



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** April 7, 2011  
**TO:** San Francisco Planning Commission  
**FROM:** Don Lewis, Planning Department, MEA  
**RE:** Appeal of Preliminary Mitigated Negative Declaration for the 17<sup>th</sup> and Folsom Park, Assessor's Block 3571, Lot 18, Planning Department Case No. 2009.1163E

**HEARING DATE:** April 14, 2011

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

An appeal has been received concerning a preliminary mitigated negative declaration for the following project:

**Case No. 2009.1163 – 17<sup>th</sup> and Folsom Park:** The project site is located on the north side of 17<sup>th</sup> Street between Folsom and Shotwell Streets in the Mission neighborhood. The proposed project would subdivide the 60,925-square-foot parcel, which is currently a 219-space surface parking lot, and construct a 34,300-square-foot neighborhood park that would front on 17<sup>th</sup>, Folsom, and Shotwell Streets. No structures, including restrooms, are proposed. Specific design features of the park would be defined through a community planning effort. The existing parking lot is currently owned by the San Francisco Public Utilities Commission (PUC) and is leased out to the University of California, San Francisco. Ownership would transfer from the PUC and the park would be owned and operated by the San Francisco Recreation and Park Department (RPD). The remaining 26,625 square feet of the lot would remain in its current use. The project site is located in the Mission Plan Area.

This matter is calendared for public hearing on April 14, 2011. Enclosed are the appeal letter, the staff response, the mitigated negative declaration, and the draft motion.

For projects in plan areas, such as this, the proposal is reviewed for significant impacts that are not addressed in the Programmatic EIR (PEIR). Topics for which the PEIR identified a significant program-level impact are addressed in the Community Plan Exemption (CPE) Certification of Determination while project impacts for all other topics are discussed in the CPE Checklist. If the proposed project would result in a significant impact that is peculiar to the project, i.e., the impact is not identified as significant in the PEIR, then the impact would be addressed in a separate Focused Initial Study/Preliminary Mitigated Negative Declaration (IS/PMND) or EIR.

For this project, the applicable PEIR for the plan area is the Eastern Neighborhoods Rezoning and Area Plans Final EIR (Eastern Neighborhoods EIR), and three documents were issued: a CPE Checklist, a CPE Certificate of Determination, and a Focused IS/PMND. Because the project would have a significant peculiar impact related to hazards and hazardous materials, the Planning Department prepared a Focused IS/PMND.

Please note that the Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report can be located on our website at <http://www.sf-planning.org/index.aspx?page=1893> or at the Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2004.0160E.

If you have any questions related to this project's environmental evaluation, please contact me at (415) 575-9095 or [don.lewis@sfgov.org](mailto:don.lewis@sfgov.org).

Thank you.



# SAN FRANCISCO PLANNING DEPARTMENT

## Appeal of Preliminary Mitigated Negative Declaration Executive Summary

HEARING DATE: APRIL 14, 2011

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

*Date:* April 7, 2011  
*Case No.:* 2009.1163E  
*Project Title:* 17<sup>th</sup> Street and Folsom Street Park  
*Zoning:* Public Use District  
50-X Height and Bulk District  
*Block/Lot:* 3571/018  
*Project Sponsor:* Dawn Kamalanathan, San Francisco Recreation and Park Department  
*Staff Contact:* Don Lewis – (415) 575-9095, [don.lewis@sfgov.org](mailto:don.lewis@sfgov.org)

### PROPOSED COMMISSION ACTION:

Consider whether to uphold staff's decision to prepare a Mitigated Negative Declaration (MND) under the California Environmental Quality Act (CEQA), or whether to overturn that decision and require the preparation of an Environmental Impact Report due to specified potential significant environmental effects of the proposed project.

### PROJECT DESCRIPTION:

The project site is located on the north side of 17<sup>th</sup> Street between Folsom and Shotwell Streets in the Mission neighborhood. The proposed project would subdivide the 60,925-square-foot parcel, which is currently a 219-space surface parking lot, and construct a 34,300-square-foot neighborhood park that would front on 17<sup>th</sup>, Folsom, and Shotwell Streets. No structures, including restrooms, are proposed. Specific design features of the park would be defined through a community planning effort. The existing parking lot is currently owned by the San Francisco Public Utilities Commission (PUC) and is leased out to the University of California, San Francisco. Ownership would transfer from the PUC and the park would be owned and operated by the San Francisco Recreation and Park Department (RPD). The remaining 26,625 square feet of the lot would remain in its current use. The project site is located in the Mission Plan Area.

### ISSUES:

The Planning Department published a Preliminary Mitigated Negative Declaration (PMND) on January 26, 2011, and received an appeal letter from Sean Dowdall on February 14, 2011, appealing the determination to issue a MND. The appeal letter states that the PMND fails to adequately address the following issues:

1. Use of an Exemption
2. Inadequate Notification
3. Parking
4. Public Services

5. Public Safety
6. Cumulative Effects
7. Other Areas of Concerns

No other comments were received. All of the issues raised in the Appeal Letter have been addressed in the attached materials, which include:

1. A draft Motion upholding the decision to issue a MND;
2. Exhibit A to draft Motion, Planning Department Response to the Appeal Letter;
3. Appeal Letter;
4. Notification List;
5. PMND and Initial Study;
6. Community Plan Exemption (CPE) Certificate of Determination; and
7. CPE Checklist

**RECOMMENDATION:**

Staff recommends that the Planning Commission adopt the motion to uphold the PMND. No substantial evidence supporting a fair argument that a significant environmental effect may occur as a result of the project has been presented that would warrant preparation of an Environmental Impact Report. By upholding the PMND (as recommended), the Planning Commission would not prejudice or restrict its ability to consider whether the proposed project's uses or design is appropriate for the neighborhood.



# SAN FRANCISCO PLANNING DEPARTMENT

---

## Planning Commission Motion XXXXX

HEARING DATE: APRIL 14, 2011

*Case No.:* 2009.1163E  
*Project Title:* 17<sup>th</sup> and Folsom Park  
*Zoning:* Public Use District  
50-X Height and Bulk District  
*Block/Lot:* 3571/018  
*Project Sponsor:* Dawn Kamalanathan  
San Francisco Recreation and Park Department  
*Staff Contact:* Don Lewis – (415) 575-9095  
[don.lewis@sfgov.org](mailto:don.lewis@sfgov.org)

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### ADOPTING FINDINGS RELATED TO THE APPEAL OF THE PRELIMINARY MITIGATED NEGATIVE DECLARATION, FILE NUMBER 2009.1163E FOR THE PROPOSED PARK 17<sup>th</sup> AND FOLSOM STREET.

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby AFFIRMS the decision to issue a Mitigated Negative Declaration, based on the following findings:

1. On December 22, 2009, pursuant to the provisions of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, the Planning Department ("Department") received an Environmental Evaluation Application form for the Project, in order that it might conduct an initial evaluation to determine whether the Project might have a significant impact on the environment.
2. On January 26, 2011, the Department determined that the Project, as proposed, could not have a significant effect on the environment.
3. On January 26, 2011, a notice of determination that a Mitigated Negative Declaration would be issued for the Project was duly published in a newspaper of general circulation in the City, and the Mitigated Negative Declaration posted in the Department offices, and distributed all in accordance with law.
4. On February 14, 2011, an appeal of the decision to issue a Mitigated Negative Declaration was timely filed by Sean Dowdall.
5. A staff memorandum, dated April 7, 2011, addresses and responds to all points raised by appellant in the appeal letter. That memorandum is attached as Exhibit A and staff's findings to those points are incorporated by reference herein as the Commission's own findings. Copies of that memorandum have been delivered to the City Planning Commission, and a copy of that memorandum is on file and available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

6. On April 14, 2011, the Commission held a duly noticed and advertised public hearing on the appeal of the Preliminary Mitigated Negative Declaration, at which testimony on the merits of the appeal, both in favor of and in opposition to, was received.
7. All points raised in the appeal of the Preliminary Mitigated Negative Declaration at the April 14th City Planning Commission hearing have been responded to either in the Memorandum or orally at the public hearing.
8. After consideration of the points raised by appellant, both in writing and at the April 14th hearing, the San Francisco Planning Department reaffirms its conclusion that the proposed project could not have a significant effect upon the environment.
9. In reviewing the Preliminary Mitigated Negative Declaration issued for the Project, the Planning Commission has had available for its review and consideration all information pertaining to the Project in the Planning Department's case file.
10. The Planning Commission finds that Planning Department's determination on the Mitigated Negative Declaration reflects the Department's independent judgment and analysis.

The City Planning Commission HEREBY DOES FIND that the proposed Project, could not have a significant effect on the environment, as shown in the analysis of the Mitigated Negative Declaration, and HEREBY DOES AFFIRM the decision to issue a Mitigated Negative Declaration, as prepared by the San Francisco Planning Department.

I hereby certify that the foregoing Motion was ADOPTED by the City Planning Commission on April 14, 2011.

Linda Avery  
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: April 14, 2011



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

## Exhibit A to Draft Motion Planning Department Response to Appeal of Preliminary Mitigated Negative Declaration

CASE NO. 2009.1163E – 17<sup>TH</sup> AND FOLSOM PARK PUBLISHED ON JANUARY 26, 2011

### BACKGROUND

An environmental evaluation application (2009.1163E) for the proposed project was filed by the San Francisco Recreation and Park Department on December 22, 2009. The proposed project would subdivide the 60,925-square-foot parcel (Assessor's Block 3571, Lot 18), which is currently a 219-space surface parking lot, and construct a 34,300-square-foot neighborhood park that would front on 17th, Folsom, and Shotwell Streets. The project site is within the Public Use District, and is within a 50-X Height and Bulk District. The project would require approval by the Recreation and Park Commission.

The San Francisco Recreation and Park Department (RPD) considers the project area underserved by existing park and recreation facilities. In 1998, the City of San Francisco initiated the Great Parks for a Great City Assessment Project to determine the condition of the park system as well as to determine future needs. In August of 2004, the RPD published a Recreation Assessment Report that evaluates the recreation needs of San Francisco residents.<sup>1</sup> Nine service area maps were developed for the Recreation Assessment Report. The service area maps were intended to help RPD staff and key leadership assess where services are offered, how equitable the service delivery is across the City and how effective the service is as it applies to participating levels overlaid against the demographics of where the service is provided.

The proposed project is within the Mission Area Plan. As stated in the Eastern Neighborhoods Rezoning and Area Plans Final EIR (Eastern Neighborhoods EIR), the Mission District has the greatest share of the Eastern Neighborhood's residential population and consequently exhibits the greatest ratio of residents to existing acres of recreational resources.<sup>2</sup> There are 11 RPD properties within the boundaries of the Mission plan area, including six parks in the southeastern, one park in the southwestern and four parks in the northern Mission. The RPD conducted a gap analysis for the 2006 Recreation and Park Acquisition Policy, which revealed areas of the City considered to be underserved by parklands and open spaces, and determined that the project area needs additional facilities and open space. The gap analysis cited an existing geographic deficiency in an area between South Van Ness Avenue and Folsom Street from 15th Street to 19th Street.<sup>3</sup> By creating a new park, the project would ameliorate this gap. Therefore, the Eastern Neighborhoods EIR

---

<sup>1</sup> San Francisco Recreation and Park Department, Recreation Assessment Report, August 2004. This document is available online at <http://sfrecpark.org/RecreationAssessment.aspx>

<sup>2</sup> Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report, Planning Department Case No. 2004.0160E, certified August 7, 2008; p. 375 The FEIR is on file for public review at the Planning Department, 1650 Mission Street Suite 400 as part of Case No. 2004.0160E, or at: <http://www.sf-planning.org/index.aspx?page=1893>

<sup>3</sup> Ibid; p. 368.

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

assumed that this deficiency would be addressed and a park would be located in the vicinity of the project site.

The Planning Department published a Preliminary Mitigated Negative Declaration (PMND) for the proposed project on January 26, 2011. On February 14, 2011, Sean Dowdall filed a letter appealing the PMND. The concerns listed below are from the appeal letter, a copy of which is included within this appeal packet. The concerns are listed in the order presented in the appeal letter.

**CONCERN 1:** “The project does not qualify for an exemption to full environmental review under the California Environmental Quality Act (CEQA) State Guidelines Section 15183 due to specific and peculiar effects this project will have on this site and the immediate environs. These effects specific in intensity and nature are listed below and the severity of which were not addressed in the Eastern Neighborhoods Rezoning and Area Plans Final EIR as they apply to this project and site/parcel.”

**RESPONSE TO CONCERN 1:** CEQA State Guidelines Section 15183 mandates that projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects that are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.

For projects in plan areas, such as this, the proposal is reviewed for significant impacts that are not addressed in the Programmatic EIR (PEIR). Topics for which the PEIR identified a significant program-level impact are addressed in the Community Plan Exemption (CPE) Certification of Determination while project impacts for all other topics are discussed in the CPE Checklist. If the proposed project would result in a significant impact that is peculiar to the project, i.e., the impact is not identified as significant in the PEIR, then the impact would be addressed in a separate Focused Initial Study/Preliminary Mitigated Negative Declaration (IS/PMND) or EIR.

For this project, the applicable PEIR for the plan area is the Eastern Neighborhoods Rezoning and Area Plans Final EIR (Eastern Neighborhoods EIR),<sup>4</sup> and three documents were issued: a CPE Checklist, a CPE Certificate of Determination, and a Focused IS/PMND. Because the project would have a significant peculiar impact related to hazards and hazardous materials, the Planning Department prepared a Focused IS/PMND.

The Planning Department prepared a CPE Certificate of Determination that addresses topic areas for which there would be no project-specific significant impacts and incorporated by reference information contained within the Eastern Neighborhoods EIR. The determination assessed the proposed project’s potential to cause environmental impacts and concluded that the proposed project, with the exception of hazards and hazardous materials, would not result in new, peculiar environmental effects or effects of greater severity than were already analyzed and disclosed in

---

<sup>4</sup> Ibid.



the Eastern Neighborhoods EIR. With the exception of hazards and hazardous materials, the CPE Certificate of Determination did not identify new or additional information that would alter the conclusions of the Eastern Neighborhoods EIR. The Certificate of Determination also identified a mitigation measure contained in the Eastern Neighborhoods EIR related to archeological resources that would be applicable to the proposed project. Because the proposed project would include uses that could involve exposure of contaminated soils, and because the Eastern Neighborhoods EIR did not offer mitigation measures to address this concern, project-specific mitigation measures are required to reduce this impact to a less than significant level. Therefore, the project qualified for a Community Plan Exemption for all environmental topics except for Hazards and Hazardous Materials. As discussed above, for the Hazards and Hazardous Materials topic a PMND was prepared.

Responses to the appellant's specific concerns related to parking, public services, public safety, and cumulative effects, are addressed in Response to Concerns 3, 4, 5, and 6.

**CONCERN 2:** "There has been inadequate notification of neighboring businesses, non-profit organizations and residences. Attached is a copy of a recent erroneous notification received by ODC San Francisco, a neighboring arts organization. The notification had information about another project in another part of San Francisco. No Environmental Review Notice from the Planning Department regarding the 17<sup>th</sup> and Folsom Park has recently been received by ODC. An informal poll of businesses in the immediate area indicates that some have not recently received an Environmental Review Notice regarding the park proposal."

**RESPONSE TO CONCERN 2:** The environmental review was noticed according to the requirements of CEQA and Chapter 31 of the Administrative Code. On January 21, 2010, a "Notification of Project Receiving Environmental Review" was mailed out to the neighboring properties (owners of properties within 300 feet of the project site) and other interested parties, notifying them that the Planning Department was conducting environmental review for the proposed project. One comment letter was received from a member of the public during the comment period, which expressed concern relating to the loss of parking. On January 26, 2011, the Department issued a Notice of Availability that a Mitigated Negative Declaration would be issued for the project. This notice was also posted at the project site from January 26 to February 20. The notice was published in a newspaper of general circulation in the City, and the Mitigated Negative Declaration was posted at the Department, and distributed to interested parties.

The appellant states that Oberlin Dance Collective (ODC) of San Francisco, and other businesses in the immediate area, did not receive notice. The notification that was mailed out on January 21, 2010, by the Planning Department included ODC at 3153 17<sup>th</sup> Street.<sup>5</sup> The appellant does not state what other businesses did not receive notice; however, as stated above, the environmental notice was mailed to all owners of properties within 300 feet of the project site.<sup>6</sup> Even if ODC or another neighboring business did not receive notice, notice need not be perfect to comply with legal

---

<sup>5</sup> According to ODC's website, they have two addresses. The ODC Dance Commons is located at 351 Shotwell Street while the ODC Theater is located at 3153 17<sup>th</sup> Street.

<sup>6</sup> Attached is the notification list that was provided by the project sponsor.

requirements so long as the requirements have been substantially met. Accordingly, environmental notification for this project was adequate and appropriate, and complies with current and customary notification practices of the Planning Department and state and local law.

The appellant states that an erroneous notification was received by ODC that had information about another project in another part of San Francisco. This notice was not attached to the appeal letter and the Department is therefore unable to provide further response on this issue.

**CONCERN 3: Parking.** “No formal parking study has been completed and all evidence indicates that this issue has been addressed by casual observations.

The project will cause 124 parking spaces to be lost in a parking lot that is 90% + capacity a majority of time during the workweek and serves as a vital resource to neighborhood health organizations, arts organizations and small and medium sized businesses.

The review documents have not described the usage of the parking lot, capacity or any alternatives other than existing public transit options. In fact, at a meeting held with the Municipal Transportation Agency in June 2010, there was indication that the neighborhood would have other projects that would further reduce supply of an increasing demand for parking spaces. This includes the consolidation of bus routes, the narrowing of Folsom Street with wider sidewalks, a proposed bike lane along 17<sup>th</sup> Street. This is all in an area where demand for parking has continuously increased as the neighborhood has become safer, the home to more small businesses and provides more health care, arts access and community outreach resources to the Mission neighborhood.

The parking lot is currently used by:

1. UCSF staff
2. Doctors, nurses and staff of the Mission Neighborhood Health Center, which draws medical professional staff at below market wages who are willing to work there due to the convenience and sponsorship of parking. Elimination of these available spaces could have a significant negative impact on the retention and attraction of needed medical expertise to provide health care services to Mission neighborhood residents. More than 10,000 people are served by the center each year and many of those use that parking lot as well. The parking lot is used day and night usage is expanding.
3. ODC students, teachers, staff and audience members including more than 25,000 theatre attendees, 13,000 individual students and 100s of artists and staff members. As with the health center, usage is all day and increasing at night.
4. More than 100 small businesses are located within a full block radius of the parking lot. Many of those have employees and customers who use that parking lot.

Elimination of more than half of the parking spaces alone, not to even consider the cumulative reduction of parking in the area due to other projects, will be detrimental to health care, arts, community outreach, businesses and employment in a low and moderate income neighborhood. As the Certificate of Determination states, people will initially circle for parking and then

ultimately give up without getting access to health care, arts, and/or forcing businesses to reduce staff or close.”

