

1 [Preparation of findings related to the appeal of the categorical exemption for the Citywide  
2 Wireless Broadband Internet Access Network Ordinance.]

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4 **Motion directing the Clerk of the Board to prepare findings related to the appeal of the**  
5 **determination by the Planning Department that the Citywide Wireless Broadband**  
6 **Internet Access Network Ordinance is exempt from environmental review under the**  
7 **California Environmental Quality Act.**

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9 WHEREAS, On April 20, 2007, the Environmental Review Office of the San Francisco  
10 Planning Department issued a certificate of determination of exemption/exclusion from  
11 environmental review (the "determination") for Citywide Wireless Broadband Internet Access  
12 Network Ordinance (the "Ordinance"), which would authorize one or more agreements  
13 between EarthLink, Inc. and the City and County of San Francisco to manage, operate and  
14 install a citywide wireless broadband internet access network. A copy of said document is on  
15 file with the Clerk of the Board of Supervisors in File No. 070800, and is incorporated by  
16 reference herein; and,

17 WHEREAS, By letter to the Clerk of the Board of Supervisors dated May 29, 2007, Jeff  
18 D. Hoffman, on behalf of the San Francisco Neighborhood Antenna Free Union (the  
19 "Appellant") filed an appeal of the determination to the Board of Supervisors, which the Clerk  
20 of the Board of Supervisors received on or around May 30, 2007; and,

21 WHEREAS, On July 10, 2007, this Board held a duly noticed public hearing to consider  
22 the appeal of the determination. Following the conclusion of the public hearing, the Board  
23 rendered a decision on the use of the exemption/exclusion for the project based on the written  
24 record before the Board in File No. 070800 which is hereby declared to be a part of this

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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 of Supervisors directs the Clerk of the Board to prepare the  
6 findings specifying the basis for its decision on the use of the exemption/exclusion for the  
7 Ordinance.

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