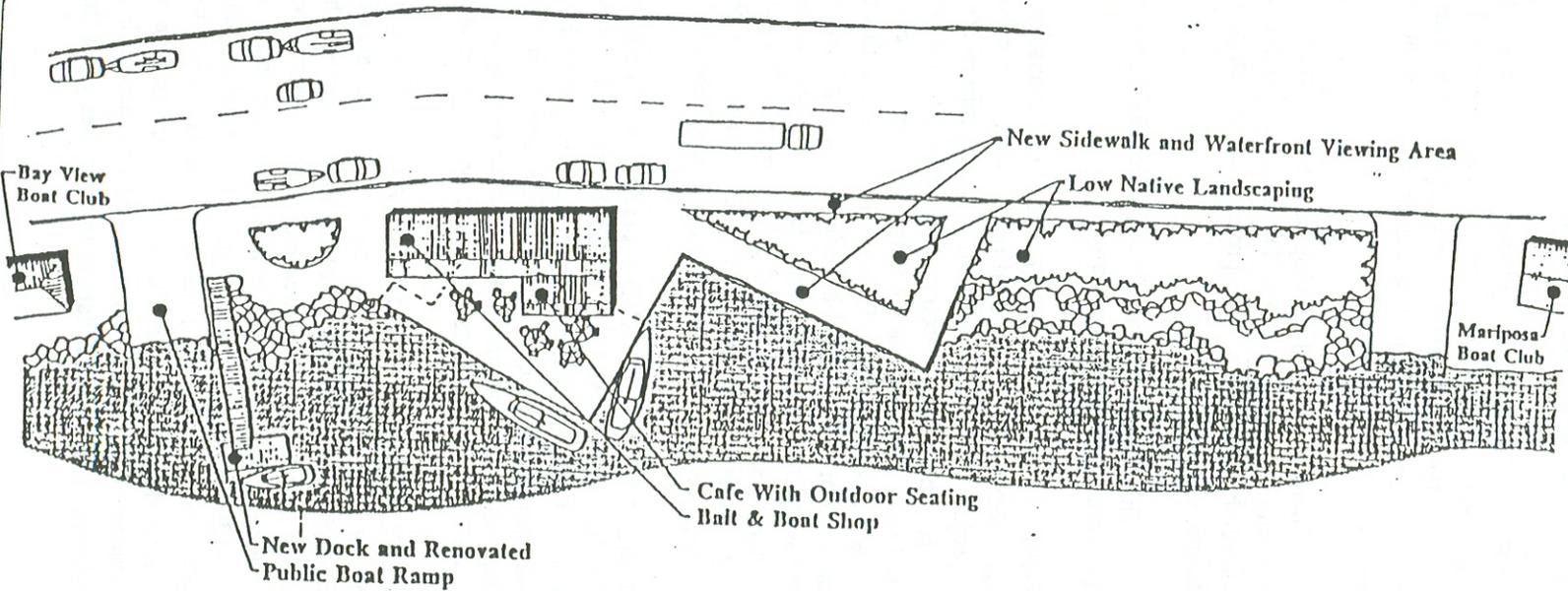


Exhibit 2: CEQA Documents

Views of the Bay and the nearby maritime activities would be enhanced. The project would provide outdoor seating over the water with unobstructed views of the industrial and small boat activities that take place on the Bay.

TRAFFIC: The northern vehicle access to the site is via Third Street or Fourth Street to Mission Rock Street, and south on Terry Francois Boulevard. From the south, access is from either Illinois Street or Mariposa Street to Terry Francois Boulevard and then north to Pier 52. Traffic impacts associated with the project would not be significant relative to the existing capacity of the surrounding street system.

There is minimal development on the waterside of Terry Francois Boulevard and vacant land on the western side of the street. The change in area traffic as a result of the project would be undetectable to drivers. The project's impact on parking availability in the area would not be substantial.

This area is isolated from public transportation. The number 15 MUNI runs on Third Street, approximately one-half mile away.