**RESPONSE TO CONCERN 3:** Parking impacts of the proposed project are analyzed on page 7 and 8 of the CPE Certificate of Determination. The proposed project would replace a portion of an existing surface parking lot with a new neighborhood park. While approximately 124 of the 221 existing off-street parking spaces would be removed and not replaced, the resulting parking deficit is not considered to be a significant environmental impact, regardless of the availability of on-street parking under existing conditions, as parking deficits are generally considered to be social effects rather than impacts to the physical environment as defined by CEQA. Under CEQA, a project’s social impacts need not be treated as significant impacts on the environment except where they may lead indirectly to physical changes in the environment. Under California Public Resources Code Section 21060.5, “environment” means “the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, and objects of historic or aesthetic significance.” San Francisco does not consider parking supply as part of the permanent physical environment because parking conditions are not static, as parking supply and demand varies from day to day, from day to night, and from month to month. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel.

Per CEQA Guidelines Section 15131(a), environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact. The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel or change their overall travel habits. Any such resulting shifts to transit service in particular, would be in keeping with the City’s “Transit First” policy. The City’s Transit First Policy, established in the City’s Charter Section 16.102 provides that “parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation.”

The project area is well-served by local public transit (Muni lines 12, 14, 14L, 22, 27, 33, and 49) and bike lanes (L-23, 25, 30, and 40) which provide alternatives to auto travel. Thus, it is reasonable to expect that some employees and others who work in the project vicinity might opt out of vehicle usage, due to the lack of parking supply in the area. In addition, the proposed park is not expected to generate a substantial number of new vehicle trips, as it is intended to serve the surrounding area and does not include facilities such as a recreation center or sports field.

Potential secondary environmental impacts of parking deficits, including increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by

congestion, are addressed within the CPE Certificate of Determination.<sup>7</sup> Transportation analysis accounts for potential secondary effects, such as cars circling and looking for parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. Moreover, the secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area. Hence, any secondary environmental impacts that may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assumptions used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, reasonably addresses the potential secondary effects. These impacts would, therefore, be less than significant.

Additionally, the Eastern Neighborhoods EIR analyzed potential parking impacts related to the area plan and found that on-street parking is typically fully occupied or nearly so, and that the Eastern Neighborhoods EIR project would result in a substantial shortfall in residential parking supply. Nevertheless, the EIR found no significant impact related to the loss of parking, and indirect effects caused by the loss of parking would not be considered a significant impact.<sup>8</sup> The proposed project is consistent with the assumptions upon which the Eastern Neighborhoods EIR analysis was based, and there would not be additional impacts associated with the project.

**CONCERN 4: Public Services.** “The negative impact on public services needs to be addressed. San Francisco has severe budget problems and many existing parks are inadequately maintained. This project will stretch already exhausted and overwhelmed resources. Having the park look nice day 1 is the least important part of environmental review. Most important is the negative effect on resources and the obvious side-effect of inadequate maintenance of the park.”

**RESPONSE TO CONCERN 4:** The appellant does not specifically state what physical impacts on public services would result from the proposed project. For information, the first three years of park maintenance would come from private development Eastern Neighborhoods impact fees. The appellant further states that many existing parks are inadequately maintained which is incorrect. Proposition C, approved by voters in 2003, established park standards which are measured quarterly through an ongoing evaluation process of the City’s parks. Evaluation scores have increased from an average of 76.9 percent in 2004-2005 to an average score of 91.8 percent in 2010-2011. During the 2009-2010 fiscal year, 91 percent of parks scored above 80 percent, 90 percent of parks scored above 90 percent, and only 14 parks scored below 79 percent. A score

---

<sup>7</sup> Community Plan Exemption, Certificate of Determination, 17<sup>th</sup> and Folsom Park. This document is on file and available for review as part of Case No. 2009.1163E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

<sup>8</sup>Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report, Planning Department Case No. 2004.0160E, certified August 7, 2008; pp. 264, 299, and 302. The FEIR is on file for public review at the Planning Department, 1650 Mission Street Suite 400 as part of Case No. 2004.0160E, or at: <http://www.sf-planning.org/index.aspx?page=1893>

above 85 percent generally indicates that a park is well maintained and that its features are in good condition.<sup>9,10</sup>

The Planning Department's Initial Study Checklist, which is based on Appendix G of the CEQA Guidelines, indicates that assessment of significant impacts on public services should consider whether the project would result in "substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services." As stated in the CPE Checklist, the proposed project would not substantially increase demand for police or fire protection services beyond the scope of what was considered in the Eastern Neighborhoods EIR and would not necessitate new school facilities in San Francisco.<sup>11</sup> Therefore, the proposed park would not result in a significant impact to public services.

**CONCERN 5: Public Safety.** "Also, public safety is a significant concern. The area has a history of out in the open drug abuse and crime. This has been reduced in recent years, but the existence of an unfenced park will cause more issues and put more demands on public safety services, which are already overtaxed."

**RESPONSE TO CONCERN 5:** Pursuant to CEQA, a "significant effect on the environment" means a substantial, or potentially substantial, adverse change in the environment. The environment means the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, objects of historic or aesthetic significance. The appellant does not state what physical impacts would result from the proposed project with regard to public safety. An increase in drug abuse and crime are considered socioeconomic changes and socioeconomic changes, pursuant to CEQA, and are not considered to be significant effects on the environment. To the extent this is a comment on the design of the proposed project, rather than on the project's environmental review, the Recreation and Park Commission may consider design features of the park related to public safety and crime during project approval.

**CONCERN 6: Cumulative Effects.** "The cumulative effects of this project on parking, transportation, public safety, public services need to be addressed with full review. The planning documents to date have only addressed hazardous materials and the mitigating measures only

---

<sup>9</sup> San Francisco Recreation and Park Department, FY 2011-2012 Efficiency Plan, February 1, 2011. Available on-line at <http://sfrecpark.org/documents/RPDEfficiencyPlan2011-2012.pdf>. Accessed April 4, 2011.

<sup>10</sup> San Francisco Recreation and Park Department, Parks Maintenance Standards, Annual Report FY 2009-2010, November 3, 2010. Available on-line at <http://sfcontroller.org/Modules/ShowDocument.aspx?documentid=1345>. Accessed April 4, 2011.

<sup>11</sup> Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report, Planning Department Case No. 2004.0160E, certified August 7, 2008. The FEIR is on file for public review at the Planning Department, 1650 Mission Street Suite 400 as part of Case No. 2004.0160E, or at: <http://www.sf-planning.org/index.aspx?page=1893>

address the hazardous materials issue. As noted above, cumulative effects have been identified, but have been left out of the planning documents to date.”

**RESPONSE TO CONCERN 6:** The appellant does not state what cumulative effects would result in implementation of the proposed project. The appellant states that “planning documents” only addressed hazardous materials which is inaccurate. The Eastern Neighborhoods EIR provides a cumulative analysis of reasonably foreseeable impacts, and the environmental review for the proposed project considered project-specific impacts in this cumulative context. The PMND, the CPE Certificate of Determination, and the CPE Checklist, reviewed all 19 environmental topic areas pursuant to CEQA, and found no significant impacts, both project-specific and cumulative, that could not be mitigated to a less than significant level. As previously mentioned, the Eastern Neighborhoods EIR analyzed potential parking impacts related to the rezoning, and found no significant impact related to the loss of parking. The appellant does not state what other transportation impacts could result from implementation of the proposed project. The project does not propose any components that would have a significant physical environmental impact on public safety or public services, and the appellant does not describe what physical impacts would result from the proposed project. In addition, the Eastern Neighborhoods EIR envisioned a park in this vicinity due to the shortage of parks in the area and found no significant effect on public services.

**CONCERN 7:** “There may be other areas of concern that will undoubtedly be uncovered with a full environmental review.”

**RESPONSE TO CONCERN 7:** The appellant does not raise what other concerns could be uncovered that would result in a potential significant effect on the environment. The Planning Department assessed the project’s potential to cause environmental impacts and concluded that the proposed project, with the exception of hazards and hazardous materials, would not result in new, peculiar environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods EIR. With the exception of hazards and hazardous materials, the Eastern Neighborhoods EIR incorporated and adequately addressed all potential impacts of the proposed park. Due to the peculiar impact found concerning hazards and hazardous materials, an IS/PMND was prepared for that topic area only, and found that with mitigation, effects on the environment would be less than significant. Therefore, additional environmental review is not required.

**RECEIVED**

**FEB 14 2011**

**CITY & COUNTY OF S.F.**  
DEPT. OF CITY PLANNING  
PIC

3:30 PM  
T.O. C PIC

Sean Dowdall  
2032 Scott Street  
San Francisco, CA 94115  
Cell: 415.286.7121  
E-mail: [sean@landispr.com](mailto:sean@landispr.com)

February 13, 2011

San Francisco Planning Department  
1650 Mission Street Suite 400  
San Francisco CA 94103

Attention: Dawn Kamalanathan, Don Lewis and Bill Wycko, Planning Department  
Karin Edwards, Recreation and Park  
Supervisor David Campos, District 9

Re: Notice of Availability of and Intent to Adopt a Mitigated Negative Declaration  
Case # 2009.1163E, 17<sup>th</sup> Street and Folsom Street Park  
Appeal the Determination of No Significant Effect on the Environment, Request for Full  
Environmental Review

Dear All,

This request for Appeal of the Mitigated Negative Declaration and for Full Environmental Review of the proposed 17<sup>th</sup> Street and Folsom Street Park project is based on the following which include the inadequacy and underlying inappropriateness of the Preliminary Mitigated Negative Declaration:

1. The project does not qualify for an exemption to full environmental review under the California Environmental Quality Act (CEQA) State Guidelines Section 15183 due to specific and peculiar effects this project will have on this site and the immediate environs. These effects specific in intensity and nature are listed below and the severity of which were not addressed in the Eastern Neighborhoods Rezoning and Area Plans Final EIR as they apply to this project and site / parcel.
2. There has been inadequate notification of neighboring businesses, non-profit organizations and residences. Attached is a copy of a recent erroneous notification received by ODC San Francisco, a neighboring arts organization. The notification had information about another project in another part of San Francisco. No Environmental Review Notice from the Planning Department regarding the 17<sup>th</sup> and Folsom Park has recently been received by ODC. An informal poll of businesses in the immediate area indicates that some have not recently received an Environmental Review Notice regarding the park proposal.

The following are areas listed in the Community Plan Exemption Checklist dated 1/24/11, which need to be addressed in a full environmental review as they were either ignored, mis-categorized or inadequately addressed in the review and mitigation proposal process to date. Amending the Preliminary Mitigated Negative Declaration is inadequate as formal analytical and statistical studies are required to describe the project's environmental effects and inform public / community review and the resulting proposal of mitigation measures.

Community Plan Exemption Checklist

## **Topic 5 (f), Transportation and Circulation, Parking**

No formal parking study has been completed and all evidence indicates that this issue has been addressed by casual observations.

The project will cause 124 parking spaces will be lost in a parking lot that is 90% + capacity a majority of time during the workweek and serves as a vital resource to neighborhood health organizations, arts organizations and small and medium sized businesses.

The review documents have not described the usage of the parking lot, capacity or any alternatives other than existing public transit options. In fact, at a meeting held with the Municipal Transportation Agency in June 2010, there was indication that the neighborhood would have other projects that would further reduce supply of an increasing demand for parking spaces. This includes the consolidation of bus routes, the narrowing of Folsom street with wider sidewalks, a proposed bike lane along 17<sup>th</sup> Street. This is all in an area where demand for parking has continuously increased as the neighborhood has become safer, the home to more small businesses and provides more health care, arts access and community outreach resources to the Mission neighborhood.

The parking lot is currently used by:

1. UCSF staff
2. Doctors, nurses and staff of the Mission Neighborhood Health Center, which draws medical professional staff at below market wages who are willing to work there due to the convenience and sponsorship of parking. Elimination of these available spaces could have a significant negative impact on the retention and attraction of needed medical expertise to provide health care services to Mission neighborhood residents. More than 10,000 people are served by the center each year and many of those use that parking lot as well. The parking lot is used day and night usage is expanding.
3. ODC students, teachers, staff and audience members including more than 25,000 theatre attendees, 13,000 individual students and 100s of artists and staff members. As with the health center, usage is all day and increasing at night.
4. More than 100 small businesses are located within a full one block radius of the parking lot. Many of those have employees and customers who use that parking lot.

Elimination of more than half of the parking spaces alone, not to even consider the cumulative reduction of parking in the area due to other projects, will be detrimental to health care, arts, community outreach, businesses and employment in a low and moderate income neighborhood. As the Certificate of Determination states, people will initially circle for parking and then ultimately give up without getting access to health care, arts and / or forcing businesses to reduce staff or close.

## **Topic 12 Public Services**

The negative impact on public services needs to be addressed.

San Francisco has severe budget problems and many existing parks are inadequately maintained. This project will stretch already exhausted and overwhelmed resources. Having the park look nice day 1 is the least important part of environmental review. Most important is the negative effect on resources and the obvious side-effect of inadequate maintenance of the park.



Also, public safety is a significant concern. The area has a history of out in the open drug abuse and crime. This has been reduced in recent years, but the existence of an unfenced park will cause more issues and put more demands on public safety services, which are already overtaxed.

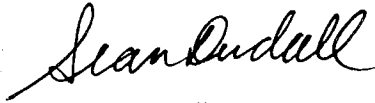
**Topic 19 (b) Mandatory Finding of Significance**

The cumulative effects of this project on parking, transportation, public safety, public services need to be addressed with full review. The planning documents to date have only addressed hazardous materials and the mitigating measures only address the hazardous materials issues. As noted above, cumulative effects have been identified; but have been left out of the planning documents to date.

There may be other areas of concern that will undoubtedly be uncovered with a full environmental review.

Please add me to the distribution list for all communications regarding this project. I have previously requested that and have as of yet to receive any.

Sincerely,

A handwritten signature in cursive script that reads "Sean Dowdall". The signature is written in black ink and is positioned above the printed name.

