

1 [Affirm adoption of the negative declaration for 701 Lombard Street]

2 **Motion affirming Planning Department adoption of the final negative declaration for 701**
3 **Lombard Street.**

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5 WHEREAS, On December 21, 2002, the Environmental Review Officer of the Planning
6 Department issued a preliminary mitigated negative declaration for 701 Lombard Street in
7 accordance with the California Environmental Quality Act (“CEQA”), the CEQA Guidelines and
8 San Francisco Administrative Code Chapter 31; and

9 WHEREAS, On January 15, 2003, having received no appeal of the preliminary
10 negative declaration, the Environmental Review Officer of the Planning Department issued a
11 final mitigated negative declaration for 701 Lombard Street (“negative declaration”) in
12 accordance with Administrative Code Section 31.11(h). A copy of said document is on file with
13 the Clerk of the Board of Supervisors in File No. _____ and is incorporated by
14 reference herein; and

15 WHEREAS, On November 6, 2003, the Clerk of the Board received a facsimile of an
16 appeal of the negative declaration from the Telegraph Hill Dwellers Association (“Appellant”),
17 with original correspondence received on November 10, 2003; and

18 WHEREAS, This Board of Supervisor’s held a duly noticed public hearing on
19 November 25, 2003, to consider the negative declaration appeal filed by Appellant; and

20 WHEREAS, This Board has reviewed and considered the negative declaration and
21 heard testimony, the appeal letter, a responses to concerns document prepared by the
22 Planning Department and received public comment regarding the adequacy of this document;
23 and

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1 WHEREAS, The negative declaration files and all correspondence and other
2 documents have been made available for review by this Board and the public. These files are
3 available for public review by appointment at the Planning Department offices at 1660 Mission
4 Street, and are part of the record before this Board by reference herein; and

5 WHEREAS, Since the Planning Department adoption of the negative declaration,
6 there is no new information of significance that would require a substantial revision to the
7 negative declaration and necessitate recirculation of said document pursuant to CEQA
8 Guideline Section 15073.5; now, therefore, be it

9 MOVED, That this Board of Supervisors finds that the contents of the negative
10 declaration and the procedures through which it was prepared, publicized, and reviewed
11 complied with the provisions of the California Environmental Quality Act (Cal. Pub. Res. Code
12 sections 21000 et seq., hereinafter "CEQA"), the State CEQA Guidelines (Cal. Code Regs.
13 Title 14, sections 15000 et seq., ("CEQA Guidelines") and Chapter 31 of the San Francisco
14 Administrative Code ("Chapter 31"); and, be it

15 FURTHER MOVED, That based on substantial evidence in light of the whole record,
16 this Board of Supervisors finds the negative declaration reflects its independent judgment and
17 analysis and is adequate, accurate, and objective, and hereby affirms the decision of the
18 Environmental Review Officer to adopt the negative declaration in compliance with CEQA, the
19 State CEQA Guidelines, and Chapter 31.

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