

1 [Disapprove certification of San Francisco Marina Renovation FEIR]

2

3 **Motion disapproving the certification by the Planning Commission of the Final**
4 **Environmental Impact Report for the San Francisco Marina Renovation Project.**

5

6 WHEREAS, The San Francisco Recreation and Park Commission (the "Project
7 Sponsor") is proposing to renovate the San Francisco Marina, located north of Marina
8 Boulevard between Lyon and Laguna Streets (the "Project"); and

9 WHEREAS, The Project Sponsor applied for environmental review to the Planning
10 Department for the City and County of San Francisco (the "Department") (City Planning File
11 No. 2002.1129E) and on December 27, 2003, the Planning Department published a
12 preliminary negative declaration; and

13 WHEREAS, Following several appeals, the Department determined that an
14 Environmental Impact Report ("EIR") was required and provided public notice of that
15 determination by publication in a newspaper of general circulation on October 9, 2004; and

16 WHEREAS, On September 6, 2005, the Department published the Draft Environmental
17 Impact Report ("DEIR") for the Project; and

18 WHEREAS, On October 6, 2005 and January 12, 2006, the Planning Commission for
19 the City and County of San Francisco (the "Planning Commission") held duly noticed public
20 hearings on the DEIR, at which time opportunity for public comment was received on the
21 DEIR, and written comments were received through January 20, 2006; and

22 WHEREAS, The Department prepared responses to comments received at the public
23 hearing on the DEIR and submitted in writing to the Department, prepared revisions to the text
24 of the DEIR and published a Draft Summary of Comments and Responses on September 28,
25 2006; and

1 WHEREAS, The Department prepared a Final Environmental Impact Report ("FEIR")
2 for the Project, consisting of the DEIR, any consultations and comments received during the
3 review process, any additional information that became available and the Draft Summary of
4 Comments and Responses, all as required by law; and

5 WHEREAS, On January 11, 2007, the Planning Commission reviewed and considered
6 the FEIR and, by Motion No. 17357, found that the contents of said report and the procedures
7 through which the FEIR was prepared, publicized and reviewed complied with the provisions
8 of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines and
9 Chapter 31 of the San Francisco Administrative Code; and

10 WHEREAS, By Motion No. 17357, the Planning Commission found the FEIR to be
11 adequate, accurate and objective, reflected the independent judgment and analysis of the
12 Department and the Commission and that the Summary of Comments and Responses
13 contained no significant revisions to the DEIR, adopted findings relating to significant impacts
14 associated with the Project and certified the completion of the FEIR in compliance with CEQA
15 and the State CEQA Guidelines; and

16 WHEREAS, On January 18, 2007, the Recreation and Park Commission adopted
17 CEQA Findings and approved the Marina Renovation Project; and

18 WHEREAS, On January 31, 2007, Howard Strassner, on behalf of San Francisco
19 Group of the Sierra Club filed an appeal of the FEIR with the Clerk of the Board of
20 Supervisors; and

21 WHEREAS, The Board of Supervisors held a public hearing on February 27, 2007, to
22 review the decision by the Planning Commission to certify the FEIR; and

23 WHEREAS, the FEIR files and all correspondence and other documents have been
24 made available for review by the Board of Supervisors, the Planning Commission and the
25

1 public; these files are available for public review by appointment at the Planning Department
2 offices at 1660 Mission Street, and are part of the record before the Board of Supervisors; and

3 WHEREAS, this Board has reviewed and considered the FEIR and heard testimony
4 and received public comment regarding the adequacy of the FEIR; now, therefore, be it

5 MOVED, That this Board of Supervisors disapproves the certification of the FEIR by
6 the Planning Commission.

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25