Sean Dowdall



MCVARISH EMILY A  
45 POWERS AVE  
SAN FRANCISCO CA 94110

DOROAN JILLEN  
2169 FOLSOM ST #A104  
SAN FRANCISCO CA 94110

GEMMITI LISA  
2169 FOLSOM ST #303  
SAN FRANCISCO CA 94110

SERENA SURVIVING SPOUSE TRUST  
LUBMILA SERENA TRUSTEE  
15 PALOMA AVE  
SAN FRANCISCO CA 94127

LUIS M PEREZ REVOC TRUST 2001  
JOSEPHINE PEREZ  
1750 EARL AVE  
SAN BRUNO CA 94066

VEDKOS LIVING TRUST SIULING  
KONG, TRUSTEE  
3415 GLENDORA DR  
SAN MATEO CA 94403

KANEVSKY VICTOR  
334 SHOTWELL ST  
SAN FRANCISCO CA 94110

FOLSOM STREET PARTNERS LLC  
JOHN OBRIEN & GINA FERRARI  
555 LAUREL AVE #314  
SAN MATEO CA 94401

MCMILLAN LEO J & JOANN TRUST %  
LEO J MCMILLAN  
1285 E MACARTHUR ST  
SONOMA CA 95476

JAMES N & DAWN D ALBERA 1986 T  
DAWN D ALBERA SURVIVING TRU  
I FLEUR PL  
ATHERTON CA 94027

COMBET ANDREA ROSSING  
JOHNSON COMBET ANDREA  
ROSSING JOHNSON  
262 SHOTWELL ST  
SAN FRANCISCO CA 94110

RODONI WAYNE M  
1435 KALMIA ST  
SAN MATEO CA 94402

KEENE STEPHEN A SCHAFFER ELLIO  
DISLERE DACE  
P.O. BOX 720046  
SAN FRANCISCO CA 94172

AT&T CORPORATION  
P.O. BOX 173838  
DENVER CO 80217

CHALSTY DEBORAH  
292 IVY STREET #B  
SAN FRANCISCO CA 94102

GOTO KELLY N  
2169 FOLSOM ST #302  
SAN FRANCISCO CA 94110

MEHR KNUT G  
2169 FOLSOM ST #M304  
SAN FRANCISCO CA 94110

CYRUS P WADIA REVOC TR  
2169 FOLSOM ST UNIT M301  
SAN FRANCISCO CA 94110

GARY R WEECK 2003 TRUST % GARY  
R WEECK, TRUSTEE  
4950 HAWINA WAY  
KELSEYVILLE CA 95451

HANS J ART & LINDA S JUE 2003  
HANS J ART & LINDA S JUE, T  
580 ELIZABETH STREET  
SAN FRANCISCO CA 94114

CUTINO CAMILLE G  
308 SHOTWELL ST #1  
SAN FRANCISCO CA 94110

LAMBERT KATHERINE  
2169 FOLSOM ST MAIN 101  
SAN FRANCISCO CA 94110

KERRY KING REVOCABLE TR KING  
KERRY  
45 CASTLE ST  
SAN FRANCISCO CA 94133

DAVIS MALCOLM C  
2130 FOLSOM ST  
SAN FRANCISCO CA 94110

AT&T CORPORATION TAX  
DEPARTMENT  
P.O. BOX 173838  
DENVER CO 80217

SERINGER KELLIE L  
2169 FOLSOM ST #M305  
SAN FRANCISCO CA 94110

HALBERSTADT FENCING  
FOUNDATION HALBERSTADT  
FENCING FOUNDATION  
621 SOUTH VAN NESS AVE  
SAN FRANCISCO CA 94110

HOTAREK 1995 TRUST THE  
%JAROSLAV & SUSANNA HOTAREK  
523 BROUGHTON LN  
FOSTER CITY CA 94404

FOLSOM STREET PTNRS LLC JOHN  
O'BRIEN & GINA FERRARU  
555 LAUREL AVE #314  
SAN MATEO CA 94401

FOLSOM STREET PTNRS LLC JOHN  
O'BRIEN  
555 LAUREL AVE #314  
SAN MATEO CA 94401



ELM TRUST EDWARD & LUDMILA  
REYBURG T  
07 19TH AVE  
AN FRANCISCO CA 94121

SILVEIRA VICTOR  
309 SHOTWELL STREET  
SAN FRANCISCO CA 94110

S H FRANK BUILDING LLC BERNARD  
RUSSO  
1789 HUMMINGBIRD DR  
COSTA MESA CA 92626

REEN IAN & CEPPAS CRISTIANA  
REEN IAN & CEPPAS CRISTIANA  
169 FOLSOM ST #M105  
AN FRANCISCO CA 94110

YORK WAYNE A & MICHAEL E  
3154 17TH ST  
SAN FRANCISCO CA 94110

SPENCER WILLIAM D  
99 S HILL DR  
BRISBANE CA 94005

ANE FRED & MAYLING  
55 MAYFAIR DR  
AN FRANCISCO CA 94118

BAKER JANE REVOC 2005 TRUST  
JANE BAKER TRUSTEE  
4139 20TH ST  
SAN FRANCISCO CA 94114

WAXMAN STEPHEN  
2169 FOLSOM ST #A202  
SAN FRANCISCO CA 94110

MURKE BRADLEY K & JENNIFER J  
MURKE BRADLEY K & JENNIFER J  
169 FOLSOM ST #A100  
AN FRANCISCO CA 94110

SCHWARTZ LAUREN A  
2169 FLOSOM ST #201  
SAN FRANCISCO CA 94110

DAVIS MALCOLM C  
2130 FOLSOM ST  
SAN FRANCISCO CA 94110

OROAN JILLEN  
169 FOLSOM ST UNIT A103  
AN FRANCISCO CA 94110

LOPEZ RAFAEL B & CATALINA Z TR  
LOPEZ RAFAEL B & CATALINA Z TR  
306 SHOTWELL ST  
SAN FRANCISCO CA 94110

GOMEZ MICHAEL & PRICILLA D  
2150 ULLOA ST  
SAN FRANCISCO CA 94116

OHNSTONE MICHAEL M  
169 FLOSOM ST #M104  
AN FRANCISCO CA 94110

2000 FOLSOM PARTNERS LLC  
2000 FOLSOM ST  
SAN FRANCISCO CA 94110

WEINTRAUB BETH L & REYNOLDS  
AN WEINTRAUB BETH L &  
REYNOLDS AN  
1 ENTERPRISE ST  
SAN FRANCISCO CA 94110

BAKER JANE REVOC 2005 TRUST  
ANE BAKER TRUSTEE  
4139 20TH ST  
SAN FRANCISCO CA 94114

CHAPMAN BAYLOR  
2169 FOLSOM STREET #204  
SAN FRANCISCO CA 94110

WAXMAN STEPHEN  
2169 FOLSOM ST UNIT A200  
SAN FRANCISCO CA 94110

SERENA SURVIVING SPOUSE TRUST  
LUDMILA SERENA TRUSTEE  
5 PALOMA AVE  
SAN FRANCISCO CA 94127

2000 FOLSOM PARTNERS LLC  
2000 FOLSOM ST  
SAN FRANCISCO CA 94110

IRA H YEAGER JR REVOC TR  
304 SHOTWELL  
SAN FRANCISCO CA 94110

DOWNS MARGARET TRUSTEE  
111 SHOTWELL ST  
SAN FRANCISCO CA 94110

PATTERSON MICHAEL  
2169 FOLSOM ST UNIT M102  
SAN FRANCISCO CA 94110

2000 FOLSOM PARTNERS LLC  
2000 FOLSOM ST  
SAN FRANCISCO CA 94110

AT&T CORPORATION TAX DEPT  
P.O. BOX 173838  
DENVER CO 80217

MICHAEL P & GAIL W LAMOTTE REV  
MICHAEL P & GAIL W LMOTTE,  
243 GLORIETTA BLVD  
ORINDA CA 94563

CHALSTY DEBORAH A  
292 IVY ST #E  
SAN FRANCISCO CA 94102





PATTERSON MICHAEL  
2169 FOLSOM ST #202  
SAN FRANCISCO CA 94110

TATAR FAMILY LVG TRUST  
2169 FOLSOM ST #M205  
SAN FRANCISCO CA 94110

WAXMAN ALLEN & LINDA  
2169 FOLSOM ST A202  
SAN FRANCISCO CA 94110

CANADIAN-AMERICAN OIL CO  
LESSO CANADIAN-AMERICAN OIL  
CO LESSO  
444 DIVISADERO ST # 100  
SAN FRANCISCO CA 94117

WYSS STEPHEN P  
625 SOUTH VAN NESS AVE  
SAN FRANCISCO CA 94110

MARGULIS VLAD  
330 SHOTWELL ST  
SAN FRANCISCO CA 94110

PARTIDA JOSE ROSENDO  
313 SHOTWELL ST  
SAN FRANCISCO CA 94110

KRICHER HOLLY JULIE KRICHER  
307 SHOTWELL ST  
SAN FRANCISCO CA 94110

LANKSTON ALEXANDER  
308 SHOTWELL ST #2  
SAN FRANCISCO CA 94110

CARLOS C QUIROZ LVG TR CARLOS  
QUIROZ  
3176 17TH ST  
SAN FRANCISCO CA 94110

WILSON PAMELA & RYCKMAN  
THOMAS WILSON PAMELA &  
RYCKMAN THOMAS  
454 DAY ST  
SAN FRANCISCO CA 94131

STOTT MONTE J  
1068 NEILSON ST  
ALBANY CA 94706

RIVERO FRANCISCO J ROBERTSON M  
% PACIFIC INTERMENT SVC  
2100 FOLSOM ST  
SAN FRANCISCO CA 94110

ELIAS & BEATRICE RAMIREZ LVG T  
ELIAS & BEATRICE RAMIREZ, T  
193 E VISTA DRIVE  
DALY CITY CA 94014

WONG RAYMOND & LORRAINE  
265 SANTA PAULA AVE  
SAN FRANCISCO CA 94127

WILSON PAMELA & RYCKMAN  
THOMAS WILSON PAMELA &  
RYCKMAN THOMAS  
454 DAY STREET  
SAN FRANCISCO CA 94131

PENNINGTON RICHARD & CANER  
INC PENNINGTON RICHARD &  
CANER INC  
2169 FOLSOM ST UNIT M203  
SAN FRANCISCO CA 94110

YUAN SHAO ZHU & LAI ZHI YANG  
YUAN SHAO ZHU & LAI ZHI YANG  
335 SHOTWELL STREET  
SAN FRANCISCO CA 94110

OBERLIN DANCE COLLECTIVE OF CA  
% BRENDA B WAY  
3153 17TH ST  
SAN FRANCISCO CA 94110

FOLSOM STREET PARTNERS LLC %  
JOHN O'BRIEN & GINA FERRA  
555 LAUREL AVE #314  
SAN MATEO CA 94401

17TH STREET TEPEES LLC DIANE  
DODGE  
3177 17TH ST  
SAN FRANCISCO CA 94110

HANS J ART & LINDA S JUE 2003  
HANS J ART & LINDA S JUE,  
580 ELIZABETH STREET  
SAN FRANCISCO CA 94114

SUSANNA R BLACKWELL 2006 LVG T  
SUSANNA R BLACKWELL, TRUSTE  
3178 17TH STREET  
SAN FRANCISCO CA 94110

IMHOFF ROBERT A  
573 SO VAN NESS AVE  
SAN FRANCISCO CA 94110

MISSION AREA HEALTH ASSOCS INC  
MISSION AREA HEALTH ASSOCS INC  
240 SHOTWELL ST  
SAN FRANCISCO CA 94110

CITY AND COUNTY OF SAN FRANCIS  
CITY AND COUNTY OF SAN FRANCIS  
25 VAN NESS AVE  
SAN FRANCISCO CA 94102

ALLSTAR HOTEL LLC DESAU  
THAKOR D  
626 27TH AVE  
SAN FRANCISCO CA 94121

WAXMAN STEPHEN  
2169 FOLSOM ST UNIT A-202  
SAN FRANCISCO CA 94110

RALPH LANE III FAMILY TRUST  
RALPH LANE III TRUSTEE  
1643 35TH AVE  
SAN FRANCISCO CA 94122

SABERI ANDY & ZAIDA 2001 REVOC  
C/O ANDY & ZAIDA SABERI TRU  
2240 SKYFARM DR  
HILLSBOROUGH CA 94010





AKER DAVID J  
19 SHOTWELL ST  
SAN FRANCISCO CA 94110

HIRJEE NASHIR  
308 SHOTWELL ST #3  
SAN FRANCISCO CA 94110





# SAN FRANCISCO PLANNING DEPARTMENT

---

## Notice of Availability of and Intent to Adopt a Mitigated Negative Declaration

*Case No.:* 2009.1163E  
*Project Title:* 17<sup>th</sup> Street and Folsom Street Park  
*Zoning:* P, 50-X Height and Bulk District  
*Block/Lot:* 3571/018  
*Lot Size:* 60,925 square feet  
*Plan Area:* Mission Subarea of the Eastern Neighborhoods  
*Project Sponsor:* Dawn Kamalanathan, San Francisco Recreation and Park Department  
*Staff Contact:* Don Lewis – (415) 575-9095, [don.lewis@sfgov.org](mailto:don.lewis@sfgov.org)

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### To Whom It May Concern:

This notice is to inform you of the availability of the environmental review document concerning the proposed project as described below. The document is a Preliminary Mitigated Negative Declaration, containing information about the possible environmental effects of the proposed project. The Preliminary Mitigated Negative Declaration documents the determination of the Planning Department that the proposed project could not have a significant adverse effect on the environment. Preparation of a Mitigated Negative Declaration does not indicate a decision by the City to carry out or not to carry out the proposed project.

**Project Description:** The project site is located on the north side of 17<sup>th</sup> Street between Folsom Street and Shotwell Street in the Mission neighborhood. The proposed project would subdivide the 60,925-square-foot parcel, which is currently a 219-space surface parking lot, and construct a 34,300-square-foot neighborhood park that would front on 17<sup>th</sup> Street, Folsom Street, and Shotwell Street. No structures, including restrooms, are proposed. Specific design features of the park would be defined through a community planning effort. The existing parking lot is currently owned by the San Francisco Public Utilities Commission (PUC) and is leased out to the University of California, San Francisco. Ownership would transfer from the PUC and the park would be owned and operated by the San Francisco Recreation and Park Department (RPD). The remaining 26,625 square feet of the lot would remain in its current use. The project site is located in the Eastern Neighborhoods Plan Area.

If you would like a copy of the Preliminary Mitigated Negative Declaration or have questions concerning environmental review of the proposed project, contact the Planning Department staff contact listed above.

Within 20 calendar days following publication of the Preliminary Mitigated Negative Declaration (i.e., by close of business on **February 15<sup>th</sup>**), any person may:

- 1) Review the Preliminary Mitigated Negative Declaration as an informational item and take no action.
- 2) Make recommendations for amending the text of the document. The text of the Preliminary Mitigated Negative Declaration may be amended to clarify or correct statements and/or expanded to include

additional relevant issues or cover issues in greater depth. One may recommend amending the text without the appeal described below. -OR-

3) Appeal the determination of no significant effect on the environment to the Planning Commission in a letter which specifies the grounds for such appeal, accompanied by a check for \$500 payable to the San Francisco Planning Department.<sup>1</sup> An appeal requires the Planning Commission to determine whether or not an Environmental Impact Report must be prepared based upon whether or not the proposed project could cause a substantial adverse change in the environment. Send the appeal letter to the Planning Department, Attention: Bill Wycko, 1650 Mission Street, Suite 400, San Francisco, CA 94103. **The letter must be accompanied by a check in the amount of \$500.00 payable to the San Francisco Planning Department, and must be received by 5:00 p.m. on February 15th.** The appeal letter and check may also be presented in person at the Planning Information Counter on the first floor at 1660 Mission Street, San Francisco.

In the absence of an appeal, the Mitigated Negative Declaration shall be made final, subject to necessary modifications, after 20 days from the date of publication of the Preliminary Mitigated Negative Declaration.

---

<sup>1</sup> Upon review by the Planning Department, the appeal fee may be reimbursed for neighborhood organizations that have been in existence for a minimum of 24 months.





# SAN FRANCISCO PLANNING DEPARTMENT

---

## Preliminary Mitigated Negative Declaration

*Date:* January 26, 2011  
*Case No.:* 2009.1163E  
*Project Title:* 17<sup>th</sup> Street and Folsom Street Park  
*Zoning:* P, 50-X Height and Bulk District  
*Block/Lot:* 3571/018  
*Lot Size:* 60,925 square feet  
*Project Sponsor:* Dawn Kamalanathan, San Francisco Recreation and Park Department  
(415) 831-2743  
*Staff Contact:* Don Lewis – (415) 575-9095  
[don.lewis@sfgov.org](mailto:don.lewis@sfgov.org)

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

### PROJECT DESCRIPTION:

The project site is located on the northwest corner of 17th Street and Folsom Street in the Mission neighborhood. The proposed project would subdivide the 60,925-square-foot parcel, which is currently a 219-space surface parking lot, and construct a 34,300-square-foot neighborhood park that would front on 17th Street, Folsom Street, and Shotwell Street. No structures, including restrooms, are proposed. Specific design features of the park would be defined through a community planning effort. The existing parking lot is owned by the San Francisco Public Utilities Commission (PUC) and is leased out to the University of California, San Francisco. Ownership would transfer from the PUC and the park would be owned and operated by the San Francisco Recreation and Park Department (RPD). The remaining 26,625 square feet of the lot would remain in its current use. The project site is located in the Eastern Neighborhoods Plan Area.

### FINDING:

This project could not have a significant effect on the environment. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached.

Mitigation measures are included in this project to avoid potentially significant effects. See pages 19-22.

cc: Dawn Kamalanathan, Project Sponsor; Supervisor David Campos, District 9; Sue Exline, Citywide Division; Vima Byrd, M.D.F.

**THIS PAGE INTENTIONALLY LEFT BLANK**

## Table of Contents

	<i>Page</i>
A. Project Description .....	1
B. Project Setting .....	2
C. Compatibility with Existing Zoning and Plans .....	4
D. Summary of Environmental Effects .....	5
E. Evaluation of Environmental Effects .....	6
1. Hazards and Hazardous Materials .....	7
2. Mandatory Findings of Significance .....	18
F. Mitigation Measures and Improvement Measures .....	19
G. Neighborhood Notification .....	22
H. Determination .....	23

**Preliminary Mitigated Negative Declaration  
January 26, 2011**

**CASE NO. 2009.1163E  
17<sup>th</sup> Street and Folsom Street Park**

**THIS PAGE INTENTIONALLY LEFT BLANK**

**INITIAL STUDY**  
**17<sup>TH</sup> STREET AND FOLSOM STREET PARK**  
**PLANNING DEPARTMENT CASE NO. 2009.1163E**

**A. PROJECT DESCRIPTION**

*Project Location and Site Characteristics*

The project site (Assessor's Block 3571, Lot 018) is a 60,925-square-foot lot located on the northwest corner of 17<sup>th</sup> Street and Folsom Street in the Mission neighborhood. The subject lot is irregularly-shaped and fronts on Folsom Street, 17<sup>th</sup> Street, and Shotwell Street. The project site is located in the northern part of the Mission District and the topography is primarily flat with no noticeable slope. The subject property is currently undeveloped and occupied by a 219-space surface parking lot. The site is within a P (Public) zoning district and a 50-X (50 foot height limit, no bulk limitations) Height and Bulk District.

The project site is currently owned by the San Francisco Public Utilities Commission (PUC) and is leased out to the University of California, San Francisco. The site is currently occupied by a 219-space commercial parking lot that provides monthly parking. The only structure on the property is a small parking payment kiosk located on the western property boundary. On the southwest corner of the subject property, there is a fenced-in area which contains electrical equipment and a meter. The subject property also contains ten light poles.

*Proposed Project*

The proposed project would subdivide the 60,925-square-foot parcel, and construct a 34,300-square-foot neighborhood park that would front on 17<sup>th</sup> Street, Folsom Street, and Shotwell Street. No building structures, including restrooms, are proposed. Ownership would transfer from the San Francisco Public Utilities Commission (PUC) and the park would be owned and operated by the San Francisco Recreation and Park Department (RPD). The remaining 26,625 square feet of the lot would remain in its current use, with approximately 95 parking spaces remaining. The project site is located in the Mission Subarea of the Eastern Neighborhoods Plan Area.

Specific design features of the park have been defined through a community planning effort. The proposed new park would include the following amenities:

**Community Garden.** The community garden (5,000 square feet) would be used for food production, adult recreation, community events, and environmental education programs. It would also provide food to the local community.

**Interactive Activity Area.** This 8,000-square-foot section of the park includes both children's play equipment and fitness equipment for adults. This area would provide recreation for seniors, families, and youth, allowing adults to exercise while watching their children play. The adult fitness equipment would generate the power needed for the children's play features. This area would also include water play elements.

**Outdoor Classroom Amphitheatre/Performance Space.** This 7,300-square-foot section of the park would be used by local schools as an outdoor classroom. The outdoor classroom area would include a landscaped area with wildlife habitat that is identified by interpretive signs. The other part of this area would function as a performance space with a stage. This area would include picnic tables, seating, and shade trees for people to gather and eat.

**Great Lawn.** This 5,400-square-foot lawn would serve as one of the few natural grass areas in the northern part of the Mission District.

**Native Landscaped Areas.** The focus of the landscaping would be on native plants, drought resistant plants, and plants that provide wildlife habitat.

**Fencing.** The park boundary would be demarcated by both a living fence, made of espaliered fruit trees, and an ornamental fence and gate.

**Mini Plaza.** This plaza would be outside the park fence.

Project construction is estimated to take 8 months to complete. The project's estimated cost is \$2,000,000.

## **B. PROJECT SETTING**

The project site is located in San Francisco's Mission neighborhood. The site is in a P (Public) zoning district and a 50-X height and bulk district. The subject parcel is the only P use in the project block. The nearest P use is located one block northeast of the project location. Immediately

surrounding the project site in all directions is PDR-1-G (General Production, Distribution, and Repair) except for one lot west of the project site which is zoned UMU (Urban Mixed Use).

The project site is located on the north side of 17th Street between Folsom and Shotwell Streets. The site is currently used as a 219-space surface parking lot and is the only undeveloped property on the block. The other property on the project block is to the north and is a vacant, two-story former industrial building (former location of Kilpatrick's Bakery).

Across Shotwell Street to the west of the project site, between 16<sup>th</sup> Street to 17<sup>th</sup> Street, is a two-story office building with an approximately 25-space parking lot (Mission Neighborhood Health Center), a two-story residential building, a two-story industrial building (Garage-Automobile/Limousine Storage), and a two-story industrial building (Ocean Sash & Door Company). Continuing south across 17th Street, is a three-story performing arts building (ODC Theater) that is currently under construction.

Across 17<sup>th</sup> Street to the south of the project site, between Shotwell Street and Folsom Street, is a one-story warehouse building (Ocean Sash & Door Company), a two-story commercial building (Lutz Plumbing), a one-story industrial building with a parking area for approximately twelve vehicles (Hans Art Automotive), and a two-story industrial building (Pacific Interment Mortuary). Continuing east across Folsom Street is a two-story industrial building (Digipop/Killing My Lobster).

Across Folsom Street to the east of the project site, between 16<sup>th</sup> and 17<sup>th</sup> Street, is a three-story mixed-use building, a three-story residential building, a two-story commercial building (Sherman Williams), a one-story industrial building (Comcast Shipping and Receiving), and a two-story, mixed-used building (Rite Spot Café).

Franklin Square, at 17<sup>th</sup> and 16<sup>th</sup> Streets between Bryant and Hampshire Streets and four major blocks east of the project site, is the nearest public open space in the project vicinity. Additional nearby public open space includes the Mission Community Recreation Center and the Folsom Playground, both five blocks south of the project site. The 16th Street- Mission BART station, a major regional transit station, is 3 major blocks west of the project site. There are three Muni bus lines serving the project area, and there is one Muni stop in front of the project site.

**C. COMPATIBILITY WITH EXISTING ZONING AND PLANS**

	<i>Applicable</i>	<i>Not Applicable</i>
Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discuss any approvals and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from Regional, State, or Federal Agencies.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is located within the Mission Area of the Eastern Neighborhoods EIR that was adopted in December 2008. The Eastern Neighborhoods was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods also included changes to existing height and bulk districts in some areas.

