



July 2, 2014

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BOARD OF SUPERVISORS

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David Chiu, President
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall
San Francisco, CA 94102

**RE: 2251 Greenwich Street—Firehouse #16
Environmental Application # 2012.1443E
Appeal of Categorical Exemption Determination**

Dear President Chiu and Members of the Board:

INTRODUCTION AND BACKGROUND

This office represents the adjacent neighbors to the proposed Project Brent McMicking and Evan Kletter. Mr. McMicking and Mr. Kletter are the adjacent property owners immediately to the west of the subject Project site. They both own their homes and reside at the site with their families, both of which include small children.

The proposed project is the demolition and replacement of Firehouse #16 at 2251 Greenwich Street. Because the site has always been a Firehouse, it has always had underground storage tanks---that leaked gasoline and other fuels. Leaks were discovered in 1965 and again in 1987. The Leaking Underground Storage Tanks at the site were last declared “clean” in late 1998. Nevertheless, obviously there are now aging underground tanks in place at the site since that time, now slated for replacement as part of this project. The site appears on the State Water Resources Control Board ‘Geo-Tracker’ Map as a Leaking Underground Storage Tank site with a previous clean-up.

Because this is a public building located on a development lot which is zoned “Public” under the Planning Code, the notice process and any and all review of the Project is limited and conducted through the Civic Design Review Committee of the San Francisco Arts Commission. Our investigation revealed that the Civic Design Review process was not properly conducted for this Project.

Even though the DPW officials sponsoring the Project, and the Project manager Gabriella Judd Cirelli were keenly aware of the neighbors’ objections to, and interest in, the Project, the neighbors were deliberately *not* given notice of the several presentations made to the Committee, including the presentation for final approval before the full San Francisco Arts Commission on February 3, 2014. No neighbor was given notice and no neighbor attended any of these “public” hearings. The entire process was a sham.

Because the neighbors were not notified of these public meeting, they were denied the opportunity to present public comment regarding the proposed new firehouse and to request mitigations on the Project to reduce the impacts to their homes—including

possible environmental impacts. There was an affirmative obligation under the Civic Design process to provide written notice of these meetings to the neighbors prior to the conduct of the Civic Design Review process that has been ongoing since October 2012.

The process and the neighbors' rights have been violated and the CEQA review by the Board of Supervisors is the only other public review process open to the neighbors. The environmental review was also completely mishandled by DPW and Planning. In fact, the Project received its "final approval" from the Arts Commission on February 3, 2014, and the new Categorical Exemption was not issued until June 2, 2014, some four months after the "final approval." CEQA review is required to pre-date such approvals and is supposed to be the starting point for project review, not a last hurdle to be overcome. The Project does not conform to the requirements set forth in CEQA for an exemption. The Board should remand the exemption determination to the Planning Department for further action and review.

Summary of Grounds for Appeal of Categorical Exemption

1. The Department has issued a *Second* Categorical Exemption dated June 2, 2014, (attached hereto) for the site based on an incorrect Department interpretation of CEQA that *narrows* the scope of environmental protection for the public rather than expanding such protection as required by law and court decisions interpreting CEQA.
2. Astoundingly, even though this is a "cookie-cutter" Project and a design being repeated all over the City for re-building Firehouses, the first environmental analysis failed to even note the presence of underground diesel storage tanks at the site, failed to note that the Project included replacement of one tank and the removal of another tank, failed to note the site is contained on the Maher Map as a hazardous waste site (the site was not enrolled in the Maher program until the neighbors complained) and failed to comply with any aspect of the environmental review process. The site has been a City Firehouse for more than 100 years and is confirmed to have a long history of leaking underground storage tanks and many other toxins and pollutants at the site.
3. The Project has received all approvals without any public vetting or discussion of the Project. Officials from the Dept of Public Works (the "Project Sponsor") affirmatively perjured themselves in the application process in order to avoid notifying the neighbors of any public hearings on the Project. As a result, no public hearing of any kind has ever been held on this massive new Project slated for this 100% residential neighborhood. The neighbors are apprehensive because they have been lied to by DPW and denied any chance for public input on the Project. DPW was charged with affirmatively notifying the neighbors of public hearings at the Arts Commission and failed to do so and yet falsely informed the Art's Commission that the public was notified. As a result, no member of the public was present for any "hearing."
4. The Project description did not mention that the site is a historically documented UST site, and on the California State map for UST's. The Project description failed to

