

1 [Disapproving the statutory exemption issued for Wharf J-10]  
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3 **Motion disapproving the determination by the Planning Department that the Wharf J-10**  
4 **project is statutorily exempt from the California Environmental Quality Act as specific**  
5 **actions necessary to prevent or mitigate an emergency.**

6 WHEREAS, On April 15, 2003, the Environmental Review Officer of the San Francisco  
7 Planning Department determined that the proposed work for Wharf J-10 was excluded from  
8 review under the California Environmental Quality Act ("CEQA") because the proposed work  
9 consisted of specific actions necessary to prevent or mitigate an emergency as provided in  
10 California Public Resources Code Section 21080(b)(4) and the CEQA Guidelines, 14  
11 California Code of Regulations Section 15269(c). A copy of said document is on file with the  
12 Clerk of the Board of Supervisors in File No. 030838 and is incorporated by reference herein;  
13 and,

14 WHEREAS, By letter to the Clerk of the Board of Supervisors dated May 6, 2003 F.  
15 Alioto Fish Company appealed the Planning Department's determination that the work for  
16 Wharf J-10 was excluded from review under the California Environmental Quality Act; and

17 WHEREAS, The Clerk of the Board of Supervisors received this appeal letter on or  
18 around May 6, 2003; and

19 WHEREAS, On June 10, 2003, this Board held a duly noticed public hearing to  
20 consider the appeal of the determination; and

21 WHEREAS, This Board has reviewed and considered the determination, the appeal  
22 letter, the responses to concerns document that the Department prepared, and public  
23 testimony; and

24 WHEREAS, The determination files and all correspondence and other documents have  
25 been made available for review by this Board and the public. These files are available for

1 public review by appointment at the Planning Department offices at 1660 Mission Street, and  
2 are part of the record before this Board by reference herein; now, therefore, be it

3           MOVED, That this Board of Supervisors disapproves the determination by the Planning  
4 Department that the Wharf J-10 project is statutorily exempt from environmental review.

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# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails Motion

**File Number:** 030907

**Date Passed:** June 10, 2003

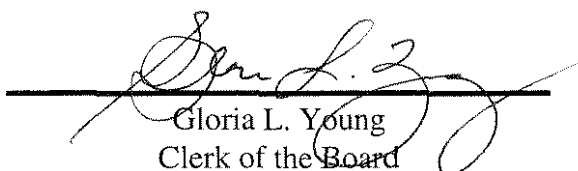
Motion disapproving the determination by the Planning Department that the Wharf J-10 project is statutorily exempt from the California Environmental Quality Act as specific actions necessary to prevent or mitigate an emergency.

June 10, 2003 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,  
Newsom, Peskin, Sandoval

File No. 030907

I hereby certify that the foregoing Motion  
was APPROVED on June 10, 2003 by the  
Board of Supervisors of the City and County  
of San Francisco.

  
Gloria L. Young  
Clerk of the Board