During the Eastern Neighborhoods adoption phase, the Planning Commission held public hearings to consider the various aspects of the proposed area plans, and Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods Final EIR by Motion 176591 and adopted the Preferred Project for final recommendation to the Board of Supervisors.<sup>2</sup>

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

<sup>1</sup> *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, Planning Department Case No. 2004.0160E, certified August 7, 2008. The FEIR is on file for public review at the Planning Department, 1650 Mission Street Suite 400 as part of Case No. 2004.0160E, or at: [http://www.sfgov.org/site/planning\\_index.asp?id=67762](http://www.sfgov.org/site/planning_index.asp?id=67762).

<sup>2</sup> San Francisco Planning Commission Motion 17659, August 7, 2008. [http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Eastern\\_Neighborhoods/Draft\\_Resolution\\_Public%20Parcels\\_FINAL.pdf](http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Eastern_Neighborhoods/Draft_Resolution_Public%20Parcels_FINAL.pdf)



The current project at 17<sup>th</sup> and Folsom Streets is based on the findings of the Eastern Neighborhoods Final EIR, a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a "No Project" alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the Final EIR.

The project site is located in the Mission Area of the Eastern Neighborhoods. Objective 5.1 of the Mission Area Plan addresses the need for the creation of a new park facility within the planning area. Policy 5.1.1 of the area plan calls for the Department to "Identify opportunities to create new public parks and open spaces and provide at least one new public park or open space serving the Mission." The proposed project would serve to implement this General Plan policy.

Citywide Planning and Neighborhood Planning have determined that the proposed project is consistent with density established with the Eastern Neighborhood Rezoning and Area Plans, satisfies the requirements of the General Plan and the Planning Code, and is eligible for a Community Plan Exemption.<sup>3,4</sup>

#### D. SUMMARY OF ENVIRONMENTAL EFFECTS

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Land Use                       | <input type="checkbox"/> Air Quality                   | <input type="checkbox"/> Geology and Soils                      |
| <input type="checkbox"/> Aesthetics                     | <input type="checkbox"/> Wind and Shadow               | <input type="checkbox"/> Hydrology and Water Quality            |
| <input type="checkbox"/> Population and Housing         | <input type="checkbox"/> Recreation                    | <input checked="" type="checkbox"/> Hazards/Hazardous Materials |
| <input type="checkbox"/> Cultural and Paleo. Resources  | <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Mineral/Energy Resources               |
| <input type="checkbox"/> Transportation and Circulation | <input type="checkbox"/> Public Services               | <input type="checkbox"/> Agricultural Resources                 |

<sup>3</sup> David Alumbaugh, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 17<sup>th</sup> and Folsom Park. This document is on file and available for review as part of Case File No. 2009.1163E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

<sup>4</sup> Kelley Amdur, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Neighborhood Analysis, 17<sup>th</sup> and Folsom Park. This document is on file and available for review as part of Case File No. 2009.1163E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

Noise

Biological Resources

Mandatory Findings of Signif.

California Environmental Quality Act (CEQA) State Guidelines Section 15183 provides an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR; and d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

An initial analysis was conducted by the Planning Department to evaluate potential project-specific environmental effects peculiar to the 17<sup>th</sup> and Folsom project, and incorporated by reference information contained within the Eastern Neighborhoods Rezoning and Area Plans Final EIR (Eastern Neighborhoods) (Case No. 2004.0160E; State Clearinghouse No. 2005032048). This initial analysis assessed the proposed project's potential to cause environmental impacts and concluded that with the exception of hazardous materials, the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods.<sup>5</sup> Due to the peculiar impact found concerning hazardous materials, a Focused Initial Study was conducted for this topic area only.

## **E. EVALUATION OF ENVIRONMENTAL EFFECTS**

The proposed project is within the Mission Subarea of the Eastern Neighborhoods Rezoning and Area Plans. Individual projects that could occur in the future under the Eastern Neighborhoods

---

<sup>5</sup> Community Plan Exemption Checklist, 17th and Folsom Park. This document is on file and available for review as part of Case File No. 2009.1163E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

Rezoning and Area Plans would undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. The initial analysis that was conducted by the Planning Department concluded that the proposed project is consistent with and was encompassed within the analysis in the Eastern Neighborhoods with the exception of hazardous materials. Due to the peculiar impact found concerning hazardous materials, a Focused Initial Study was conducted for this topic area only.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>1. HAZARDS AND HAZARDOUS MATERIALS</b>					
<b>Would the project:</b>					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project site is not located within one-quarter mile of an existing school, and therefore, Topic 1c is not applicable to the proposed project. The project site is not included on the Department of Toxic Substances Control (DTSC) list compiled pursuant to Government Code Section 65962.5 of hazardous materials sites in San Francisco, and therefore, Topics 1d is not applicable to the proposed project. The project site is not located within an airport land use plan area, nor is it in the vicinity of a private airstrip, and therefore, Topics 1e and 1f are not applicable to the proposed project.

The Maher Ordinance (Ordinance 253-86) is a San Francisco ordinance that requires certain hazardous materials reporting and handling for parcels primarily located "Bayward of the high-tide-line." The project site is not within the limits of the Maher Zone.

**Impact HZ-1: The proposed project would not create a significant hazard through routine transport, use, disposal, handling or emission of hazardous materials. (Less than Significant)**

The project would replace a surface parking lot with a neighborhood park, which would result in the use of relatively small quantities of hazardous materials for routine maintenance purposes. The development would likely handle common types of hazardous materials, such as cleaners and disinfectants. These products are labeled to inform users of potential risks and to instruct them in appropriate handling procedures. Most of these materials are consumed through use, resulting in relatively little waste. For these reasons, hazardous materials used during project operation would not pose any substantial public health or safety hazards related to hazardous materials. Thus, there would be less-than-significant impacts related to hazardous materials use, with development of the proposed project.

**Impact HZ-2: Demolition and excavation of the project site would not result in handling and accidental release of contaminated soils and hazardous building materials associated with historic uses. (Less than Significant with Mitigation Incorporated)**

A Phase I Environmental Site Assessment (ESA) for the project site was conducted by Camp Dresser & McKee Inc. (CDM).<sup>6</sup> The results of this report are summarized below.

- During CDM's site visit, one groundwater monitoring well was observed on the northwest corner of the parking lot and historical research did not reveal any additional information regarding the groundwater monitoring well.

---

<sup>6</sup> CDM, Phase I Environmental Site Assessment, 17<sup>th</sup> Street and Folsom Street Parking Lot, San Francisco, California, February 16, 2010. A copy of this document is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2009.1163E.

- According to historical Sanborn maps, the project site has been developed with residential and light industrial structures since 1889. Based on Sanborn maps and historic aerial photographs, the subject property has been developed with a parking lot since 1987. Since the subject property has been developed with residential properties, historic heating oil tanks may be present on the subject property.
- According to historic building permits, the southeast corner of the subject property (2098 Folsom Street) was developed as a factory in 1906 and a service station between 1930 and 1940. According to the city directory abstract, 2090 and 2098 Folsom Street were listed as a historical auto/gas station in 1930 and 1940, respectively. The eastern and central portion of the subject property (2060 and 2070 Folsom Street) was developed with a wrecking company, an auto washing area, a trailer manufacturing factory, and a paint booth.
- Several properties in the vicinity of the subject property were listed in state and federal databases of known or suspected contaminated sites. Of these sites the following are considered to have some potential to have a negative environmental impact on the subject property: Kilpatrick's Bakery/J. Schmidt Chocolate Factory (2000 and 2030 Folsom Street) and Hans Art Automotive (3121 17<sup>th</sup> Street).

Kilpatrick's Bakery/J. Schmidt Chocolate Factory (2000 and 2030 Folsom Street) is the north adjacent property and even though there has been a history of USTs, piping, and sump removal, the presence of soil and groundwater contamination has not been determined along the northern boundary of the subject property. The monitoring well noted above may have been installed on the subject property to assess the groundwater quality from the north adjacent property.

Hans Art Automotive (3121 17<sup>th</sup> Street) is located up gradient from the subject property and has operated as an automotive repair shop since 1958. Between 1925 and 1949, Hans Art Automotive was occupied by Perfection Curtain Cleaners. Although this south adjacent property is considered a closed case in the EDR Report, the potential negative impacts from the site operations while it was a laundry and curtain cleaners has not been determined.

- The Auto City Gasoline/T. Saberi Svc./Automotive City Chevron (505 South Van Ness Avenue) and PG&E Treat Avenue Parking Lot (401 Treat Avenue) properties are facilities with known soil and groundwater contamination and are a potential source of contamination to the subject property.
- Several properties in the vicinity of the subject property were listed in state databases of known USTs. Of these listed sites, the following are considered to have some potential to have a negative environmental impact on the subject site: Target Auto/Gas 'N Shop (600 Van Ness Avenue) and Gas & Shop (599 South Van Ness Avenue).
- According to the certified Sanborn maps, the 3141 17<sup>th</sup> Street property was occupied by a laundry company in 1975 and 1987. According to the city directory abstract, this property was also developed with a machine works/oil clarifier company from 1953 to 1962, Graphic Linen Supply Laundry in 1971, Carpet and Tile in 1977, and Weeck Lumber in , 1982 and 1985.
- According to the city directory abstract, the 3154 17<sup>th</sup> Street property was developed with a welding company in 1944, Acme Welding Co. in 1949, Gromm System of Cleaning Rugs from 1958 to 1971, and Ocean Sash & Door Co. from 1977 to 2006. Gromm System of Cleaning was described as a rug cleaners and dyers in 1958, 1962, and 1966 in the historical cleaners database.
- Serpentine rock has been encountered beneath the fill at depths ranging from approximately 10 feet to 11.5 feet below ground surface on the east adjacent property. Serpentine rock can be indicative of the presence of naturally-occurring asbestos and exposure to asbestos fibers has potential human-health consequence.
- Paint chips were observed on the building located on the north adjacent property which was first observed in the 1946 historic aerial photograph and therefore the paint may contain lead.
- During CDM's site reconnaissance, Ms. Krop (SFDPW) mentioned her concern regarding the potential presence of asbestos containing materials (ACM) in the asphalt that covers the subject property.

Based on the findings and recommendations in CDM's Phase I ESA report, a Phase II Subsurface Investigation was conducted by Tetra Tech.<sup>7</sup> The results of this report are summarized below.

- Volatile Organic Compounds (VOCs) and Total Petroleum Hydrocarbons (TPH) as gasoline were not detected in any of the soil samples.
- Five of the six composite soil samples analyzed for lead exceeded the Environmental Screening Levels (ESLs) for residential land use, none of these soil samples exceed the ESLs for commercial/industrial land use, and none of the soil samples exceeded the ESLs for direct exposure in a construction/trench/worker scenario.
- Only one of the ten soil samples analyzed for TPH as diesel and motor oil exceeded the ESLs for residential land use and also for commercial/industrial land use. None of the soil samples exceeded the ESLs for direct exposure in a construction/trench/worker scenario.
- Asbestos (chrysotile/fibrous serpentine) was detected at concentrations of 0.50 percent in material consisting of gold clay and green serpentine grains with sand.
- Only two of the five grab groundwater samples contained contaminants at concentrations that exceed any of the groundwater ESLs. The groundwater sample collected from monitoring well MW-1 did not exceed any of the groundwater ESLs.
- The groundwater sample from boring SB-1 contained concentrations of TPH as gasoline and Methyl Tert-Butyl Ether (MTBE) that exceed the ESLs for groundwater that is not a current or potential drinking water source. The MTBE concentration also exceeds the ESL for groundwater gross contamination ceiling levels.
- The groundwater sample from boring SB-4 contained concentrations of TPH as diesel and motor oil that exceed the ESLs for groundwater that is not a current or potential drinking water source. The TPH as diesel and motor oil concentrations also exceeds the ESL for groundwater gross contamination ceiling levels.

---

<sup>7</sup> Tetra Tech, Phase II Subsurface Investigation Report, 17th Street and Folsom Street Parking Lot, San Francisco, California, September 10, 2010. A copy of this document is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2009.1163E.

- Two additional groundwater monitoring wells were discovered during the Subsurface Investigation. There are three existing groundwater wells, as opposed to the one well that was previously reported in the Phase I ESA.
- No conclusive evidence of USTs in the subsurface was identified.

In accordance with California Health and Safety Code, Sections 101480-101490, the San Francisco Department of Public Health, Environmental Health-Hazardous Waste Unit reviewed the Phase II document and had the following comments.<sup>8</sup>All of these below concerns are required to be addressed in a Site Mitigation Plan (SMP).

- No other metals were analyzed for; at minimum the Leaking Underground Fuel Tank (LUFT) metals should be analyzed to address metals that may be in the soil from the noted serpentine rock.
- The SMP shall address the source of the MTBE, TPH-D, and TPH-mo.
- Semi-volatile organic compound (SVOC) analyses shall be completed for the description of black sand found in borings SB-4, SB-5, SB-6, and SB-10.
- Lead and asbestos analyses shall be completed for SB-5, SB-4, and SB-3 in the proposed park location.
- The Phase II report stated that there were anomalies found by ground penetrating radar (GPR) in the southwest and southeastern portion of the site (SB-4 had high TPH-d and TPH-mo found in the ground water), and the SMP should address this concern.
- SB-10 is located in the area of the proposed cistern but sampling only occurred to 5 feet bgs not to the depth of the proposed excavation at 10 feet bgs. The SMP should address this concern.

---

<sup>8</sup> Department of Public Health, Occupational & Environmental Health, Phase II Subsurface Investigation, to Mike Martin (SFPUC) and Karen Mauney-Brodek (SFRPD), Park Development, 17<sup>th</sup> and Folsom Street, San Francisco, December 9, 2010. This report is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Project File No. 2009.1163.



- Composite sample C-2 is located in the vicinity of the proposed community garden. This sample had elevated lead levels. The SMP should address this concern.

The proposed project would include uses that would involve exposure of soils. Mitigation to reduce impacts to hazardous materials is therefore required and is described below. Implementation of Mitigation Measures M-HZ-1 to M-HZ-3, which were developed in consultation with the Department of Public Health's Environmental Health Section, would reduce this impact to a less-than-significant level. In compliance with Mitigation Measure M-HZ-1, which requires a Site Mitigation Plan, the results of the required additional sampling would determine any necessary actions to avoid hazardous materials exposure during park operations.

### **Mitigation Measure M-HZ-1**

#### *Hazards (Handling of Contaminated Soil)*

##### *Step 1: Preparation of Site Mitigation Plan*

DPH has determined that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, and therefore a Site Mitigation Plan (SMP) is warranted. The SMP shall include a discussion of the level of contamination of soils on the project site and mitigation measures for managing contaminated soils on the site, including, but not limited to: 1) the alternatives for managing contaminated soils on the site (e.g., encapsulation, partial or complete removal, treatment, recycling for reuse, or a combination); 2) the preferred alternative for managing contaminated soils on the site and a brief justification; and 3) the specific practices to be used to handle, haul, and dispose of contaminated soils on the site. In addition, the SMP shall address the following concerns which were mentioned above: at a minimum LUFT metals shall be analyzed to address metals that may be in the soil from the noted serpentine rock; a discussion of what is the source of the MTBE, TPH-D, and TPH-mo; SVOC analyses shall be completed for the description of black sand found in borings SB-4, SB-5, SB-6, and SB-10; lead and asbestos analyses shall be completed for SB-5, SB-4, and SB-3 in the park location; a discussion about the anomalies that were found by GPR in the southwest and southeastern portion of the site (SB-4 had high TPH-d and TPH-mo found in the ground water); SB-10 is located in the area of the proposed cistern but sampling only occurred to 5 feet bgs not to the depth of the proposed excavation at 10 feet bgs; and composite sample C-2 is located in the vicinity of the proposed community garden and this sample had elevated lead levels.

In compliance with the Site Mitigation Plan, the results of the required additional sampling would determine the amount of existing soil that would be removed and replaced with clean soil.

The SMP shall be submitted to the DPH for review and approval. A copy of the SMP shall be submitted to the Planning Department to become part of the case file.

*Step 2: Handling, Hauling, and Disposal of Contaminated Soils*

(a) Specific work practices: If, based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated at or above potentially hazardous levels, the construction contractor shall be alert for the presence of such soils during excavation and other construction activities on the site (detected through soil odor, color, and texture and results of on-site soil testing), and shall be prepared to handle, profile (i.e., characterize), and dispose of such soils appropriately (i.e., as dictated by local, state, and federal regulations) when such soils are encountered on the site. If excavated materials would contain over one percent friable asbestos, they will be treated as hazardous waste, and will be transported and disposed of in accordance with applicable State and federal regulations. These procedures are intended to mitigate any potential health risks related to chrysotile asbestos, which may or may not be located on the site.

(b) Dust suppression: Soils exposed during excavation for site preparation and project construction activities shall be kept moist throughout the time they are exposed, both during and after work hours.

(c) Surface water runoff control: Where soils are stockpiled, visqueen shall be used to create an impermeable liner, both beneath and on top of the soils, with a berm to contain any potential surface water runoff from the soil stockpiles during inclement weather.

(d) Soils replacement: If necessary, clean fill or other suitable material(s) shall be used to bring portions of the project site, where contaminated soils have been excavated and removed, up to construction grade.

(e) Hauling and disposal: Contaminated soils shall be hauled off the project site by waste hauling trucks appropriately certified with the State of California and adequately covered to prevent dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California.

*Step 3: Preparation of Closure/Certification Report*

After construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.

**Mitigation Measure M-HZ-2**

*Hazards (Disposal of Contaminated Soil, Site Health and Safety Plan)*

If, based on the results of the soil tests conducted, the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, any contaminated soils designated as hazardous waste and required by DPH to be excavated shall be removed by a qualified Removal Contractor and disposed of at a regulated Class I hazardous waste landfill in accordance with U.S. Environmental Protection Agency regulations, as stipulated in the Site Mitigation Plan. The Removal Contractor shall obtain, complete, and sign hazardous waste manifests to accompany the soils to the disposal site. Other excavated soils shall be disposed of in an appropriate landfill, as governed by applicable laws and regulations, or other appropriate actions shall be taken in coordination with the DPH.

If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, a Site Health and Safety (H&S) Plan would be required by the California Division of Occupational Safety and Health (Cal-OSHA) prior to initiating any earth-moving activities at the site. The Site Health and Safety Plan shall identify protocols for managing soils during construction to minimize worker and public exposure to contaminated soils. The protocols shall include at a minimum:

- Sweeping of adjacent public streets daily (with water sweepers) if any visible soil material is carried onto the streets.
- Characterization of excavated native soils proposed for use on site prior to placement to confirm that the soil meets appropriate standards.
- The dust controls specified in the Construction Dust Control Ordinance (176-08).
- Protocols for managing stockpiled and excavated soils.

The Site Health and Safety Plan shall identify site access controls to be implemented from the time of surface disruption through the completion of earthwork construction. The protocols shall include as a minimum:

- Appropriate site security to prevent unauthorized pedestrian/vehicular entry, such as fencing or other barrier or sufficient height and structural integrity to prevent entry and based upon the degree of control required.
- Posting of "no trespassing" signs.
- Providing on-site meetings with construction workers to inform them about security measures and reporting/contingency procedures.

