

File No. 110346

Committee Item No. _____

Board Item No. 7

COMMITTEE/BOARD OF SUPERVISORS

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Board of Supervisors Meeting

Date 5/24/11

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Completed by: Andrea Ausberry Date April 19, 2011

Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document is in the file.

1 [Reversing the Exemption Determination - AT&T "Lightspeed" Network Upgrade]

2
3 **Motion reversing the determination by the Planning Department that the AT&T Network**
4 **"Lightspeed" Upgrade project is exempt from environmental review.**

5
6 WHEREAS, the Planning Department has determined that the AT&T Network
7 "Lightspeed" Upgrade project, Department of Public Works excavation permit, File No.
8 11EXC-1050, located on La Playa Street between Cabrillo and Fulton Streets, is exempt from
9 environmental review under the California Environmental Quality Act ("CEQA"), the CEQA
10 Guidelines, and San Francisco Administrative Code Chapter 31. The proposed work at this
11 and other locations involves placing additional fiber through AT&T's existing copper conduit
12 currently used for telephone lines, and, as described in the Certificate of Determination
13 Exemption from Environmental Review, the installation of metal, either tan or light green,
14 51.7-inches-wide by 26-inches-deep by 48-inches-high communications cabinets in the public
15 right-of-way to house the Lightspeed electronics. The Appellants provided a copy a Certificate
16 of Determination Exemption from Environmental Review, issued by the Planning Department
17 on February 22, 2010, finding the project exempt under Class 3 of the CEQA Guidelines (14
18 Cal. Code Reg. §15000 et seq.). By letter to the Clerk of the Board, Milo F. Hanke, on behalf
19 of the San Francisco Beautiful and the Planning Association for the Richmond, received by
20 the Clerk's Office on March 14, 2011, appealed the exemption determination; and

21
22 WHEREAS, On April 26, 2011, this Board held a duly noticed public hearing to
23 consider the appeal of the exemption determination filed by Appellant, and following the public
24 hearing reversed the exemption determination; and
25

1 WHEREAS, In reviewing the appeal of the exemption determination, this Board
2 reviewed and considered the exemption determination, the appeal letters, the responses to
3 concerns document that the Planning Department prepared, the other written records before
4 the Board of Supervisors and all of the public testimony made in support of and opposed to
5 the exemption determination appeal. Following the conclusion of the public hearing, the
6 Board of Supervisors reversed the exemption determination for the Project based on the
7 written record before the Board of Supervisors as well as all of the testimony at the public
8 hearing in support of and opposed to the appeal. The written record and oral testimony in
9 support of and opposed to the appeal and deliberation of the oral and written testimony at the
10 public hearing before the Board of Supervisors by all parties and the public in support of and
11 opposed to the appeal of the exemption determination is in the Clerk of the Board of
12 Supervisors File No. 110344 and in the Planning Department files, which are available for
13 public review by appointment at the Planning Department offices at 1650 Mission Street, and
14 are incorporated in this motion as though set forth in its entirety; now therefore be it

15 MOVED, That this Board of Supervisors reverses the determination by the Planning
16 Department that the Project is exempt from environmental review.

