

1 [Affirming the Exemption Determination - 70 Gold Mine Drive]

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3 **Motion affirming the determination by the Planning Department that a project located at**
4 **70 Gold Mine Drive is exempt from environmental review.**

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6 WHEREAS, the Planning Department has determined that a project located at 70 Gold
7 Mine Drive is exempt from environmental review under the California Environmental Quality
8 Act ("CEQA"), the CEQA Guidelines, and San Francisco Administrative Code Chapter 31. The
9 proposed work involves demolition of an existing single-family residential building and
10 construction of three residential units. The Appellant provided a copy a Historic Resource
11 Evaluation Response and an Environmental Evaluation Application stamped categorically
12 exempt from environmental review and dated March 12, 2009. By letter to the Clerk of the
13 Board, George Tsang, received by the Clerk's Office on July 21, 2001, appealed the
14 exemption determination; and

15 WHEREAS, On September 6, 2011, this Board held a duly noticed public hearing to
16 consider the appeal of the exemption determination filed by Appellant, and following the public
17 hearing affirmed the exemption determination; and

18 WHEREAS, In reviewing the appeal of the exemption determination, this Board
19 reviewed and considered the exemption determination, the appeal letters, the responses to
20 concerns document that the Planning Department prepared, the other written records before
21 the Board of Supervisors and all of the public testimony made in support of and opposed to
22 the exemption determination appeal. Following the conclusion of the public hearing, the Board
23 of Supervisors affirmed the exemption determination for the project based on the written
24 record before the Board of Supervisors as well as all of the testimony at the public hearing in
25 support of and opposed to the appeal. The written record and oral testimony in support of and

1 opposed to the appeal and deliberation of the oral and written testimony at the public hearing
2 before the Board of Supervisors by all parties and the public in support of and opposed to the
3 appeal of the exemption determination is in the Clerk of the Board of Supervisors File No.
4 110825 and is incorporated in this motion as though set forth in its entirety; now therefore be it

5 MOVED, That the Board of Supervisors of the City and County of San Francisco
6 hereby adopts as its own and incorporates by reference in this motion, as though fully set
7 forth, the exemption determination; and be it

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

13 FURTHER MOVED, That after carefully considering the appeal of the exemption
14 determination, including the written information submitted to the Board of Supervisors and the
15 public testimony presented to the Board of Supervisors at the hearing on the exemption
16 determination, this Board concludes that the project qualifies for an exemption determination
17 under CEQA.