If groundwater contamination is identified, the Site Health and Safety Plan shall identify protocols for managing groundwater during construction to minimize worker and public exposure to contaminated groundwater. The protocols shall include procedures to prevent unacceptable migration of contamination from defined plumes during dewatering.

The Site Health and Safety Plan shall include a requirement that construction personnel be trained to recognize potential hazards associated with underground features that could contain hazardous substances, previously unidentified contamination, or buried hazardous debris. Excavation personnel shall also be required to wash hands and face before eating, smoking, and drinking.

The Site Health and Safety Plan shall include procedures for implementing a contingency plan, including appropriate notification and control procedures, in the event unanticipated subsurface hazards are discovered during construction. Control procedures could include, but would not be limited to, investigation and removal of underground storage tanks or other hazards.

### **Mitigation Measure M-HZ-3**

#### *Hazards (Decontamination of Vehicles)*

If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, all trucks and excavation and soil handling equipment shall be decontaminated following use and prior to removal from the site. Gross contamination shall be first removed through brushing, wiping, or dry brooming. The vehicle or equipment shall then be washed clean (including tires). Prior to removal from the work site, all vehicles and equipment shall be inspected to ensure that contamination has been removed.

**Impact HZ-3: The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (Less than Significant)**

San Francisco ensures fire safety and emergency accessibility within new and existing developments through provisions of its Building and Fire Codes. The project would conform to these standards, which may include development of an emergency procedure manual and an exit drill plan for the proposed park. Potential fire hazards (including those associated with hydrant water pressure and blocking of emergency access points) would be addressed during the permit review process. Conformance with these standards would ensure appropriate life safety protections. Consequently, the project would not have a significant impact on fire hazards nor interfere with emergency access plans.

**Impact HZ-4: The proposed project would not expose people or structures to a significant risk of loss, injury or death involving fires. (Less than Significant)**

San Francisco ensures fire safety primarily through provisions of the Building Code and the Fire Code. The proposed project would conform to these standards, which may also include development of an emergency procedure manual and an exit drill plan. Therefore, the proposed project's exposure of people or structures to the risk of fire would be an impact that is less than significant.

**Impact HZ-5: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would result in less-than-significant impacts related to hazards and hazardous materials. (Less than Significant)**

Impacts from hazards are generally site-specific, and typically do not result in cumulative impacts. Any hazards present at surrounding sites would be subject to the same safety requirements discussed for the proposed project above, which would reduce any cumulative hazard effects to levels considered less than significant. Overall, with implementation of Mitigation Measures M-HZ-1 to M-HZ-3, described on pages 18 to 21, the project would not contribute to cumulatively considerable significant effects related to hazards and hazardous materials.

<u>Topics:</u>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>2. MANDATORY FINDINGS OF SIGNIFICANCE— Would the project:</b>					
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed project would subdivide the 60,925-square-foot parcel, which is currently a 219-space surface parking lot, and construct a 34,300-square-foot neighborhood park that would front on 17<sup>th</sup>, Folsom, and Shotwell Streets. No building structures, including restrooms, are proposed. As previously discussed, an initial analysis was conducted and found that, with the exception of hazardous materials, the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods Final EIR. Due to the peculiar impact found concerning hazardous materials, a Focused Initial Study was conducted for this topic area only.

The foregoing analysis identifies potentially significant impacts to hazardous materials, which would be mitigated to a less-than-significant level through implementation of Mitigation Measures M-HZ-1 to M-HZ-3, described on pages 19 to 22.

---

## F. MITIGATION AND IMPROVEMENT MEASURES

### Mitigation Measure M-HZ-1

#### *Hazards (Handling of Contaminated Soil)*

##### *Step 1: Preparation of Site Mitigation Plan*

DPH has determined that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, and therefore a Site Mitigation Plan (SMP) is warranted. The SMP shall include a discussion of the level of contamination of soils on the project site and mitigation measures for managing contaminated soils on the site, including, but not limited to: 1) the alternatives for managing contaminated soils on the site (e.g., encapsulation, partial or complete removal, treatment, recycling for reuse, or a combination); 2) the preferred alternative for managing contaminated soils on the site and a brief justification; and 3) the specific practices to be used to handle, haul, and dispose of contaminated soils on the site. In addition, the SMP shall address the following concerns which were mentioned above: at a minimum LUFT metals shall be analyzed to address metals that may be in the soil from the noted serpentine rock; a discussion of what is the source of the MTBE, TPH-D, and TPH-mo; SVOC analyses shall be completed for the description of black sand found in borings SB-4, SB-5, SB-6, and SB-10; lead and asbestos analyses shall be completed for SB-5, SB-4, and SB-3 in the park location; a discussion about the anomalies that were found by GPR in the southwest and southeastern portion of the site (SB-4 had high TPH-d and TPH-mo found in the ground water); SB-10 is located in the area of the proposed cistern but sampling only occurred to 5 feet bgs not to the depth of the proposed excavation at 10 feet bgs; and composite sample C-2 is located in the vicinity of the proposed community garden and this sample had elevated lead levels.

In compliance with the Site Mitigation Plan, the results of the required additional sampling would determine the amount of existing soil that would be removed and replaced with clean soil.

The SMP shall be submitted to the DPH for review and approval. A copy of the SMP shall be submitted to the Planning Department to become part of the case file.

##### *Step 2: Handling, Hauling, and Disposal of Contaminated Soils*

(a) Specific work practices: If, based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated at or above potentially hazardous levels, the construction contractor shall be alert for the presence of such soils during excavation and other construction activities on the site (detected through soil odor, color, and texture and results of on-site soil testing), and shall be prepared to handle, profile (i.e., characterize), and dispose of such soils appropriately (i.e., as dictated by local, state, and federal regulations) when such soils are encountered on the site. If excavated materials would contain over one percent friable asbestos, they will be treated as hazardous waste, and will be transported and disposed of in accordance with applicable State and federal regulations. These procedures are intended to mitigate any potential health risks related to chrysotile asbestos, which may or may not be located on the site.

(b) Dust suppression: Soils exposed during excavation for site preparation and project construction activities shall be kept moist throughout the time they are exposed, both during and after work hours.

(c) Surface water runoff control: Where soils are stockpiled, visqueen shall be used to create an impermeable liner, both beneath and on top of the soils, with a berm to contain any potential surface water runoff from the soil stockpiles during inclement weather.

(d) Soils replacement: If necessary, clean fill or other suitable material(s) shall be used to bring portions of the project site, where contaminated soils have been excavated and removed, up to construction grade.

(e) Hauling and disposal: Contaminated soils shall be hauled off the project site by waste hauling trucks appropriately certified with the State of California and adequately covered to prevent dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California.

*Step 3: Preparation of Closure/Certification Report*

After construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.



**Mitigation Measure M-HZ-2***Hazards (Disposal of Contaminated Soil, Site Health and Safety Plan)*

If, based on the results of the soil tests conducted, the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, any contaminated soils designated as hazardous waste and required by DPH to be excavated shall be removed by a qualified Removal Contractor and disposed of at a regulated Class I hazardous waste landfill in accordance with U.S. Environmental Protection Agency regulations, as stipulated in the Site Mitigation Plan. The Removal Contractor shall obtain, complete, and sign hazardous waste manifests to accompany the soils to the disposal site. Other excavated soils shall be disposed of in an appropriate landfill, as governed by applicable laws and regulations, or other appropriate actions shall be taken in coordination with the DPH.

If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, a Site Health and Safety (H&S) Plan would be required by the California Division of Occupational Safety and Health (Cal-OSHA) prior to initiating any earth-moving activities at the site. The Site Health and Safety Plan shall identify protocols for managing soils during construction to minimize worker and public exposure to contaminated soils. The protocols shall include at a minimum:

- Sweeping of adjacent public streets daily (with water sweepers) if any visible soil material is carried onto the streets.
- Characterization of excavated native soils proposed for use on site prior to placement to confirm that the soil meets appropriate standards.
- The dust controls specified in the Construction Dust Control Ordinance (176-08).
- Protocols for managing stockpiled and excavated soils.

The Site Health and Safety Plan shall identify site access controls to be implemented from the time of surface disruption through the completion of earthwork construction. The protocols shall include as a minimum:

- Appropriate site security to prevent unauthorized pedestrian/vehicular entry, such as fencing or other barrier of sufficient height and structural integrity to prevent entry and based upon the degree of control required.
- Posting of "no trespassing" signs.
- Providing on-site meetings with construction workers to inform them about security measures and reporting/contingency procedures.

If groundwater contamination is identified, the Site Health and Safety Plan shall identify protocols for managing groundwater during construction to minimize worker and public exposure to contaminated groundwater. The protocols shall include procedures to prevent unacceptable migration of contamination from defined plumes during dewatering.

The Site Health and Safety Plan shall include a requirement that construction personnel be trained to recognize potential hazards associated with underground features that could contain hazardous substances, previously unidentified contamination, or buried hazardous debris. Excavation personnel shall also be required to wash hands and face before eating, smoking, and drinking.

The Site Health and Safety Plan shall include procedures for implementing a contingency plan, including appropriate notification and control procedures, in the event unanticipated subsurface hazards are discovered during construction. Control procedures could include, but would not be limited to, investigation and removal of underground storage tanks or other hazards.

### **Mitigation Measure M-HZ-3**

#### *Hazards (Decontamination of Vehicles)*

If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, all trucks and excavation and soil handling equipment shall be decontaminated following use and prior to removal from the site. Gross contamination shall be first removed through brushing, wiping, or dry brooming. The vehicle or equipment shall then be washed clean (including tires). Prior to removal from the work site, all vehicles and equipment shall be inspected to ensure that contamination has been removed.

---

## **G. PUBLIC NOTICE AND COMMENT**

A "Notification of Project Receiving Environmental Review" was mailed on January 21, 2010 to adjacent occupants and owners of properties within 300 feet of the project site. One member of the public expressed their concern relating to the loss of parking. Parking is discussed under "Transportation" on page 7 of the Certificate of Determination, which concluded that the proposed project would not result in a significant effect related to parking.<sup>9</sup>

---

<sup>9</sup> Certificate of Determination, 17th and Folsom Park. This document is on file and available for review as part of Case No. 2009.1163E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

**G. DETERMINATION**

On the basis of this Initial Study:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.



Bill Wycko  
Environmental Review Officer

for

John Rahaim  
Director of Planning

DATE January 24, 2011





# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2009.1163E  
 Project Title: 17<sup>th</sup> Street and Folsom Street Park  
 Zoning: P, 50-X Height and Bulk District  
 Block/Lot: 3571/018  
 Lot Size: 60,925 square feet  
 Plan Area: Mission Subarea of the Eastern Neighborhoods  
 Project Sponsor: Dawn Kamalanathan, San Francisco Recreation and Park Department  
 Staff Contact: Don Lewis – (415) 575-9095, [don.lewis@sfgov.org](mailto:don.lewis@sfgov.org)

1650 Mission St.  
 Suite 400  
 San Francisco,  
 CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
 Information:  
**415.558.6377**

### PROJECT DESCRIPTION:

The project site is located on the north side of 17<sup>th</sup> Street between Folsom Street and Shotwell Street in the Mission neighborhood. The proposed project would subdivide the 60,925-square-foot parcel, which is currently a 219-space surface parking lot, and construct a 34,300-square-foot neighborhood park that would front on 17<sup>th</sup> Street, Folsom Street, and Shotwell Street. No structures, including restrooms, are proposed. Specific design features of the park would be defined through a community planning effort. The existing parking lot is currently owned by the San Francisco Public Utilities Commission (PUC) and is leased out to the University of California, San Francisco. Ownership would transfer from the PUC and the park would be owned and operated by the San Francisco Recreation and Park Department (RPD). The remaining 26,625 square feet of the lot would remain in its current use. The project site is located in the Eastern Neighborhoods Plan Area.

### EXEMPT STATUS:

Exempt per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

### REMARKS:

(See next page.)

### DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

BILL WYCKO

Environmental Review Officer

Date

cc: Karin Edwards, Recreation and Park  
 Exemption/Exclusion File

Supervisor David Campos, District 9  
 Virna Byrd, M.D.F.

**REMARKS:**

California Environmental Quality Act (CEQA) State Guidelines Section 15183 provides an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR; and d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects peculiar to the 17th and Folsom Park residential project described above, and incorporates by reference information contained within the Eastern Neighborhoods Rezoning and Area Plans Final EIR (Eastern Neighborhoods Final EIR) (Case No. 2004.0160E; State Clearinghouse No. 2005032048). Project-specific studies summarized in this determination were prepared for the proposed project at 17th and Folsom Park to determine if there would be significant impacts attributable to the proposed project. These studies examined that project's potential environmental effects on noise and hazardous materials.

This determination assesses the proposed project's potential to cause environmental impacts and concludes that the proposed project, with the exception of hazards and hazardous materials, would not result in new, peculiar environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods Final EIR.<sup>1</sup> With the exception of hazards and hazardous materials, this determination does not identify new or additional information that would alter the conclusions of the Eastern Neighborhoods Final EIR. This determination also identifies mitigation measures contained in the Eastern Neighborhoods Final EIR that would be applicable to the proposed project at 17th and Folsom Park. Relevant information pertaining to prior environmental review conducted for the Eastern Neighborhoods is included below, as well as an evaluation of potential environmental effects.

**Background**

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods Final EIR was adopted in December 2008. The Eastern Neighborhoods Final EIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR)

---

<sup>1</sup> A Focused Initial Study has been prepared for the hazards and hazardous materials topic only. A copy of this document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case File No. 2009.1163E.

employment and businesses. The Eastern Neighborhoods Final EIR also included changes to existing height and bulk districts in some areas.

During the Eastern Neighborhoods adoption phase, the Planning Commission held public hearings to consider the various aspects of the proposed area plans, and Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods Final EIR by Motion 176592 and adopted the Preferred Project for final recommendation to the Board of Supervisors.<sup>3</sup>

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

The Eastern Neighborhoods Final EIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a "No Project" alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the Final EIR.

A major issue of discussion in the Eastern Neighborhoods rezoning process was the degree to which existing industrially-zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for PDR employment and businesses. Among other topics, the Eastern Neighborhoods Final EIR assesses the significance of the cumulative land use effects of the rezoning by analyzing its effects on the City's ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City's General Plan.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. With the exception of hazards and hazardous materials, this determination concludes that the proposed project is consistent with and was encompassed within the analysis in the Eastern Neighborhoods Final EIR. This determination also finds, with the exception of hazards and hazardous materials, that the Eastern Neighborhoods Final EIR

---

<sup>2</sup> *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, Planning Department Case No. 2004.0160E, certified August 7, 2008. The FEIR is on file for public review at the Planning Department, 1650 Mission Street Suite 400 as part of Case No. 2004.0160E, or at: [http://www.sfgov.org/site/planning\\_index.asp?id=67762](http://www.sfgov.org/site/planning_index.asp?id=67762).

<sup>3</sup> San Francisco Planning Commission Motion 17659, August 7, 2008. [http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Eastern\\_Neighborhoods/Draft\\_Resolution\\_Public%20Parcels\\_FINAL.pdf](http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Eastern_Neighborhoods/Draft_Resolution_Public%20Parcels_FINAL.pdf)

adequately anticipated and described the impacts of the proposed 17th and Folsom Park project, and identified the mitigation measures applicable to the proposed project. The proposed project is also consistent with the zoning controls for the project site. Therefore, with the exception of hazards and hazardous materials, no further CEQA evaluation for the 17th and Folsom Park project is necessary.

### **Potential Environmental Effects**

The Eastern Neighborhoods Final EIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods project. The proposed project is in conformance with use for the site described in the Eastern Neighborhoods Final EIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods. Thus, the project analyzed in the Eastern Neighborhoods Final EIR considered the incremental impacts of the proposed project. As a result, the proposed project, with the exception of hazards and hazardous materials, would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods Final EIR. Topics for which the Final EIR identified a significant program-level impact are addressed in this Certification of Determination, with the exception of hazards and hazardous materials, while project impacts for all other topics are discussed in the Community Plan Exemption Checklist.<sup>4</sup> With the exception of hazards and hazardous materials, the following discussion demonstrates that the 17th and Folsom Park project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods Final EIR, including project-specific impacts related to land use, archeological resources, historic architectural resources, transportation, noise, air quality, greenhouse gas emissions, and shadow.

### **Land Use**

The Eastern Neighborhoods (FEIR) evaluated three land use options "alternatives" and under each of these options the subject property was to remain Public land, which includes parks, open space, and street rights-of-way. The proposed project would subdivide the 60,925-square-foot parcel, which is currently a 219-space surface parking lot, and construct a 34,300-square-foot neighborhood park that would front on 17<sup>th</sup> Street, Folsom Street, and Shotwell Street. The new land use would not have an effect on the character of the vicinity beyond what was identified in the FEIR and would not result in a physical division of an established community.

The Eastern Neighborhoods identified an unavoidable significant land use impact due to the cumulative loss of PDR under Option C. Option C, which would result in less PDR-only land than Options A or B and would rezone more existing PDR land and displace more existing PDR uses than the other two options, would result in a clear mismatch between the supply of and demand for PDR land and building space, with neither adequate land nor adequate building space available with substantial changes in land use controls on Port land. The analysis also determined that a No-Project scenario would result in an unavoidable significant impact on the cumulative supply of land for PDR uses. Since there is no PDR at

---

<sup>4</sup> San Francisco Planning Department, Community Plan Exemption Checklist, 17th and Folsom Park, January 18, 2011. This document is on file and is available for review as part of Case File No. 2009.1163E at 1650 Mission Street, Suite 400, San Francisco, CA.



the project site, the proposed project would not contribute to this impact because there would be no loss of PDR.

The proposed project would create new and/or improved public amenities for the neighborhoods in which each are located, and the project would not cause a significant land use impact. The project would not physically divide an established community, as it is expected to provide a foundation of stability in the form of open space use that could serve as an enhancement to the existing communities. Therefore, land use impacts on the existing community would be less than significant.

In addition, Citywide Planning and Neighborhood Planning have determined that the proposed project is consistent with the FEIR and satisfies the requirements of the General Plan and the Planning Code. Therefore, the project is eligible for a Community Plan exemption.<sup>5,6</sup>

#### Archeological Resources

The Eastern Neighborhoods FEIR identified a significant impact related to archeological resources and determined that *Mitigation Measures J-1: Properties with Previous Studies*, *J-2: Properties With No Previous Studies*, and *J-3: Mission Dolores Archeological District* would reduce effects to a less-than-significant level. Since the proposed site is located outside Archeological Mitigation Zone A and B and since no previous studies have been conducted on the project site, *Mitigation Measure J-2* applies to the proposed project. Pursuant to Mitigation Measure J-2, a Preliminary Archeological Sensitivity Study memorandum was prepared for the proposed project.<sup>7</sup> The memorandum states that with implementation of the Department's measures for accidental discovery, there is low potential to adversely affect archeological resources. In the event such resources are encountered during ground-disturbing activities, implementation of *Mitigation Measure J-2* would reduce potential effects to a less-than-significant level. Therefore, Eastern Neighborhoods *Mitigation Measure J-2* (see Project Mitigation Measure 1 on page 25 of this Certificate of Determination) shall be undertaken to reduce the potential significant impact to a less than significant level from soils-disturbing activities on buried archeological resources.