NOISE: The project site is located in an industrial area, with the Bay on the east and many acres of vacant industrially zoned land on the west. No noise-sensitive uses are located within 1,000 feet of the project site. No background noise measurements are available for the project site or immediate vicinity. The noise environment of the site is relatively quiet. Third and Fourth Streets, which carry very heavy auto and truck traffic, are more than one quarter mile away. There is little or no activity on the landside of Terry Francois Boulevard at this time. There are no residential uses within a mile. Construction noise would include the driving of an unknown number of piles. There would be a temporary increase in the noise level from the construction. Construction noise in the City and County of San Francisco is regulated by the City's Noise Ordinance (Ordinance No.274-72). The noise ordinance restricts construction to the hours between 7AM and 8PM if the noise of the construction exceeds the background noise level by 5 dBA.

PUBLIC SERVICES AND UTILITIES: The proposed project would increase demand for and use of public services and utilities on the site and increase water and energy consumption, but not in excess of amounts expected and provided for in this area. There is an existing City sewer line on Third Street with feeder lines to the nearby boat clubs. Sewer and water would be extended and connected to either the Mariposa Boat club or the Bay View Boat Club. The Port would be responsible for the installation and provision of utilities that would be adequate to serve this project.

SPECIAL GEOLOGIC STUDY AREA: The Community Safety Element of the San Francisco Master Plan map shows the site located in an area in which one or more geologic hazards exist. Depending upon the nature of the hazard, this site has the potential for experiencing land movement and/or inundation. This area would be subject to both types of hazards: severe ground shaking should there be a major earthquake, and inundation in the case of off-shore deep ocean disturbances. According to the Blume Report, "San Francisco Seismic Safety Investigation" prepared in June of 1974, the potential of damage by inundation would be greatest in the low-lying areas, with the greatest danger to moored boats and marinas. The force of such an event would be attenuated by the distance of the structure(s) from the entrance to the Bay. In the analysis contained in the Blume report regarding the potential danger to structures other than buildings from a major seismic event, it is stated

that: "waterfront structures, especially where situated on or alongside made ground, are subject to damage but this is generally not of a catastrophic nature."

HAZARDOUS MATERIALS: The project site is located within the area regulated by Article 20, Section 1000 et.seq. of the San Francisco Public Works Code, also known as the Maher Ordinance. Projects located bayward of the historic high-tide line that involve disturbance of at least 50 cubic yards of soil must comply with Article 20 of the San Francisco Administrative Code. There would be less than 50 cubic yards of dirt disturbed for this project, hence a site history and soil sampling would not be required. Sampling of the soil would be required prior to construction should the final plans indicate that more than 50 cubic yards would be removed. The need for remediation would then be determined on a site specific basis. The project would pave, or cover with decking, the majority of the site. The types of proposed uses would not encourage activity in the ground that could expose persons to any hazardous materials.

CONCLUSIONS: The proposed project is consistent with all applicable zoning controls. No variance or other special planning authorization is needed from the Planning Department of the City and County of San Francisco. The Port's Engineering Office and Chief Building Inspector reviews and issues the permits for Port related grading and building plans; the Port also has its own Fire Marshall. In the November 1992 election the voters of San Francisco elected to exclude this proposal from the applicability of Proposition H which requires that a Waterfront Plan be in place before any non-maritime uses may be approved.

While local concerns or other planning considerations may be grounds for modification or denial of the proposal, there is no substantial evidence that the project would have a significant effect on the environment.

NOTES:

/1/ San Francisco Waterfront Special Area Plan, summary of the McAteer-Petris Act and Bay Plan provisions generally applicable to the San Francisco Waterfront for San Francisco Bay Conservation and Development Commission, April 1975 as amended.,

/2/ Ibid., page 5

/3/ Ibid., page 28.

/4/ The Mariposa Hunter's Point Yacht Club is immediately adjacent on the north side of the site, and the Bayview Boat Club is on the south. They each have a launching ramp, a small clubhouse and some on-site parking.

