



## CEQA: A GOOD LAW IN NEED OF REFORM.

### ***Special Interest Group uses CEQA in Attempt to Kill Replacement of Seismically Unsafe and Non-ADA Compliant Library Building***

The San Francisco North Beach Public Library was the last of the City's 24 library branches slated to be repaired or rebuilt under a series of library bond measures passed by San Francisco voters in the 2000's.

The original library building, which sits in Joe Di Maggio Park, was built in 1959 and is not seismically safe or ADA compliant. In 2008, as part of the city's Branch Library Improvement Program, the City and County of San Francisco began making plans to create a more functional and safe library that better suits the needs of the neighborhood.

The master plan for the North Beach Public Library included demolishing the current branch to make room for an enlarged DiMaggio Playground and constructing a new library building on a triangular lot across the street.

Previously, the city explored plans to rehabilitate and expand the existing building, but the community objected because it would be extremely costly and expanding the library on its current site would reduce the size of the park.

Over the next two and a half years, an exhaustive environmental review was conducted and an Environmental Impact Report (EIR) was prepared to mitigate all potential environmental impacts. After all public comments were heard and integrated into the EIR, the Planning Commission and Board of Supervisors approved the Final EIR.

In July 2011, only a month after the EIR was certified, a group filed a CEQA lawsuit in San Francisco Superior Court contending, among other complaints, that the renovated playground would "demean the memory of Joe DiMaggio". They also claimed that the building qualified as a historic landmark as defined by CEQA, despite the fact that the Board of Supervisors unanimously voted to deny granting landmark status to the seismically unsafe and non-ADA compliant building.

One year later, a Superior Court judge threw out the opponents' lawsuit. After spending over \$800,000 of scarce city funds on consultants and legal fees, the city was finally able to win approval of replacing the outdated North Beach Library.

San Francisco Supervisor Scott Wiener said, "We have a highly popular, beautifully designed project to replace an outdated and inaccessible structure with a beautiful, usable and accessible new library; to create additional, much-needed open space in a densely populated neighborhood. Any community would embrace and celebrate this project. Instead, a small group of opponents has stymied the broad community every step of the way."

The library finally broke ground in November 2012 and, barring any further litigation, is expected to open in 2014.

To read the complete case study, visit [www.CEQAWorkingGroup.com/library](http://www.CEQAWorkingGroup.com/library)

#### **COST OF CEQA MISUSE:**

- CEQA lawsuit caused over a year of delay for vital library retrofit
- Litigation cost the city \$800,000 in attorney's fees and legal costs, borne by taxpayers

#### **About this series:**

*The California Environmental Quality Act (CEQA) is an important environmental law. However, today's CEQA is too often misused to stop or delay projects that comply with all applicable environmental laws and standards. "CEQA: A Good Law In Need of Reform" will call attention to the many examples of CEQA misuses, and the consequences on vital projects, our environment and our economy. Visit [www.CEQAWorkingGroup.com](http://www.CEQAWorkingGroup.com) for more case studies or information about efforts to modernize CEQA.*



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Plans for New North Beach Library and Expanded Joe Di Maggio Park