#### Historic Architectural Resources

The subject property is not located within a known or potential historic district, and the proposed project is not anticipated to have an adverse effect on off-site historical resources.

Eastern Neighborhoods Final EIR *Mitigation Measure K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area* requires that projects involving new construction or alteration over 55 feet, or 10 feet taller than adjacent buildings built before 1963, shall be forwarded to the Historic Preservation

---

<sup>5</sup> David Alumbaugh, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 17<sup>th</sup> and Folsom Park. This document is on file and available for review as part of Case File No. 2009.1163E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

<sup>6</sup> Kelley Amdur, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Neighborhood Analysis, 17<sup>th</sup> and Folsom Park. This document is on file and available for review as part of Case File No. 2009.1163E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

<sup>7</sup> Randall Dean, MEA archeologist, memorandum to Don Lewis, MEA planner, January 20, 2010. This memorandum is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2009.1163E.

Commission (HPC) for review and comment during a regularly scheduled hearing. Since the project does not involve new construction or alteration over 55 feet, or 10 feet taller than adjacent buildings before 1963, *Mitigation Measure K-1* does not apply to the proposed project.

In summary, the project would not result in a significant effect with regard to historic architectural resources.

**Transportation**

The project proposes to replace a portion of a surface parking lot with a neighborhood park. Due to the nature of the project, it is not anticipated that the proposed park would generate a noticeable number of p.m. peak hour vehicle trips. Any new p.m. peak hour vehicle trips would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco. Available intersection LOS data from nearby intersections indicates that South Van Ness Avenue/ 16th Street intersection currently operates at LOS B during the weekday p.m. peak hour and that Mission Street/16th Street intersection operates at LOS C during the weekday p.m. peak hour.<sup>8</sup> Given that the proposed project would not add a noticeable number of new p.m. peak hour vehicle trips to surrounding intersections, it is not anticipated to substantially increase traffic volumes at these or other nearby intersections, nor substantially increase average delay that would cause these intersections to deteriorate to unacceptable levels of service.

The Eastern Neighborhoods evaluated three land use options "alternatives". The proposed project is located in the Mission Subarea of the Eastern Neighborhoods, which included the analysis (existing and 2025 operating conditions) of the above and other intersections in the area based on proposed development plan options of the Eastern Neighborhoods including the proposed park. The South Van Ness/16th Street intersection (two blocks away) is anticipated to continue to operate at LOS B under 2025 weekday p.m. peak hour conditions under all Plan options while the Mission Street/16th Street intersection (four blocks away) is anticipated to change from LOS C to LOS D under all Plan options.

The nearest Mission Subarea intersection in which the Eastern Neighborhoods identified a significant impact under 2025 weekday p.m. peak hour was at Folsom Street/13th Street (four blocks to the north of the project site) which operated at LOS C under existing (baseline) conditions and would deteriorate to LOS E under 2025 weekday p.m. peak hour operating conditions under Plan Option B. The other nearby Mission Subarea intersection in which the Eastern Neighborhoods identified a significant impact under 2025 weekday p.m. peak hour was at South Van Ness Avenue/Howard Street/13th Street (five blocks to the north of the project site) which operated at LOS E under existing (baseline) conditions and would deteriorate to LOS F under 2025 weekday p.m. peak hour operating conditions under Plan Options B and C. These conditions are attributable to the regional freeway access in proximity to these intersections and

---

<sup>8</sup> San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, certified January 19, 2009. File No. 2004.0160E.

would occur with or without the project. The proposed project's contribution of new p.m. peak hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by Eastern Neighborhoods' projects, should they be approved. Under the Eastern Neighborhoods, specific mitigation measures were not proposed for either the Folsom Street/13th Street intersection or the South Van Ness Avenue/Howard Street/13th Street intersection and a Statement of Overriding Considerations related to the significant and unavoidable cumulative (2025) traffic impacts was adopted as part of the EIR Certification and project approval on January 19, 2009. Since the proposed project would not contribute significantly to 2025 Cumulative conditions, it would therefore, not have any significant cumulative traffic impacts.

#### Transit

The project site is served by several local and regional transit lines including Muni lines 12, 14, 14L, 22, 27, 33, 49, and 53. Due to the location and nature of the project, it is not anticipated that the proposed park would generate a noticeable number of p.m. peak hour transit trips, and any new p.m. peak hour transit trips would likely be accommodated on existing routes.

The Eastern Neighborhoods identified significant and unavoidable cumulative impacts relating to increases in transit ridership due to the change from 2025 No-Project operating conditions for Muni lines 9, 10, 12, 14, 14L, 22, 27, 47, 49 and 67 under all Eastern Neighborhoods rezoning options. Mitigation measures proposed to address these impacts related to pursuing enhanced transit funding; conducting transit corridor and service improvements; and increasing transit accessibility, service information and storage/maintenance capabilities for Muni lines in Eastern Neighborhoods. Even with mitigation, however, cumulative impacts on the above lines were found to be significant and unavoidable and a Statement of Overriding Considerations with findings was adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009. The proposed project would not conflict with the implementation of these mitigation measures, and the significant and unavoidable cumulative transit conditions would occur with or without the proposed project. Any new p.m. peak hour transit trips generated by the proposed park would not be a substantial proportion of the overall transit volume generated by Eastern Neighborhood projects, should they be approved. Since the proposed project was envisioned in the cumulative scenario, the project would not contribute significantly to 2025 Cumulative conditions, it would therefore, not have new significant cumulative transit impact beyond that identified in the Eastern Neighborhoods FEIR.

#### Parking

The proposed project would replace a portion of an existing surface parking lot with a new neighborhood park. While approximately 124 of the 221 existing off-street parking spaces would be removed and not replaced, the resulting parking deficit is considered to be a less-than-significant impact, regardless of the availability of on-street parking under existing conditions.

San Francisco does not consider parking supply as part of the permanent physical environment and therefore, does not consider changes in parking conditions to be environmental impacts as defined by CEQA. However, this report presents a parking analysis to inform the public and the decision makers as to the parking conditions that could occur as a result of implementing the proposed project.

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact. (CEQA Guidelines §15131(a).) The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular, would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Section 16.102 provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." The project area is well-served by local public transit (Muni lines 12, 14, 14L, 22, 27, 33, 49, and 53) and bike lanes (L-23, 25, 30, and 40) which provide alternatives to auto travel.

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. Moreover, the secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area. Hence, any secondary environmental impacts which may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, reasonably addresses potential secondary effects.

#### Pedestrian and Bicycle Conditions

The proposed project would not generate a noticeable number of new p.m. peak-hour pedestrian trips. The proposed project would not cause a substantial amount of pedestrian and vehicle conflict, as there are adequate sidewalk and crosswalk widths. Pedestrian activity would increase as a result of the project, but not to a degree that could not be accommodated on local sidewalks or would result in safety concerns. No new curb cuts are proposed.

In the vicinity of the project site, there are four major Citywide Bicycle Routes. Bicycle route #40 is on 17<sup>th</sup> Street, and under the San Francisco Bicycle Plan, a new bicycle route (L-23) would be on Shotwell Street. Bicycle route #25 and #30 are located on Harrison Street. Although the proposed project may result in an increase in the number of vehicles in the project vicinity, this increase would not substantially affect bicycle travel in the area. The proposed project would not substantially increase pedestrian and bicycle hazards.

In summary, the project would not result in a significant effect with regard to transportation beyond those identified in the Eastern Neighborhoods FEIR.

### Noise

Ambient noise levels in the vicinity of the project site are typical of noise levels in neighborhoods in San Francisco, which are dominated by vehicular traffic, including trucks, cars, Muni buses, emergency vehicles, and land use activities, such as commercial businesses and periodic temporary construction-related noise from nearby development, or street maintenance. Noises generated by future park users are common and within the range of that which is generally accepted in urban areas and thus would not be considered a significant impact of the proposed project. An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. The project would not cause a doubling in traffic volumes and therefore would not cause a noticeable increase in the ambient noise level in the project vicinity.

The Environmental Protection Element of the *San Francisco General Plan* contains Land Use Compatibility Guidelines for Community Noise.<sup>9</sup> These guidelines, which are similar to but differ somewhat from state guidelines promulgated by the Governor's Office of Planning and Research, indicate maximum acceptable noise levels for various newly developed land uses. For residential uses, the maximum "satisfactory" noise level without incorporating noise insulation into a project is 60 dBA (Ldn), while the guidelines indicate that playgrounds and parks should be discouraged at noise level ranges from 68 to 77 dBA (Ldn).<sup>10,11</sup>

Ambient traffic noise levels on Shotwell Street, Folsom Street, and 17<sup>th</sup> Street are between 60 and 70 dBA, and were determined to be between 55 to 65 dBA inside the boundary of the proposed park. Despite having ambient traffic noise levels on adjacent streets within the range to discourage such uses, this impact would not have a significant impact as the open space would not attract visitors for extended periods of time or have overnight accommodations and it would be reasonable from a health perspective to allow short term park usage. The park design would be determined by a community-involved planning process, taking the location of ambient noise into account. Because the project would not be substantially affected by existing noise levels, the effect of this land use inconsistency with the *General Plan* would be considered less-than-significant.

The Eastern Neighborhoods Final EIR identified a significant impact related to new development including noise-sensitive uses located along streets with noise levels above a day-night average of 60 dBA

---

<sup>9</sup> City and County of San Francisco, Planning Department, San Francisco General Plan, Environmental Protection Element, Policy 11.1.

<sup>10</sup> Sound pressure is measured in decibels (dB), with zero dB corresponding roughly to the threshold of human hearing, and 120 dB to 140 dB corresponding to the threshold of pain. Because sound pressure can vary by over one trillion times within the range of human hearing, a logarithmic loudness scale is used to keep sound intensity numbers at a convenient and manageable level. Owing to the variation in sensitivity of the human ear to various frequencies, sound is "weighted" to emphasize frequencies to which the ear is more sensitive, in a method known as A-weighting and expressed in units of A-weighted decibels (dBA).

<sup>11</sup> The guidelines are based on maintaining an interior noise level of interior noise standard of 45 dBA, Ldn, as required by the California Noise Insulation Standards in Title 24, Part 2 of the California Code of Regulations.

(Ldn), where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations. Since the proposed project does not involve residential uses, *Mitigation Measure F-3: Interior Noise Levels* from the Eastern Neighborhoods Final EIR is not applicable.

The Eastern Neighborhoods Final EIR identified a significant impact related to potential conflicts between existing noise-generating uses and new sensitive receptors, for new residential development including noise-sensitive uses. Since the proposed project does not include residential uses, *Mitigation Measure F-4: Siting of Noise-Sensitive Uses* does not apply to the proposed project.

The Eastern Neighborhoods Final EIR identified a significant impact related to potential conflicts between existing sensitive receptors and new noise-generating uses and determined that *Mitigation Measures F-5: Siting of Noise-Generating Uses* would reduce effects to a less-than-significant level. Since the proposed park would not be expected to generate noise levels in excess of ambient noise in the vicinity of the project site, *Mitigation Measure F-5* is not applicable.

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). The Noise Ordinance requires that construction work be conducted in the following manner: 1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); 2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) to best accomplish maximum noise reduction; and 3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m., unless the Director of DPW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately 3 months, occupants of the nearby properties could be disturbed by construction noise and possibly vibration. There may be times when noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be obliged to comply with the City's Noise Ordinance.

The Eastern Neighborhoods Final EIR identified a significant impact related to construction noise that would include pile driving and determined that *Mitigation Measure F-1: Construction Noise* would reduce effects to a less-than-significant level. Since construction of the proposed project would not require pile driving, *Mitigation Measure F-1* is not applicable to the proposed project.

In summary, the project would not result in a significant effect with regard to noise.

### Air Quality

Project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. The Eastern Neighborhoods Final EIR identified a significant impact related to construction air quality and determined that *Mitigation Measure G-1: Construction Air Quality* would reduce effects to a less-than-significant level. Subsequently, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). These regulations and procedures set forth by the San Francisco Building Code ensure that potential dust-related air quality impacts would be less than significant. Since the project is required to comply with the Construction Dust Control Ordinance, the project would not result in a significant impact related to construction air quality and *Mitigation Measure G-1* is not applicable.

The Eastern Neighborhoods Final EIR identified a significant impact related to air quality for sensitive land uses and determined that *Mitigation Measure G-2: Air Quality for Sensitive Land Uses* would reduce effects to a less-than-significant level. In response to this concern, Article 38 of the San Francisco Health Code was amended to require that all newly constructed buildings containing ten or more units within the Potential Roadway Exposure Zone perform an Air Quality Assessment to determine whether the PM 2.5<sup>13</sup> concentration at the project site is greater than 0.2 micrograms per cubic meter (0.2 ug/m3).<sup>14</sup> Since the project site is not located within the Potential Roadway Exposure Zone and the project does not propose residential use, *Mitigation Measure G-2* is not applicable.

The Eastern Neighborhoods Final EIR identified a significant impact related to siting of uses that emit diesel particulate matter (DPM) and determined that *Mitigation Measure G-3: Siting of Uses that Emit DPM* would reduce these effects to a less-than-significant level. As stated in the Eastern Neighborhoods Final EIR, to minimize potential exposure of sensitive receptors to DPM, for new development including warehousing and distribution centers, commercial, industrial, or other uses that would be expected to be served by at least 100 trucks per day or 40 refrigerated trucks per day, the Planning Department shall require that such uses be located no less than 1,000 feet from residential units and other sensitive receptors. Since the proposed project would not be expected to be served by at least 100 trucks per day or 40 refrigerator trucks per day, proposed project would not be expected to expose sensitive receptors to DPM and *Mitigation Measure G-3* is not applicable.

The Eastern Neighborhoods Final EIR identified a significant impact related to siting of uses that emit toxic air contaminants (TACs) as part of everyday operations and determined that *Mitigation Measure G-4: Siting of Uses that Emit Other TACs* would reduce these effects to a less-than-significant level. Since the

---

<sup>13</sup> PM 2.5 is a measure of smaller particles in the air. PM 10 has been the pollutant particulate level standard against which EPA has been measuring Clean Air Act compliance. On the basis of newer scientific findings, the Agency is considering regulations that will make PM 2.5 the new "standard".

<sup>14</sup> See Board of Supervisors Ordinance No. 281-08, effective January 5, 2009.

proposed 17<sup>th</sup> and Folsom Park would not be expected to generate TACs as part of everyday operations, the proposed project would not contribute to this significant impact and *Mitigation Measure G-4* is not applicable.

### Greenhouse Gas Emissions

Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere, much like a greenhouse does. The accumulation of GHG's has been implicated as the driving force for global climate change. The primary GHGs are carbon dioxide, methane, nitrous oxide, ozone, and water vapor.

While the presence of the primary GHGs in the atmosphere are naturally occurring, carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O) are largely emitted from human activities, accelerating the rate at which these compounds occur within earth's atmosphere. Emissions of carbon dioxide are largely by-products of fossil fuel combustion, whereas methane results from off-gassing associated with agricultural practices and landfills. Other GHGs include hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and are generated in certain industrial processes. Greenhouse gases are typically reported in "carbon dioxide-equivalent" measures (CO<sub>2</sub>E).<sup>15</sup>

There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.<sup>16</sup>

The Air Resources Board (ARB) estimated that in 2006 California produced about 484 million gross metric tons of CO<sub>2</sub>E (MMTCo<sub>2</sub>E), or about 535 million U.S. tons.<sup>17</sup> The ARB found that transportation is the source of 38 percent of the State's GHG emissions, followed by electricity generation (both in-state and out-of-state) at 22 percent and industrial sources at 20 percent. Commercial and residential fuel use (primarily for heating) accounted for 9 percent of GHG emissions.<sup>18</sup> In the Bay Area, fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) and the industrial and commercial sectors are the two largest sources of GHG emissions, each accounting for approximately 36% of the Bay Area's 95.8 MMTCo<sub>2</sub>E emitted in 2007.<sup>19</sup> Electricity

---

<sup>15</sup> Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

<sup>16</sup> California Climate Change Portal. Frequently Asked Questions About Global Climate Change. Available online at: <http://www.climatechange.ca.gov/publications/faqs.html>. Accessed November 8, 2010.

<sup>17</sup> California Air Resources Board (ARB), "California Greenhouse Gas Inventory for 2000-2006— by Category as Defined in the Scoping Plan." [http://www.arb.ca.gov/cc/inventory/data/tables/ghg\\_inventory\\_scopingplan\\_2009-03-13.pdf](http://www.arb.ca.gov/cc/inventory/data/tables/ghg_inventory_scopingplan_2009-03-13.pdf). Accessed March 2, 2010.

<sup>18</sup> Ibid.

<sup>19</sup> Bay Area Air Quality Management District, Source Inventory of Bay Area Greenhouse Gas Emissions: Base Year 2007, Updated: February 2010. Available online at:



generation accounts for approximately 16% of the Bay Area's GHG emissions followed by residential fuel usage at 7%, off-road equipment at 3% and agriculture at 1%.<sup>20</sup>

## REGULATORY SETTING

In 2006, the California legislature passed Assembly Bill No. 32 (California Health and Safety Code Division 25.5, Sections 38500, et seq., or AB 32), also known as the Global Warming Solutions Act. AB 32 requires ARB to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25 percent reduction in emissions).

Pursuant to AB 32, ARB adopted a Scoping Plan in December 2008, outlining measures to meet the 2020 GHG reduction limits. In order to meet these goals, California must reduce its GHG emissions by 30 percent below projected 2020 business as usual emissions levels, or about 15 percent from today's levels.<sup>21</sup> The Scoping Plan estimates a reduction of 174 million metric tons of CO<sub>2</sub>E (MMT CO<sub>2</sub>E) (about 191 million U.S. tons) from the transportation, energy, agriculture, forestry, and high global warming potential sectors, see Table 4, below. ARB has identified an implementation timeline for the GHG reduction strategies in the Scoping Plan.<sup>22</sup> Some measures may require new legislation to implement, some will require subsidies, some have already been developed, and some will require additional effort to evaluate and quantify. Additionally, some emissions reductions strategies may require their own environmental review under CEQA or the National Environmental Policy Act (NEPA).

**Table 1. GHG Reductions from the AB 32 Scoping Plan Sectors<sup>23</sup>**

GHG Reduction Measures By Sector	GHG Reductions (MMT CO <sub>2</sub> E)
Transportation Sector	62.3
Electricity and Natural Gas	49.7
Industry	1.4
Landfill Methane Control Measure (Discrete Early Action)	1
Forestry	5
High Global Warming Potential GHGs	20.2
Additional Reductions Needed to Achieve the GHG Cap	34.4
<b>Total</b>	<b>174</b>
<b>Other Recommended Measures</b>	
Government Operations	1-2

[http://www.baaqmd.gov/-/media/Files/Planning%20and%20Research/Emission%20Inventory/regionalinventory2007\\_2\\_10.ashx](http://www.baaqmd.gov/-/media/Files/Planning%20and%20Research/Emission%20Inventory/regionalinventory2007_2_10.ashx).