ENVIRONMENTAL EVALUATION CHECKLIST
(Initial Study)

File No: 95.134E Title: Improvement of Boat Launch & Public Access Areas - Pier 52

Street Address: Off of Terry Francois/Mission Rock Assessor's Block/Lot: AB 9900

Initial Study Prepared by: Jane A. Rogers

A. COMPATIBILITY WITH EXISTING ZONING AND PLANS Not
Applicable Discussed

- 1) Discuss any variances, special authorizations, or changes proposed to the City Planning Code or Zoning Map, if applicable. ✓ —
- *2) Discuss any conflicts with any adopted environmental plans and goals of the City or Region, if applicable. ✓ —

B. ENVIRONMENTAL EFFECTS - Could the project:

	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
<u>1) Land Use</u>			
*(a) Disrupt or divide the physical arrangement of an established community?	—	✓	—
*(b) Have any substantial impact upon the existing character of the vicinity?	—	✓	✓
<u>2) Visual Quality</u>			
*(a) Have a substantial, demonstrable negative aesthetic effect?	—	✓	✓
(b) Substantially degrade or obstruct any scenic view or vista now observed from public areas?	—	✓	✓
(c) Generate obtrusive light or glare substantially impacting other properties?	—	✓	—
<u>3) Population</u>			
*(a) Induce substantial growth or concentration of population?	—	✓	—
*(b) Displace a large number of people (involving either housing or employment)?	—	✓	—
(c) Create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply?	—	✓	—
<u>4) Transportation/Circulation</u>			
*(a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?	—	✓	✓
(b) Interfere with existing transportation systems, causing substantial alterations to circulation patterns or major traffic hazards?	—	✓	✓

* Derived from State EIR Guidelines, Appendix G, normally significant effect.

	YES	NO	DISCUSSED
(c) Cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity?	—	✓	✓
(d) Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities?	—	✓	✓
5) Noise			
*(a) Increase substantially the ambient noise levels for adjoining areas?	—	✓	✓
(b) Violate Title 24 Noise Insulation Standards, if applicable?	—	✓	—
(c) Be substantially impacted by existing noise levels?	—	✓	—
6) Air Quality/Climate			
*(a) Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation?	—	✓	—
*(b) Expose sensitive receptors to substantial pollutant concentrations?	—	✓	—
(c) Permeate its vicinity with objectionable odors?	—	✓	—
(d) Alter wind, moisture or temperature (including sun shading effects) so as to substantially affect public areas, or change the climate either in the community or region?	—	✓	—
7) Utilities/Public Services			
*(a) Breach published national, state or local standards relating to solid waste or litter control?	—	✓	—
*(b) Extend a sewer trunk line with capacity to serve new development?	—	✓	—
(c) Substantially increase demand for schools, recreation or other public facilities?	—	✓	—
(d) Require major expansion of power, water, or communications facilities?	—	✓	✓
8) Biology			
*(a) Substantially affect a rare or endangered species of animal or plant or the habitat of the species?	—	✓	—
*(b) Substantially diminish habitat for fish, wildlife or plants, or interfere substantially with the movement of any resident or migratory fish or wildlife species?	—	✓	—
(c) Require removal of substantial numbers of mature, scenic trees?	—	✓	—
9) Geology/Topography			
*(a) Expose people or structures to major geologic hazards (slides, subsidence, erosion and liquefaction).	—	✓	✓
(b) Change substantially the topography or any unique geologic or physical features of the site?	—	✓	—

