

1 [Preparation of findings related to the categorical exemption issued for SFPUC Bay Division  
2 Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project.]

3 **Motion directing the Clerk of the Board to prepare findings related to the appeal of the**  
4 **determination by the Planning Department that the SFPUC Bay Division Pipeline**  
5 **(BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project is categorically exempt from**  
6 **environmental review under the California Environmental Quality Act.**  
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8 WHEREAS, the Planning Department determined that a proposal to seismically  
9 upgrade the existing Bay Division Pipelines (BDPL) Nos. 3 & 4, consisting of constructing a  
10 new vault where each of the pipelines cross the Hayward Fault, the installation of shutoff  
11 valves in each vault, and the construction of a control building on top of each of the vaults to  
12 contain electrical and standby generator back-up power ("Project") was categorically exempt  
13 from the California Environmental Quality Act ("CEQA") on or around May 16, 2005  
14 ("determination"). A copy of the Planning Department determination that the Project was  
15 exempt from environmental review is on file with the Clerk of the Board of Supervisors in File  
16 No. 050952, and is incorporated by reference herein; and,  
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18 WHEREAS, By letter to the Clerk of the Board of Supervisors dated May 23, 2005, Lijia  
19 Chen on behalf of Cayuga Network ("Appellants") filed an appeal of the determination to the  
20 Board of Supervisors, which the Clerk of the Board of Supervisors received on or around May  
21 23, 2005; and,

22 WHEREAS, On June 28, 2005, this Board held a duly noticed public hearing to  
23 consider the appeal of the determination. Following the conclusion of the public hearing, the  
24 Board rendered a decision on the use of an exemption for this Project based on the written  
25 record before the Board in File No. 050952, which is hereby declared to be a part of this

1 motion as if set forth fully herein, as well as all of the testimony at the public hearing in support  
2 of and opposed to the appeal; and,

3 WHEREAS, In regard to said decision, this Board made certain findings specifying the  
4 basis for its decision; now, therefore, be it

5 MOVED, That this Board directs the Clerk of the Board to prepare the findings  
6 specifying the basis for its decision on the use of an exemption for the SFPUC Bay Division  
7 Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project.

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