Accessed March 2, 2010.

<sup>20</sup> Ibid.

<sup>21</sup> California Air Resources Board, California's Climate Plan: Fact Sheet. Available online at: [http://www.arb.ca.gov/cc/facts/scoping\\_plan\\_fs.pdf](http://www.arb.ca.gov/cc/facts/scoping_plan_fs.pdf). Accessed March 4, 2010.

<sup>22</sup> California Air Resources Board. AB 32 Scoping Plan. Available Online at: [http://www.arb.ca.gov/cc/scopingplan/sp\\_measures\\_implementation\\_timeline.pdf](http://www.arb.ca.gov/cc/scopingplan/sp_measures_implementation_timeline.pdf). Accessed March 2, 2010.

<sup>23</sup> Ibid.

Agriculture- Methane Capture at Large Dairies	1
Methane Capture at Large Dairies	1
Additional GHG Reduction Measures	
Water	4.8
Green Buildings	26
High Recycling/ Zero Waste	
• Commercial Recycling	
• Composting	
• Anaerobic Digestion	9
• Extended Producer Responsibility	
• Environmentally Preferable Purchasing	
<b>Total</b>	<b>42.8-43.8</b>

AB 32 also anticipates that local government actions will result in reduced GHG emissions. ARB has identified a GHG reduction target of 15 percent from current levels for local governments themselves and notes that successful implementation of the plan relies on local governments’ land use planning and urban growth decisions because local governments have primary authority to plan, zone, approve, and permit land development to accommodate population growth and the changing needs of their jurisdictions.

The Scoping Plan relies on the requirements of Senate Bill 375 (SB 375) to implement the carbon emission reductions anticipated from land use decisions. SB 375 was enacted to align local land use and transportation planning to further achieve the State’s GHG reduction goals. SB 375 requires regional transportation plans, developed by Metropolitan Planning Organizations (MPOs), to incorporate a “sustainable communities strategy” in their regional transportation plans (RTPs) that would achieve GHG emission reduction targets set by ARB. SB 375 also includes provisions for streamlined CEQA review for some infill projects such as transit-oriented development. SB 375 would be implemented over the next several years and the Metropolitan Transportation Commission’s 2013 RTP would be its first plan subject to SB 375.

Senate Bill 97 (SB 97) required the Office of Planning and Research (OPR) to amend the state CEQA guidelines to address the feasible mitigation of GHG emissions or the effects of GHGs. In response, OPR amended the CEQA guidelines to provide guidance for analyzing GHG emissions. Among other changes to the CEQA Guidelines, the amendments add a new section to the CEQA Checklist (CEQA Guidelines Appendix G) to address questions regarding the project’s potential to emit GHGs.

The Bay Area Air Quality Management District (BAAQMD) is the primary agency responsible for air quality regulation in the nine county San Francisco Bay Area Air Basin (SFBAAB). As part of their role in air quality regulation, BAAQMD has prepared the CEQA air quality guidelines to assist lead agencies in evaluating air quality impacts of projects and plans proposed in the SFBAAB. The guidelines provide procedures for evaluating potential air quality impacts during the environmental review process

consistent with CEQA requirements. On June 2, 2010, the BAAQMD adopted new and revised CEQA air quality thresholds of significance and issued revised guidelines that supersede the 1999 air quality guidelines. The *2010 CEQA Air Quality Guidelines* provide for the first time CEQA thresholds of significance for greenhouse gas emissions. OPR's amendments to the CEQA Guidelines as well as BAAQMD's *2010 CEQA Air Quality Guidelines* and thresholds of significance have been incorporated into this analysis accordingly.

The most common GHGs resulting from human activity are CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O.<sup>24</sup> State law defines GHGs to also include hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. These latter GHG compounds are usually emitted in industrial processes, and therefore not applicable to the proposed project. Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations.

The proposed project would increase the activity onsite by subdividing the 60,925 square-foot parcel, which is currently a 219-space surface parking lot, and constructing a 34,300-square-foot neighborhood park. The proposed project would not result in additional vehicle trips but may result in a slight increase in energy use. The proposed project could also result in an increase in overall water usage which generates indirect emissions from the energy required to pump, treat and convey water. The expansion could also result in an increase in discarded landfill materials. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of operations associated with energy use, water use and wastewater treatment, and solid waste disposal.

As discussed above, the BAAQMD has adopted CEQA thresholds of significance for projects that emit GHGs, one of which is a determination of whether the proposed project is consistent with a Qualified Greenhouse Gas Reduction Strategy, as defined in the *2010 CEQA Air Quality Guidelines*. On August 12, 2010, the San Francisco Planning Department submitted a draft of the City and County of San Francisco's *Strategies to Address Greenhouse Gas Emissions* to the BAAQMD.<sup>25</sup> This document presents a comprehensive assessment of policies, programs and ordinances that collectively represent San Francisco's Qualified Greenhouse Gas Reduction Strategy in compliance with the BAAQMD's *2010 CEQA Air Quality Guidelines* and thresholds of significance.

---

<sup>24</sup> Governor's Office of Planning and Research. *Technical Advisory- CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review*. June 19, 2008. Available at the Office of Planning and Research's website at: <http://www.opr.ca.gov/ceqa/pdfs/june08-ceqa.pdf>. Accessed March 3, 2010.

<sup>25</sup> San Francisco Planning Department. *Strategies to Address Greenhouse Gas Emissions in San Francisco*. 2010. The final document is available online at: <http://www.sfplanning.org/index.aspx?page=1570>.

San Francisco's GHG reduction strategy identifies a number of mandatory requirements and incentives that have measurably reduced greenhouse gas emissions including, but not limited to, increasing the energy efficiency of new and existing buildings, installation of solar panels on building roofs, implementation of a green building strategy, adoption of a zero waste strategy, a construction and demolition debris recovery ordinance, a solar energy generation subsidy, incorporation of alternative fuel vehicles in the City's transportation fleet (including buses and taxis), and a mandatory composting ordinance. The strategy also identifies 42 specific regulations for new development that would reduce a project's GHG emissions.

San Francisco's climate change goals as are identified in the 2008 Greenhouse Gas Reduction Ordinance as follows:

- By 2008, determine the City's 1990 GHG emissions, the baseline level with reference to which target reductions are set;
- Reduce GHG emissions by 25 percent below 1990 levels by 2017;
- Reduce GHG emissions by 40 percent below 1990 levels by 2025; and
- Reduce GHG emissions by 80 percent below 1990 levels by 2050.

The City's 2017 and 2025 GHG reduction goals are more aggressive than the State's GHG reduction goals as outlined in AB 32, and consistent with the State's long-term (2050) GHG reduction goals. San Francisco's *Strategies to Address Greenhouse Gas Emissions* identifies the City's actions to pursue cleaner energy, energy conservation, alternative transportation and solid waste policies, and concludes that San Francisco's policies have resulted in a reduction in greenhouse gas emissions below 1990 levels, meeting statewide AB 32 GHG reduction goals. As reported, San Francisco's 1990 GHG emissions were approximately 8.26 million metric tons (MMT) CO<sub>2</sub>E and 2005 GHG emissions are estimated at 7.82 MMTCO<sub>2</sub>E, representing an approximately 5.3 percent reduction in GHG emissions below 1990 levels.

The BAAQMD reviewed San Francisco's *Strategies to Address Greenhouse Gas Emissions* and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in BAAQMD's CEQA Guidelines (2010) and stated that San Francisco's "aggressive GHG reduction targets and comprehensive strategies help the Bay Area move toward reaching the State's AB 32 goals, and also serve as a model from which other communities can learn."<sup>26</sup>

Based on the BAAQMD's 2010 *CEQA Air Quality Guidelines*, projects that are consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions* would result in a less than significant impact with respect to GHG emissions. Furthermore, because San Francisco's strategy is consistent with AB 32

---

<sup>26</sup> Letter from Jean Roggenkamp, BAAQMD, to Bill Wycko, San Francisco Planning Department. October 28, 2010. This letter is available online at: <http://www.sfplanning.org/index.aspx?page=1570>. Accessed November 12, 2010.

goals, projects that are consistent with San Francisco’s strategy would also not conflict with the State’s plan for reducing GHG emissions. As discussed in San Francisco’s *Strategies to Address Greenhouse Gas Emissions*, new development and renovations/alterations for private projects and municipal projects are required to comply with San Francisco’s ordinances that reduce greenhouse gas emissions. Applicable requirements are shown below in Table 5.

**Table 2. Regulations Applicable to the Proposed Project**

Regulation	Requirement	Project Compliance	Discussion
<b>Transportation Sector</b>			
Commuter Benefits Ordinance (Environment Code, Section 421)	All City employees are offered commuter benefits for transit and vanpool expenses. The City Hall bike room provides secure bicycle parking, showers and lockers for bicycle commuters. City employees are also eligible for telecommuting and alternative work schedules.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project is a municipal project that would be required to comply with all City ordinances.
Emergency Ride Home Program	All City employees are automatically eligible for the emergency ride home program.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project is a municipal project that would be required to comply with all City ordinances.
Healthy Air and Smog Ordinance (Environment Code, Chapter 4)	Requires all new purchases or leases of passenger vehicles and light-duty trucks to be the cleanest and most efficient vehicles available on the market. There are also requirements for medium and heavy duty vehicles and for phasing out highly polluting vehicles (diesel MUNI buses).	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project is a municipal project that would be required to comply with all City ordinances.
Biodeisel for Municipal Fleets (Executive Directive 06-02)	Requires all diesel using City Departments to begin using biodiesel (B20). Sets goals for all diesel equipment to be run on biodiesel by 2007 and goals for increasing biodiesel blends to B100.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project is a municipal project that would be required to comply with all City ordinances.

Regulation	Requirement	Project Compliance	Discussion
<p>Clean Construction Ordinance (Administrative Code, Section 6.25)</p>	<p>Effective March 2009, all contracts for large (20+ day) City projects are required to:</p> <ul style="list-style-type: none"> <li>Fuel diesel vehicles with B20 biodiesel, and</li> <li>Use construction equipment that meet USEPA Tier 2 standards or best available control technologies for equipment over 25 hp.</li> </ul>	<p>Not Comply</p> <p><input checked="" type="checkbox"/> Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project is a municipal project that would be required to comply with all City ordinances.</p>
<p>Bicycle Parking in City-Owned and Leased Buildings (Planning Code, Section 155.1)</p>	<p>Class 1 and 2 Bicycle Parking Spaces</p> <p>Class 1 Requirements:</p> <p>(A) Provide two spaces in buildings with 1-20 employees.</p> <p>(B) Provide four spaces in buildings with 21 to 50 employees.</p> <p>(C) In buildings with 51 to 300 employees, provide bicycle parking equal to at least five percent of the number of employees at that building, but no fewer than five bicycle spaces.</p> <p>(D) In buildings with more than 300 employees, provide bicycle parking equal to at least three percent of the number of employees at that building, but no fewer than 16 bicycle spaces.</p> <p>In addition to the Class 1 bicycle parking spaces provide Class 2 bicycle parking.</p> <p>Class 2 Requirements:</p> <p>(A) In buildings with one to 40 employees, at least two bicycle parking spaces shall be provided.</p>	<p><input type="checkbox"/> Project Complies</p> <p><input checked="" type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project does not involve the construction of a new building.</p>

Regulation	Requirement	Project Compliance	Discussion
	<p>(B) In buildings with 41 to 50 employees, at least four bicycle parking spaces shall be provided.</p> <p>(C) In buildings with 51 to 100 employees, at least six bicycle parking spaces shall be provided.</p> <p>(D) In buildings with more than 100 employees, at least eight bicycle parking spaces shall be provided. Wherever a responsible City official is required to provide eight or more Class 2 bicycle parking spaces, at least 50 percent of those parking spaces shall be covered.</p>		
<p>Bicycle parking in parking garages (Planning Code, Section 155.2)</p>	<p>(A) Every garage will supply a minimum of six bicycle parking spaces.</p> <p>(B) Garages with between 120 and 500 automobile spaces shall provide one bicycle space for every 20 automobile spaces.</p> <p>(C) Garages with more than 500 automobile spaces shall provide 25 spaces plus one additional space for every 40 automobile spaces over 500 spaces, up to a maximum of 50 bicycle parking spaces.</p>	<p><input type="checkbox"/> Project Complies</p> <p><input checked="" type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project does not involve the construction of a new building or garage.</p>
<p>Transportation Management Programs (Planning Code, Section 163)</p>	<p>Requires new buildings or additions over a specified size (buildings &gt;25,000 sf or 100,000 sf depending on the use and zoning district) within certain zoning districts (including downtown and mixed-use districts in the City's eastern neighborhoods and south of market) to implement a Transportation Management Program and provide on-site</p>	<p><input type="checkbox"/> Project Complies</p> <p><input checked="" type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project does not involve the construction of a new building or addition.</p>

Regulation	Requirement	Project Compliance	Discussion
	transportation management brokerage services for the life of the building.		
<b>Energy Efficiency Sector</b>			
Resource Efficiency and Green Building Ordinance (Environment Code, Chapter 7)	<p>The ordinance specifies requires for all city buildings as well as requirements for construction and demolition debris recycling, and requirement for new construction. All new construction must comply achieve at a minimum the LEED® Silver standard. These buildings are required to perform commissions to ensure achievement of design standards.</p> <p>All other buildings are required to meet the following minimum specifications related to energy efficiency:</p> <ol style="list-style-type: none"> <li>1. Toilets must use no more than 1.6 gal/flush</li> <li>2. Showerheads must use no more than 1.5 gal/ min.</li> <li>3. All lighting and electrical fixtures must meet specified requirements.</li> <li>4. All fluorescent lamps must be replaced</li> </ol>	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project does not involve the construction of a new building.
<b>Waste Reduction Sector</b>			
Resource Efficiency and Green Building Ordinance (Environment Code, Chapter 7)	The ordinance requires all demolition (& new construction) projects to prepare a Construction and Demolition Debris Management Plan designed to recycle construction and demolition materials to the maximum extent feasible, with a goal of 75% diversion.	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project does not involve the demolition of an existing building or the construction of a new building.



Regulation	Requirement	Project Compliance	Discussion
	The ordinance specifies requires for all city buildings to provide adequate recycling space		
Resource Conservation Ordinance (Environment Code, Chapter 5)	This ordinance establishes a goal for each City department to (i) maximize purchases of recycled products and (ii) divert from disposal as much solid waste as possible so that the City can meet the state-mandated 50% diversion requirement. Each City department shall prepare a Waste Assessment. The ordinance also requires the Department of the Environment to prepare a Resource Conservation Plan that facilitates waste reduction and recycling. The ordinance requires janitorial contracts to consolidate recyclable materials for pick up. Lastly, the ordinance specifies purchasing requirements for paper products.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project is a municipal project that would be required to comply with all City ordinances.
Mandatory Recycling and Composting Ordinance (Environment Code, Chapter 19)	The mandatory recycling and composting ordinance requires all persons in San Francisco to separate their refuse into recyclables, compostables and trash, and place each type of refuse in a separate container designated for disposal of that type of refuse.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project is a municipal project that would be required to comply with all City ordinances.
Construction Recycled Content Ordinance (Administrative Code, Section 6.4)	Ordinance requires the use of recycled content material in public works projects to the maximum extent feasible and gives preference to local manufacturers and industry.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project is a municipal project that would be required to comply with all City ordinances.

Regulation	Requirement	Project Compliance	Discussion
<b>Environment/Conservation Sector</b>			
Street Tree Planting Requirements for New Construction (Planning Code Section 143)	Planning Code Section 143 requires new construction, significant alterations or relocation of buildings within many of San Francisco's zoning districts to plant on 24-inch box tree for every 20 feet along the property street frontage	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project does not involve the construction of a new building.
Environmentally Preferable Purchasing Ordinance (Formerly Precautionary Purchasing Ordinance)	Requires City Departments to purchase products on the Approved Green Products List, maintained by the Department of the Environment. The items in the Approved Green Products List has been tested by San Francisco City Depts. and meet standards that are more rigorous than ecolabels in protecting our health and environment.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project is a municipal project that would be required to comply with all City ordinances.
Tropical Hardwood and Virgin Redwood Ban (Environment Code, Chapter 8)	The ordinance prohibits City departments from procuring, or engaging in contracts that would use the ordinance-listed tropical hardwoods and virgin redwood.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project is a municipal project that would be required to comply with all City ordinances.
Wood Burning Fireplace Ordinance (San Francisco Building Code, Chapter 31, Section 3102.8)	Bans the installation of wood burning fire places except for the following: <ul style="list-style-type: none"> <li>• Pellet-fueled wood heater</li> <li>• EPA approved wood heater</li> <li>• Wood heater approved by the Northern Sonoma Air Pollution Control District</li> </ul>	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project does not involve the construction of a new building.
Regulation of Diesel Backup Generators (San	Requires: All diesel generators to be registered with the Department of	<input type="checkbox"/> Project Complies <input checked="" type="checkbox"/> Not	The proposed project would not require a diesel backup generator.

Regulation	Requirement	Project Compliance	Discussion
Francisco Health Code, Article 30)	Public Health All new diesel generators must be equipped with the best available air emissions control technology.	Applicable <input type="checkbox"/> Project Does Not Comply	

Depending on a proposed project’s size, use, and location, a variety of controls are in place to ensure that a proposed project would not impair the State’s ability to meet statewide GHG reduction targets outlined in AB 32, nor impact the City’s ability to meet San Francisco’s local GHG reduction targets. Given that: (1) San Francisco has implemented regulations to reduce greenhouse gas emissions specific to new construction and renovations of private developments and municipal projects; (2) San Francisco’s sustainable policies have resulted in the measured success of reduced greenhouse gas emissions levels; (3) San Francisco has met and exceeded AB 32 greenhouse gas reduction goals for the year 2020; (4) current and probable future state and local greenhouse gas reduction measures will continue to reduce a project’s contribution to climate change; and (5) San Francisco’s Strategies to Address Greenhouse Gas Emissions meet BAAQMD’s requirements for a Qualified GHG Reduction Strategy, projects that are consistent with San Francisco’s regulations would not contribute significantly to global climate change. The proposed project would be required to comply with these requirements, and was determined to be consistent with San Francisco’s Strategies to Address Greenhouse Gas Emissions.<sup>27</sup>

The San Francisco Recreation and Parks Department (RPD) actions to reduce operational greenhouse gas emissions toward the City’s goal of an 80 percent reduction by 2050 include the following: (1) Energy Efficiency and Conservation: The RPD is working with the Energy Efficiency Services of the San Francisco Public Utilities Commission (PUC) to reduce energy use through the selection of operational equipment such as electrical fixtures and sprinkler heads, design standards enforcement, and use of the San Francisco Greening Checklist for exterior spaces; (2) Renewable Energy Generation: The RPD is working with the PUC to assess its facilities’ solar potential and identify potential co-generation sites; (3) Information Technology (IT): IT energy conservation measures include power management tools for all personal computers and monitors. The RPD plan includes full compliance by the third quarter of fiscal year 2010 with the City’s adopted policy of the Committee on Information Technology (COIT); (4) Green Building: The RPD plan includes compliance with the City’s Environmental Code to achieve Leadership in Energy and Environmental Design (LEED) certification; (5) Fleets and Fuel: The RPD has identified specific plans to retire older vehicles to achieve fuel savings, maintenance cost savings, and lower residual costs for older vehicles. Further, the RPD only purchases clean light-duty passenger cars and trucks; (6) Employee Commute: The RPD plan includes measures to reduce vehicle trips traveled by promoting alternative transportation incentives to its employees; (7) Zero Waste: The RPD is close to realizing its goal of 100 percent compliance with the City’s recycling initiative; (8) Green Product Purchasing: The RPD uses the City’s Approved Catalog to purchase environmentally conscious products;

<sup>27</sup> Greenhouse Gas Analysis: Compliance Checklist. November 18, 2010. This document is on file and available for public review in Case File No. 2009.1163 at the Planning Department, 1650 Mission Street, Suite 400.