	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
10) <u>Water</u>			
* (a) Substantially degrade water quality, or contaminate a public water supply?	—	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
* (b) Substantially degrade or deplete ground water resources, or interfere substantially with ground water recharge?	—	<input checked="" type="checkbox"/>	—
* (c) Cause substantial flooding, erosion or siltation?	—	<input checked="" type="checkbox"/>	—
11) <u>Energy/Natural Resources</u>			
* (a) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	—	<input checked="" type="checkbox"/>	—
(b) Have a substantial effect on the potential use, extraction, or depletion of a natural resource?	—	<input checked="" type="checkbox"/>	—
12) <u>Hazards</u>			
* (a) Create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected?	—	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
* (b) Interfere with emergency response plans or emergency evacuation plans?	—	<input checked="" type="checkbox"/>	—
(c) Create a potentially substantial fire hazard?	—	<input checked="" type="checkbox"/>	—
13) <u>Cultural</u>			
* (a) Disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community or ethnic or social group; or a paleontological site except as a part of a scientific study?	—	<input checked="" type="checkbox"/>	—
(b) Conflict with established recreational, educational, religious or scientific uses of the area?	—	<input checked="" type="checkbox"/>	—
(c) Conflict with the preservation of buildings subject to the provisions of Article 10 or Article 11 of the City Planning Code?	—	<input checked="" type="checkbox"/>	—
C. <u>OTHER</u>	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
Require approval and/or permits from City Departments other than Department of City Planning or Bureau of Building Inspection, or from Regional, State or Federal Agencies?	<input checked="" type="checkbox"/>	—	<input checked="" type="checkbox"/>
D. <u>MITIGATION MEASURES</u>	<u>YES</u>	<u>NO</u>	<u>N/A</u> <u>DISCUSSED</u>
1) Could the project have significant effects if mitigation measures are not included in the project?	—	—	<input checked="" type="checkbox"/>
2) Are all mitigation measures necessary to eliminate significant effects included in the project?	—	—	<input checked="" type="checkbox"/>

E. MANDATORY FINDINGS OF SIGNIFICANCE

YES NO DISCUSSE

- *1) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or pre-history?
- *2) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?
- *3) Does the project have possible environmental effects which are individually limited, but cumulatively considerable? (Analyze in the light of past projects, other current projects, and probable future projects.)
- *4) Would the project cause substantial adverse effects on human beings, either directly or indirectly?

— —
 — —
 — —
 — —

F. ON THE BASIS OF THIS INITIAL STUDY

- I find the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared by the Department of City Planning.
- I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because the mitigation measures, numbers _____, in the discussion have been included as part of the proposed project. A **NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

Paul A. Reutseh / for

BARBARA W. SAHM
Environmental Review Officer
for

LUCIAN R. BLAZEJ
Director of Planning

DATE: August 9, 1995

BWS:OER/23/4-13-92

PRELIMINARY NEGATIVE DECLARATION

Publication Date of Preliminary Negative Declaration: August 11, 1995

LEAD AGENCY: Planning Department-
City and County of San Francisco
1660 Mission Street, 4th Floor
San Francisco, CA 94103

CONTACT: Sharon A. Rogers, OER
(415)558-6382

PROJECT TITLE: 95.134E - At Pier 52, improve Public Boat Ramp, add Bait Shop and Cafe, and Public Access.

CONTACT: Joe R. Wyman - 274-0352, Staff for Port of San Francisco
PROJECT SPONSOR: Port of San Francisco - Dennis P. Bouey, Executive Director

PROJECT ADDRESS: Pier 52, Off of Terry Francois Boulevard, south of Mission Rock Street
ASSESSORS BLOCK & LOT: Block 9900- Piers do not have lot numbers. On the bayside of Seawall Lot 337.
CITY AND COUNTY: San Francisco

PROJECT SUMMARY: The Port of San Francisco is proposing improvements to facilities near Pier 52: redesign and rebuild the existing boat launch; construct a small building where marine and fishing supplies as well as food service would be available; build a new deck that would extend partially over the water; add a gangplank to serve a floating dock where boats could tie up; provide parking spaces to accommodate vehicles with trailers. The proposed non-maritime uses were authorized by a public vote in November of 1994. Some bayfill would be required.

BUILDING PERMIT APPLICATION NUMBERS, if applicable: Not Applicable, Port issues building permits on Port controlled land.

THIS PROJECT WOULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance) and 15070 (Decision to Prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached.

