

[Preparation of findings to reverse certification of the Bicycle Plan Project FEIR]

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**Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 2009 Bicycle Plan Project FEIR.**

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7 WHEREAS, The City and County of San Francisco, through its San Francisco  
8Municipal Transportation Agency (MTA) and Planning Commission (collectively, the "Project  
9Sponsor") is proposing adoption of the 2009 San Francisco Bicycle Transportation Plan,  
10which includes minor, long-term, and near-term improvements for the bicycle route network,  
11and amendments to the General Plan and Planning Code to reflect said Bicycle Plan, (the  
12Project"); and

13 WHEREAS, The MTA Board of Directors, in its Resolution No. 07-012, adopted  
14January 30, 2007, initiated the process for environmental review of the Project and thereafter  
15applied to the Planning Department for environmental review of the Project (City Planning  
16Case No. 2007.0347E); and

17 WHEREAS, The Planning Department for the City and County of San Francisco (the  
18Department") determined that an Environmental Impact Report ("EIR") was required and  
19provided public notice of that determination by publication in a newspaper of general  
20circulation on June 5, 2007; and

21 WHEREAS, On November 26, 2008, the Department published the Draft  
22Environmental Impact Report ("DEIR") for the Project; and

23 WHEREAS, On January 8, 2009, the Commission held a duly noticed public hearing on  
24the DEIR, at which time opportunity for public comment was received on the DEIR, and  
25written comments were received through January 13, 2009; and

1 WHEREAS, The Department prepared responses to comments received at the public  
2 hearing on the DEIR and submitted in writing to the Department, prepared revisions to the text  
3 of the DEIR and published a Draft Summary of Comments and Responses on June 11, 2009;  
4 and

5 WHEREAS, A Final Environmental Impact Report ("FEIR") for the Project was  
6 prepared by the Department, consisting of the DEIR, any consultations and comments  
7 received during the review process, any additional information that became available and the  
8 Draft Summary of Comments and Responses, all as required by law; and

9 WHEREAS, On June 25, 2009, the Commission reviewed and considered the FEIR  
10 and, by Motion No. 17912, found that the contents of said report and the procedures through  
11 which the FEIR was prepared, publicized and reviewed complied with the provisions of the  
12 California Environmental Quality Act (CEQA), the State CEQA Guidelines and Chapter 31 of  
13 the San Francisco Administrative Code; and

14 WHEREAS, By Motion No. 17912, the Commission found the FEIR to be adequate,  
15 accurate and objective, reflected the independent judgment and analysis of the Department  
16 and the Commission and that the Summary of Comments and Responses contained no  
17 significant revisions to the DEIR, adopted findings relating to significant impacts associated  
18 with the Project and certified the completion of the FEIR in compliance with CEQA and the  
19 State CEQA Guidelines; and

20 WHEREAS, On June 25, 2009, by Resolution Nos. 17913, 17914, and 17915, the  
21 Planning Commission adopted CEQA Findings and adopted and recommended General Plan  
22 and Planning Code Amendments, and on June 26, 2009, by Resolutions Nos. 09-105 and 09-  
23 106, the MTA Board of Directors adopted CEQA Findings and the 2009 Bicycle  
24 Transportation Plan, which includes minor, long-term, and near-term improvements for the  
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bicycle route network, and approved legislation for implementation of 45 near-term bicycle improvement projects; and

3 WHEREAS, By letters to the Clerk of the Board of Supervisors dated July 15, 2009,  
4 Catherine Liddell on behalf of South Beach-Rincon Hill-Mission Bay Neighborhood  
5 Association and Mary Miles on behalf of Coalition for Adequate Review, filed appeals of the  
6 FEIR to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or  
7 around July 15, 2009; and

8 WHEREAS, On August 4, 2009, this Board held a duly noticed public hearing to  
9 consider the appeal of the FEIR certification filed by Appellants; and

10 WHEREAS, This Board has reviewed and considered the FEIR, the appeal letters, the  
11 responses to concerns document that the Planning Department prepared, the other written  
12 records before the Board of Supervisors, and heard testimony and received public comment  
13 regarding the adequacy of the FEIR; and

14 WHEREAS, The FEIR files and all correspondence and other documents have been  
15 made available for review by this Board and the public. These files are available for public  
16 review by appointment at the Planning Department offices at 1650 Mission Street and the  
17 MTA offices at 1 So. Van Ness, and are part of the record before this Board by reference in  
18 this motion; now, therefore, be it

19 MOVED, That this Board directs the Clerk of the Board to prepare findings specifying  
20 the basis for its reversal of the certification of the FEIR by the Planning Commission.

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