

1 [Adopting findings related to affirming the categorical exemption issued for the 1 La Avanzada
2 Street project.]

3 **Motion adopting findings related to affirming the determination by the Planning**
4 **Department that the 1 La Avanzada Street project is categorically exempt from**
5 **environmental review under the California Environmental Quality Act.**

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7 The Planning Department determined that a proposal to replace four existing small
8 receive-only antennas with for new receive-only antennas and add a fifth such antenna to the
9 fifth level of Sutro Tower and add four receive-only antennas to the roof of the existing control
10 building at Sutro Tower, located at 1 La Avanzada Street (the "Project") was categorically
11 exempt from the California Environmental Quality Act ("CEQA") on or around August 3, 2006
12 ("determination").

13 By letter to the Clerk of the Board of Supervisors dated September 8, 2006, Doris
14 Linnenbach on behalf of the Twin Peaks Improvement Association ("Appellant") filed an
15 appeal of the determination to the Board of Supervisors, which the Clerk of the Board of
16 Supervisors received on or around September 11, 2006.

17 On October 24, 2006, this Board held a duly noticed public hearing to consider the
18 appeal of the determination and following the public hearing affirmed the determination of the
19 Planning Department that the Project is categorically exempt from CEQA.

20 In reviewing the appeal of the categorical exemption determination, this Board
21 reviewed and considered the written record before the Board and all of the public comments
22 made in support of and opposed to the appeal. Following the conclusion of the public
23 hearing, the Board affirmed the Planning Department's categorical exemption determination
24 for 1 La Avanzada Street based on the written record before the Board as well as all of the
25 testimony at the public hearing in support of and opposed to the appeal. Said Motion and

1 written record is in the Clerk of the Board of Supervisors File No. 061292 and is incorporated
2 herein as though set forth in its entirety.

3 In regard to said decision, this Board made certain findings specifying the basis for its
4 decision to affirm the Planning Department's approval of the determination for 1 La Avanzada
5 Street based on the whole record before the Board including the written record in File No.
6 061293, which is hereby declared to be a part of this motion as if set forth fully herein; the
7 written submissions to and official written records of the Planning Department determination
8 related to the 1 La Avanzada Street project; the official written and oral testimony at and audio
9 and video records of the public hearing in support of and opposed to the appeal and
10 deliberation of the oral and written testimony at the public hearing before the Board of
11 Supervisors by all parties and the public in support of and opposed to the appeal of the
12 categorical exemption.

13 NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and
14 County of San Francisco hereby adopts as its own and incorporates by reference herein, as
15 though fully set forth, the determination made by the Planning Department on August 3, 2006.

16 FURTHER MOVED, That the Board of Supervisors finds that based on the whole
17 record before it there are no substantial Project changes, no substantial changes in Project
18 circumstances, and no new information of substantial importance that would change the
19 conclusions set forth in the determination by the Planning Department that the proposed
20 Project is exempt/excluded from environmental review.

21 FURTHER MOVED, That after carefully considering the appeal of the categorical
22 exemption, including the written information submitted to the Board and the public testimony
23 presented to the Board at the hearing on October 24, 2006, this Board concludes that the
24 Project qualifies for a categorical exemption under Class 1 under CEQA Guidelines Section
25 15301.

1 FURTHER MOVED, that the Board finds that there are no special circumstances
2 present in this case and, in particular, there is no reasonable possibility that the Project will
3 have a significant effect on the environment due to unusual circumstances or cumulative
4 impacts that would require the preparation of a negative declaration or an environmental
5 impact report for the Project under the California Environmental Quality Act and CEQA
6 Guidelines.

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