- OVER -

Mitigation measures, if any, included in this project to avoid potentially significant effects:
-NONE-

cc: Robert W. Passmore
Monica Jacobs (1st page only)
Port of San Francisco: Frank Palumbo &
Joe Wyman
Distribution List
Bulletin Board
Master Decision File

Final signed 9/12/95

Exhibit 2: CEQA Documents

PROJECT DESCRIPTION: The Port of San Francisco proposes to repair and upgrade the facilities at Pier 52 and its immediate area where the only existing public recreational boat launch in the City is located. The dry land site is approximately 30,000 square feet. In, as well as over the water, there could be up to 8500 square feet of solid fill, cantilevered, and floating fill as described in the following paragraphs. Precise amounts of the various types of fill cannot be determined until the design and engineering work is underway.

The proposed project includes a number of different elements. It would improve the existing public boat launch. Weeds and debris would be removed from the existing public access and rip-rap that exists along the shoreline. There would be no additions to the rip-rap. A small building of approximately 3000 square feet and 16 to 18 feet high with high glass skylights would be constructed to serve as a bait shop and cafe. New landscaping around the building and in the shoreline public access area would be installed. An outdoor deck would be built for dining and additional public access; it would be of no more than 5000 square feet extending out from the building, over the water, and be supported by piles. A gangway and floating dock of up to 2000 square feet is proposed; this would allow a small number of boats to tie up. All facilities would be handicapped accessible. The bait shop and cafe would be leased to a concessionaire. The signage, landscaping, benches, and other pedestrian improvements would be paid for and installed by the Port and maintained by the concessionaire. Figure 1, page 5 is a vicinity map that shows existing facilities. Figure 2, page 6 shows the approximate location of the proposed site improvements, and Figure 3, page 7 is a schematic drawing showing the possible appearance of the new facilities.

The following aspects of the proposal are considered bay fill by the Bay Conservation and Development Commission (BCDC): extension of the toe of the ramp into the Bay, the construction of an outdoor deck, and the gangway leading to a small floating dock. The extension of the toe of the ramp could result in 1500 square feet of solid fill. The deck would require up to 5000 square feet of cantilevered fill. The gangway out over the water connecting to the floating dock, and the dock, together are estimated to be approximately 2000 square feet, held in place by piles; these two structures would be considered floating fill. At the present time, it would appear that the amount of all types of Bay fill would not exceed 8500 square feet. All fill must be authorized by the BCDC.

Under the McAteer-Petris Act (the BCDC law), Bay fill can only be permitted for certain water-oriented uses specified in the law, or minor fill for improving shoreline appearance, or public access to the Bay. Fill includes earth or any other material including pilings; any water coverage whether on pilings or by cantilever; and floating structures moored for extended periods of time, such as houseboats and floating docks. /1/

Any fill, to be permitted, must meet the following conditions: a/ there is no alternative upland location; b/ the fill is the minimum necessary; c/ the nature, location, and extent of any fill will minimize harmful effects to the Bay; d/ the fill is constructed in accordance with sound safety standards; e/ the fill will, to the maximum extent feasible, establish a permanent shoreline; and /2/ the person proposing to fill has sufficient title to the properties in question as to be able to fill it in the manner and for the uses to be approved.

Applying the above definitions and standards, the proposed fill would appear to fall within the BCDC permissible classifications, being for the purposes of water-related recreation and to improve



City and County of San Francisco
The Planning Department

1660 Mission Street
San Francisco, CA 94103-2414

Re: Attached Preliminary Negative Declaration

To Whom It May Concern:

The Department of City Planning has reviewed the subject project, and has determined that the proposed project could not have a significant effect on the environment. A PRELIMINARY NEGATIVE DECLARATION (PND) containing this finding has been prepared, a copy of which is attached. Notice of publication of this document has also been published in a newspaper of general circulation on the day that it was mailed to you.

