

[Reversing certification of the Bicycle Plan Project FEIR]

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**Motion reversing the certification by the Planning Commission of the Final
Environmental Impact Report for the 2009 San Francisco Bicycle Plan Project.**

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6 WHEREAS, The City and County of San Francisco, through its San Francisco
Municipal Transportation Agency (MTA) and Planning Commission (collectively, the "Project
Sponsor") is proposing adoption of the 2009 San Francisco Bicycle Transportation Plan,
which includes minor, long-term, and near-term improvements for the bicycle route network,
and amendments to the General Plan and Planning Code to reflect said Bicycle Plan, (the
Project"); and

12 WHEREAS, The MTA Board of Directors, in its Resolution No. 07-012, adopted
13 January 30, 2007, initiated the process for environmental review of the Project and thereafter
14 applied to the Planning Department for environmental review of the Project (City Planning
15 Case No. 2007.0347E); and

16 WHEREAS, The Planning Department for the City and County of San Francisco (the
17 Department") determined that an Environmental Impact Report ("EIR") was required and
18 provided public notice of that determination by publication in a newspaper of general
19 circulation on June 5, 2007; and

20 WHEREAS, On November 26, 2008, the Department published the Draft
21 Environmental Impact Report ("DEIR") for the Project; and

22 WHEREAS, On January 8, 2009, the Commission held a duly noticed public hearing on
23 the DEIR, at which time opportunity for public comment was received on the DEIR, and
24 written comments were received through January 13, 2009; and

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1 WHEREAS, The Department prepared responses to comments received at the public
2 hearing on the DEIR and submitted in writing to the Department, prepared revisions to the text
3 of the DEIR and published a Draft Summary of Comments and Responses on June 11, 2009;
4 and

5 WHEREAS, A Final Environmental Impact Report ("FEIR") for the Project was
6 prepared by the Department, consisting of the DEIR, any consultations and comments
7 received during the review process, any additional information that became available and the
8 Draft Summary of Comments and Responses, all as required by law; and

9 WHEREAS, On June 25, 2009, the Commission reviewed and considered the FEIR
10 and, by Motion No. 17912, found that the contents of said report and the procedures through
11 which the FEIR was prepared, publicized and reviewed complied with the provisions of the
12 California Environmental Quality Act (CEQA), the State CEQA Guidelines and Chapter 31 of
13 the San Francisco Administrative Code; and

14 WHEREAS, By Motion No. 17912, the Commission found the FEIR to be adequate,
15 accurate and objective, reflected the independent judgment and analysis of the Department
16 and the Commission and that the Summary of Comments and Responses contained no
17 significant revisions to the DEIR, adopted findings relating to significant impacts associated
18 with the Project and certified the completion of the FEIR in compliance with CEQA and the
19 State CEQA Guidelines; and

20 WHEREAS, On June 25, 2009, by Resolution Nos. 17913, 17914, and 17915, the
21 Planning Commission adopted CEQA Findings and adopted and recommended General Plan
22 and Planning Code Amendments, and on June 26, 2009, by Resolutions Nos. 09-105 and 09-
23 106, the MTA Board of Directors adopted CEQA Findings and the 2009 Bicycle
24 Transportation Plan, which includes minor, long-term, and near-term improvements for the
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1 bicycle route network, and approved legislation for implementation of 45 near-term
2 bicycle improvement projects; and

3 WHEREAS, By letters to the Clerk of the Board of Supervisors dated July 15, 2009,
4 Catherine Liddell on behalf of South Beach-Rincon Hill-Mission Bay Neighborhood
5 Association and Mary Miles on behalf of Coalition for Adequate Review, filed appeals of the
6 FEIR to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or
7 around July 15, 2009; and

8 WHEREAS, On August 4, 2009, this Board held a duly noticed public hearing to
9 consider the appeal of the FEIR certification filed by Appellants; and

10 WHEREAS, This Board has reviewed and considered the FEIR, the appeal letters, the
11 responses to concerns document that the Planning Department prepared, the other written
12 records before the Board of Supervisors, and heard testimony and received public comment
13 regarding the adequacy of the FEIR; and

14 WHEREAS, The FEIR files and all correspondence and other documents have been
15 made available for review by this Board and the public. These files are available for public
16 review by appointment at the Planning Department offices at 1650 Mission Street and the
17 MTA offices at 1 So. Van Ness, and are part of the record before this Board by reference in
18 this motion; now, therefore, be it

19 MOVED, That this Board of Supervisors reverses the certification of the FEIR by the
20 Planning Commission.

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