(9) Carbon Sequestration: The RPD promotes the City's urban forestry program through tree planting campaigns and supports other City departments in their participation in the urban forest program; and  
(10) Community Wide Emissions: The RPD actions include providing community support to reduce greenhouse gas emissions through programs related to recycling, biodiversity, bicycling, and community education.

In addition, the project site is located within the Mission area plan analyzed under the Eastern Neighborhoods Rezoning EIR. The Eastern Neighborhoods Rezoning EIR assessed the GHG emissions that could result from rezoning of the Mission area plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of carbon dioxide equivalents (CO<sub>2</sub>E)<sup>28</sup> per service population<sup>29</sup>, respectively.<sup>30</sup> The Eastern Neighborhoods EIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. The Eastern Neighborhoods EIR adequately addressed greenhouse gas emissions and the resulting emissions were determined to be less than significant. Therefore, the project would not result in any significant impacts related to GHG emissions.

As such, the proposed project would result in a less than significant impact with respect to GHG emissions.

### **Shadow**

Section 295 of the Planning Code was adopted in response to Proposition K (passed November 1984) in order to protect certain public open spaces from shadowing by new structures during the period between one hour after sunrise and one hour before sunset, year round. Section 295 restricts new shadow upon public spaces under the jurisdiction of the Recreation and Park Department by any structure exceeding 40 feet unless the City Planning Commission finds the impact to be insignificant. The proposed park would not include buildings or other structures that would cast shadows on the newly created open space, nor on surrounding development. Therefore, no shadow effects would ensue as a result of the proposed park.

---

<sup>28</sup> Greenhouse gas emissions are typically measured in CO<sub>2</sub>E, or carbon dioxide equivalents. This common metric allows for the inclusion of the global warming potential of other greenhouse gases. Land use project's, such as this, may also include emissions from methane (CH<sub>4</sub>) and nitrous oxide (N<sub>2</sub>O), therefore greenhouse gas emissions are typically reported at CO<sub>2</sub>E.

<sup>29</sup> SP= Service Population. Service population is the equivalent of total number of residents + employees.

<sup>30</sup> *Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods*. April 20, 2010. Memorandum from Jessica Range, MEA to MEA staff. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods Rezoning EIR and provides an analysis of the emissions using a service population metric.

**Mitigation Measure**

In accordance with Eastern Neighborhoods Final EIR requirements, the project sponsor has agreed to implement the following mitigation measure.

**Project Mitigation Measure 1 – Archeological Resources (I-2: Properties With No Previous Studies in the Eastern Neighborhoods Rezoning and Area Plans Final EIR)**

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in *CEQA Guidelines* Section 15064.5(a)(c). The project sponsor shall distribute the Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a qualified archeological consultant. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Major Environmental Analysis (MEA) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest

Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

**Public Notice and Comment**

A "Notification of Project Receiving Environmental Review" was mailed on January 21, 2010 to adjacent occupants and owners of properties within 300 feet of the project site. One member of the public expressed their concern relating to the loss of parking. Parking is discussed under "Transportation" on page 7.

**Conclusion**

With the exception of hazards and hazardous materials, the Eastern Neighborhoods Final EIR incorporated and adequately addressed all potential impacts of the proposed 17th and Folsom Park project. As described above, and except for hazards and hazardous materials, the 17th and Folsom Park project would not have any additional or peculiar significant adverse effects not examined in the Eastern Neighborhoods Final EIR, nor has any new or additional information come to light that would alter the conclusions of the Eastern Neighborhoods Final EIR. Thus, with the exception of hazards and hazardous materials, the proposed 17th and Folsom Park project would not have any new significant or peculiar effects on the environment not previously identified in the Final EIR for the Eastern Neighborhoods Rezoning and Area Plans, nor would any environmental impacts be substantially greater than described in the Eastern Neighborhoods Final EIR. No mitigation measures previously found infeasible have been determined to be feasible, nor have any new mitigation measures or alternatives been identified but rejected by the project sponsor. Therefore, in addition to being exempt from environmental review under Section 15183 of the CEQA Guidelines, the proposed project is also exempt under Section 21083.3 of the California Public Resources Code. Due to the peculiar impact found concerning hazards and hazardous materials, a Focused Mitigated Negative Declaration has been prepared for that topic area only.<sup>31</sup>

---

<sup>31</sup> Preliminary Mitigated Negative Declaration, 17th and Folsom Park, January 26, 2011. This document is on file and available for review as part of Case File No. 2009.1163E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

## Community Plan Exemption Checklist

*Case No.:* 2009.1163E  
*Project Title:* 17<sup>th</sup> Street and Folsom Street Park  
*Zoning:* P, 50-X Height and Bulk District  
*Block/Lot:* 3571/018  
*Lot Size:* 60,925 square feet  
*Plan Area:* Mission Subarea of the Eastern Neighborhoods  
*Project Sponsor:* Dawn Kamalanathan, Recreation and Park Department  
*Staff Contact:* Don Lewis – (415) 575-9095, [don.lewis@sfgov.org](mailto:don.lewis@sfgov.org)

### A. PROJECT DESCRIPTION

The project site is located on the northwest corner of 17th Street and Folsom Street in the Mission neighborhood. The proposed project would subdivide the 60,925-square-foot parcel, which is currently a 219-space surface parking lot, and construct a 34,300-square-foot neighborhood park that would front on 17th Street, Folsom Street, and Shotwell Street. No structures, including restrooms, are proposed. Specific design features of the park would be defined through a community planning effort. The existing parking lot is owned by the San Francisco Public Utilities Commission (PUC) and is leased out to the University of California, San Francisco. Ownership would transfer from the PUC and the park would be owned and operated by the San Francisco Recreation and Park Department (RPD). The remaining 26,625 square feet of the lot would remain in its current use. The project site is located in the Eastern Neighborhoods Plan Area.

### B. EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption (CPE) Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether any such impacts are addressed in the applicable Programmatic EIR (PEIR) for the plan area (i.e., the Eastern Neighborhoods Rezoning and Area Plans Final EIR).<sup>1</sup> Items checked "Sig. Impact Identified in PEIR" identify topics for which a significant impact is identified in the PEIR. In such cases, the analysis considers whether the proposed project would result in impacts that would contribute to the impact identified in the PEIR. If the analysis concludes that the proposed project would contribute to a significant impact identified in the PEIR, the item is checked "Proj. Contributes to Sig. Impact Identified in PEIR." Mitigation measures identified in the PEIR applicable to the proposed project are identified in the text for each topic area.

---

<sup>1</sup> *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, Planning Department Case No. 2004.0160E, certified August 7, 2008. The FEIR is on file for public review at the Planning Department, 1650 Mission Street Suite 400 as part of Case No. 2004.0160E, or at: [http://www.sfgov.org/site/planning\\_index.asp?id=67762](http://www.sfgov.org/site/planning_index.asp?id=67762).

Items checked "Project Has Sig. Peculiar Impact" identify topics for which the proposed project would result in a significant impact that is peculiar to the project, i.e., the impact is not identified as significant in the PEIR. Any impacts not identified in the PEIR will be addressed in a separate Focused Initial Study or EIR.

All items for which the PEIR identified a significant impact or the project would have a significant peculiar impact are also checked "Addressed Below," and are discussed.

Topics for which the PEIR identified a significant program-level impact are addressed in the CPE Certification of Determination. Project impacts for all other topics are discussed in the CPE Checklist.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>1. LAND USE AND LAND USE PLANNING— Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please see the Certificate of Determination for discussion of this topic.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>2. AESTHETICS—Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and other features of the built or natural environment which contribute to a scenic public setting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Eastern Neighborhoods Final EIR evaluated three land use options and under each of these options, it was not anticipated that the proposed project would substantially damage scenic resources that contribute to a scenic public setting. As a proposed rezoning and planning process the Eastern Neighborhoods project would not directly result in any physical damage. Rather, any changes in urban form and visual quality would be the secondary result of individual development projects that would occur subsequent to the adoption of changes in zoning and community plans.

With respect to views, the Eastern Neighborhoods Final EIR found that while development pursuant to the Plan would result in height increases and use district changes, the rezoning would not substantially degrade the views and new development up to the proposed height limits may even help define the street edge and better frame urban views. The Plan would not be considered to result in a significant adverse impact with regard to views. New construction in the Project area would generate additional night lighting but not in amounts unusual in industrial zones and within developed urban areas in general. Thus, the Final EIR concluded that light and glare impacts would be less than significant.

The proposed project would replace a portion of the existing surface parking lot with a neighborhood park. While the new park would change the visual appearance of the site, it would not substantially degrade its visual character or quality. The proposed project would not involve removal or impact on trees or rock outcroppings which contribute to a scenic public setting and there would be no substantial light or glare generated. It is likely that the new neighborhood park would include lighting to ensure adequate nighttime illumination but this would be consistent with the urban setting and would not result in a significant impact.

Design and aesthetics are by definition subjective, and open to interpretation by decision-makers and members of the public. A proposed project would, therefore, be considered to have a significant adverse effect on visual quality only if it would cause a substantial and demonstrable negative change. The proposed project would not have such change.

In summary, the project would not result in a significant effect with regard to aesthetics.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>3. POPULATION AND HOUSING— Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

One of the objectives of the Eastern Neighborhoods Rezoning and Area Plans Final EIR (FEIR) was to identify appropriate locations for housing in the City's industrially zoned land to meet a citywide need for more housing. According to the FEIR, the rezoning would not create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply. The proposed project, which would replace a portion of an existing surface parking lot with a new neighborhood park, would not be considered as a catalyst for growth as it does not include residential or commercial uses. Additionally, the proposed project would not displace substantial numbers of people because the project site is currently a surface parking lot. As such, construction of replacement housing would not be necessary.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>4. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please see the Certificate of Determination for discussion of this topic.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>5. TRANSPORTATION AND CIRCULATION— Would the project:</b>				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways (unless it is practical to achieve the standard through increased use of alternative transportation modes)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity that could not be accommodated by alternative solutions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., conflict with policies promoting bus turnouts, bicycle racks, etc.), or cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity or alternative travel modes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please see the Certificate of Determination for discussion of this topic.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>6. NOISE—Would the project:</b>				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please see the Certificate of Determination for discussion of this topic.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>7. AIR QUALITY</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. <b>Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please see the Certificate of Determination for discussion of this topic.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>8. GREENHOUSE GAS EMISSIONS—</b> Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Although the PEIR did not identify a significant impact for this topic, please see the Certificate of Determination for the discussion.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>9. WIND AND SHADOW—Would the project:</b>				
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Wind**

The proposed park would not include buildings or other structures that would alter wind on the project site nor on surrounding development. Therefore, the project would not result in significant effects related to wind.

**Shadow**

Please see the Certificate of Determination for discussion of this topic.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>10. RECREATION—Would the project:</b>				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

In 1998, the City of San Francisco initiated the Great Parks for a Great City Assessment Project to determine the condition of the park system as well as to determine future needs. In August of 2004, the San Francisco Recreation and Park Department (RPD) published a Recreation Assessment Report that evaluates the recreation needs of San Francisco residents.<sup>2</sup> Nine service area maps were developed for the Recreation Assessment Report. The service area maps were intended to help RPD staff and key leadership assess where services are offered, how equitable the service delivery is across the City and how effective the service is as it applies to participating levels overlaid against the demographics of where the service is provided.

As stated in the FEIR, the Mission District has the greatest share of the Eastern Neighborhood's residential population and consequently exhibits the greatest ratio of residents to existing acres of recreational resources. There are 11 RPD properties within the boundaries of the Mission plan area, including six parks clustered in the southeastern portion of the neighborhood, one in the southwest and four parks in the northern Mission. The RPD conducted a gap analysis for the 2006 Recreation and Park Acquisition Policy, which revealed areas of the City considered to be underserved by parklands and open spaces, and determined that the project area exhibits a current need for additional facilities and open space. By creating a new park, the project would ameliorate this gap. Therefore, the proposed project would not result in substantial physical deterioration of existing recreational resources, and there would be no significant effect on recreational facilities.

<sup>2</sup> San Francisco Recreation and Park Department, Recreation Assessment Report, August 2004. This document is available online at [http://www.parks.sfgov.org/site/recpark\\_index.asp?id=27310](http://www.parks.sfgov.org/site/recpark_index.asp?id=27310).

The proposed project would not have a significant effect on recreation or community facility resources, nor would the project contribute to any significant cumulative effects on recreational resources.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>11. UTILITIES AND SERVICE SYSTEMS—Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project would create pedestrian amenities and recreation opportunities for public enjoyment to serve the Mission neighborhood. As such, the proposed park would not substantially increase the existing demand for utilities and/or public services in the area, nor would there be a substantial increase in solid waste volumes, energy or water consumption. In addition, the project is within the scope of analysis for the Eastern Neighborhoods FEIR and would not create additional demands beyond what was considered in the EIR.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>12. PUBLIC SERVICES— Would the project:</b>				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project would not substantially increase demand for police or fire protection services beyond the scope of what was considered in the Eastern Neighborhoods FEIR and would not necessitate new school facilities in San Francisco. The proposed project would not result in a significant impact to public services.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>13. BIOLOGICAL RESOURCES— Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is a paved, surface parking lot that is located in a developed urban area which does not support or provide habitat for any rare or endangered wildlife species, animal, or plant life or habitat, and would not interfere with any resident or migratory species. Accordingly, the proposed project would result in no impact on sensitive species, special status species, native or migratory fish species, or wildlife species. The project would not result in any significant effect with regard to biology, nor would the project contribute to any potential cumulative effects on biological resources. In addition, no significant effects were identified in the Eastern Neighborhoods FEIR.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>14. GEOLOGY AND SOILS— Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Soil disturbing activities would be required for new park equipment, drainage, and fence posts and would require excavation of up to five feet below ground surface. In addition, up to ten feet of excavation below ground surface may be required for a proposed cistern. Building structures, including restrooms, are not proposed. The proposed park would not alter the overall topography of the site.

Geology impacts are generally site-specific and do not have cumulative effects with other projects. Cumulative development would be subject to the same design review and safety measures as the proposed project. These measures would render the geologic effects of cumulative project to less-than-significant levels. Thus, the project would not have a significant effect on geological or soil resources, nor would the project contribute to any significant cumulative effects on geology or soils.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>15. HYDROLOGY AND WATER QUALITY—</b> Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion of siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is completely covered by an existing asphalt surface parking lot and would be completely covered by the proposed park. The proposed project would not change the amount of impervious surface area on the site and runoff and drainage would not be adversely affected. Because of the low-lying location of the project site, the park would incorporate stormwater management techniques such as bio-retention basins. Effects related to water resources would not be significant, either individually or cumulatively.

<u>Topics:</u>	<u>Sig. Impact Identified in PEIR</u>	<u>Project Contributes to Sig. Impact Identified in PEIR</u>	<u>Project Has Sig. Peculiar Impact</u>	<u>Addressed Below</u>
<b>16. HAZARDS AND HAZARDOUS MATERIALS</b>				
<b>Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CDM completed a Phase I Environmental Site Assessment that concluded that the proposed project could result in a significant impact associated with hazardous materials.<sup>3</sup> Therefore, this topic will be addressed in a Focused Initial Study and necessary Mitigation Measures will be identified.

The Eastern Neighborhoods identified a significant impact related to Hazardous Building Materials and determined that *Mitigation Measure L-1: Hazardous Building Materials* would reduce

<sup>3</sup> CDM, *Phase I Environmental Site Assessment, 17<sup>th</sup> Street and Folsom Street Parking Lot, San Francisco, California*, February 16, 2010. A copy of this document is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2009.1163E.

effects to a less-than-significant level. Since there are no buildings at the project site, *Mitigation Measure L-1* does not apply to the project.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>17. MINERAL AND ENERGY RESOURCES—</b>				
<b>Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed project would not result in a significant physical environmental effect with respect to mineral and energy resources.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>18. AGRICULTURE AND FOREST RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
<b>— Would the project</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site does not contain agricultural uses and is not zoned for such uses. Therefore, the proposed project would not result in any significant impacts related to agricultural resources.

<i>Topics:</i>	<i>Sig. Impact Identified in PEIR</i>	<i>Project Contributes to Sig. Impact Identified in PEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>Addressed Below</i>
<b>19. MANDATORY FINDINGS OF SIGNIFICANCE—</b>				
<b>Would the project:</b>				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed project would subdivide the 60,925-square-foot parcel, which is currently a 219-space surface parking lot, and construct a 34,300-square-foot neighborhood park that would front on 17<sup>th</sup>, Folsom, and Shotwell Streets. No building structures, including restrooms, are proposed. The remaining 26,625 square feet of the lot would remain in its current use. As discussed in this document, and with the exception of hazards and hazardous materials, the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were

already and disclosed in the Eastern Neighborhoods Final EIR. A Focused Initial Study has been prepared for the hazards and hazardous materials topic.<sup>4</sup>


---

<sup>4</sup> San Francisco Planning Department Focused Initial Study, 17<sup>th</sup> and Folsom Streets Park, January 26, 2011. A copy of this document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case File No. 2009.1163E.

**C. DETERMINATION**

On the basis of this review, it can be determined that:

- The proposed project qualifies for consideration of a Community Plan exemption based on the applicable General Plan and zoning requirements; AND
- All potentially significant individual or cumulative impacts of the proposed project were identified in the applicable programmatic EIR (PEIR) for the Plan Area, and all applicable mitigation measures have been or incorporated into the proposed project or will be required in approval of the project.
- The proposed project may have a potentially significant impact not identified in the PEIR for the topic area(s) identified above, but that this impact can be reduced to a less-than-significant level in this case because revisions in the project have been made by or agreed to by the project proponent. A focused Initial Study and MITIGATED NEGATIVE DECLARATION is required, analyzing the effects that remain to be addressed.
- The proposed project may have a potentially significant impact not identified in the PEIR for the topic area(s) identified above. An ENVIRONMENTAL IMPACT REPORT is required, analyzing the effects that remain to be addressed.



Bill Wycko  
Environmental Review Officer  
for  
John Rahaim, Planning Director

DATE August 24, 2011