Any person may make one or more of the responses outlined below:

- 1) Review the attached materials for informational purposes.
- 2) Within 30 calendar days following publication of the newspaper notice of such preparation - make recommendations for amendment of the text. Text may be amended to clarify or correct statements and may be expanded to include additional relevant issues or to cover issues in greater depth. This may be done without the appeal described below. - OR -
- 3) Within 20 calendar days following publication of the newspaper notice of such preparation - appeal the determination of no significant effect in a letter which specifies the grounds for such appeal and requests that an environmental impact report (EIR) be prepared. Send the appeal letter to the Department of City Planning, Attention: Barbara W. Sahm, 1660 Mission Street, San Francisco CA, 94103. The letter must be accompanied by a check in the amount of \$206.00 payable to the Department of City Planning, and must be received by 5:00 pm on the 20th day following the date of the publication indicated on the first page of the Preliminary Negative Declaration. The appeal letter and check may also be presented in person at the Planning Information Counter on the first floor at 1660 Mission Street, San Francisco.

An appeal requires the Planning Commission to determine whether or not an EIR must be prepared, based upon whether or not the project could have a substantial adverse effect on the physical environment. If an appeal is filed, there will be a public hearing at which anyone may testify for or against the contention that an EIR is required. In the absence of an appeal, the Negative Declaration shall be made final, subject to necessary modifications, at the end of the 30 day review period.

Please note that preparation or finalization of a Negative Declaration does not indicate a decision by the City to approve or to disapprove the proposed project. However, prior to making any such decision, the decision makers must review and consider the information contained in the Negative Declaration.

If you have any questions concerning the attached materials or this process, please contact the planner identified as the "Agency Contact Person" on the PND cover page.

REV 11/94, JB

ADMINISTRATION
 (415) 558-6414

CITY PLANNING COMMISSION
 (415) 558-6414

PLANS AND PROGRAMS
 (415) 558-6264

IMPLEMENTATION/ZONING
 (415) 558-6377

FAX: 558-6409

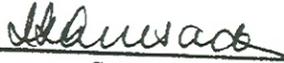
FAX: 558-6426

Exhibit 2: CEQA Documents

**PORT COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
RESOLUTION NO. 07-62**

- WHEREAS, the Pier 52 /54 Public Boat Launch Facility would add improvements to public boat launch facilities currently under construction there (the "Project"); and
- WHEREAS, the California Coastal Conservancy ("CCC") seeks to fund projects that preserve, protect, and restore the resources of the California coast; and
- WHEREAS, in September, 2007 the CCC will award the Port of San Francisco \$200,000 for public boat launch project; and
- WHEREAS, this award would provide the funds needed to fill the funding gap for construction of the boat launch; now, therefore, be it
- RESOLVED, the Port Commission has reviewed the Final Negative Declaration, dated August 11, 1995 and, pursuant to Section 15162 of the CEQA Guidelines, finds that there has been no substantial change in the Project that would involve any new significant environmental effects or substantial increase in previously identified environmental effects; no substantial change in circumstances under which the Project is being developed that require revisions to the Final Negative Declaration; and no new information of substantial importance that was not previously known and accounted for in the Final Negative Declaration regarding significant effects or mitigation measures; and be it further
- RESOLVED, that there is no pending or threatened litigation which might in any way adversely affect the proposed Project, or the ability of the Port of San Francisco to deliver such Project; and be it further
- RESOLVED, that the Port Commission authorizes its Executive Director or her designee to execute and file an application with CCC for grant funds for purposes and amount included in the project application attached to this resolution; and be it further
- RESOLVED, that the Port Commission authorizes the Executive Director to accept and expend CCC funds, and to conduct all negotiations, execute and submit all documents, including, but not limited to, applications, agreements, amendments, augmentations, extensions, payment requests and other documents, which may be necessary to secure the aforementioned grant funds, including if appropriate, an agreement to indemnify the State for liability associated with the Project, to the extent approved by the City' Risk Manager and the City Attorney's Office.

I hereby authorize that the foregoing resolution was adopted by the San Francisco Port Commission at its meeting of August 14, 2007.


Secretary