mention that it includes excavation and replacement of tanks at the site and the placement of a new diesel-burning generator on the roof. The Environmental application submitted to Planning made no mention of these facts and was not accurately completed. The application also incorrectly stated that excavation at the site will not exceed eight (8') in depth and will not require disturbance of soil in excess of 5,000 gross square feet. Both of these questions were incorrectly answered on the Planning Dept's Application by DPW.

5. The Project will disturb more than 5,000 gross square feet of surface soil as the lot is 5,760 square feet in area and is being completely graded and excavated (in addition to the tank removal). Further, the Project is required to comply with the new Storm-water Management Ordinance from the SFPUC which has the same triggering number (disturbance of 5,000 gross square feet of surface soil).

6. The adjacent neighbors have very small children and of course, they are quite apprehensive not only because of the UST site but also because this property has long been (only) used as a Fire Station and the reports in the file show extensive toxins throughout the building to be demolished---especially worrisome since this is a 100% residential neighborhood. We requested that the Planning Dept revoke the Cat Ex for this Project, that the applications be corrected and resubmitted and that the Project be referred to DPH for review under the Maher Ordinance and those steps were taken, but the neighbors remain apprehensive because every aspect of the first review by the Dept was incorrect and secretive.

7. The Department's Second Categorical Exemption is based on the incorrect conclusion that the Department is *certain* the site (a state-mapped toxic waste site and leaking underground storage tank site) does not present any *possibility* of an adverse environmental impact; an irrational and unreasonable conclusion.

8. The recent testing and analysis at the site shows the continued presence of many toxins. The history of the site as a hazardous waste site and its proximity to the water table dictates that the Department should require a mitigation plan to be in place. Grading and excavation of the site could expose construction personnel and the public to contamination present in the soil associated with historic on-site uses.

9. The Department should rescind the Second Categorical Exemption given to the Project and issue a Mitigated Negative Declaration requiring DPW to develop and have in place a contingent mitigation plan to protect workers and the public if:

- Potential residual contaminants are detected in areas already tested;

- Requiring workers at the site to strictly adhere to hygienic standards to avoid dermal contact and incidental ingestion;

- Heightened dust control and masking to prevent inhalation of airborne dust released from dried hazardous materials—the neighbors have small children;

-While not anticipated once closure reports have been issued (such as here) the possibility remains that contamination (which was not encountered during soil sampling) is still present. It is possible given the site's long history of leaking underground tanks that contaminants still are present or that additional tanks are present which were installed prior to permitting and record keeping requirements. A plan should be in place to deal with such possibilities and to prevent migration of contaminants;

-Due to the migratory nature of oil in the soil, the risk remains for oil to exist in the soil in areas that have not been previously sampled or tested. The Project Sponsor should be required to develop and have in place a plan to deal with such an eventuality, including a system of wind barriers and retained qualified and licensed professionals to conduct on-going site control and monitoring who remain ready to commence work in any contaminated area.

Additional Grounds For Appeal:

The following exceptions to a Categorical Exemption are relevant in this case, based on Section 15300.2 of CEQA, Article 19:

A) The Site is a Former Hazardous Waste Site and There Is a Specific Statutory Exception From The Categorical Exemption

The Project site was on the State's Hazardous Waste and Substances Site List; clean-up and remedial action was twice rendered at the site for removal of leaking underground storage tanks. California Public Resources Code Section 21084(c) provides a specific exception to a categorical exemption if a site is listed on any of the State's Hazardous Waste Sites. That section states:

“No Project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code shall be exempted from this division”

The Project site's appearance on the list of the States Hazardous Waste Sites precludes the categorical exemption that was again granted it by the Department. As a matter of law, the categorical exemptions are to be narrowly defined. It cannot be said that this site has not appeared on ANY list of Hazardous Waste Sites; it has; and a broad based reading of this exception and the site's appearance on the list (past or present) precludes the use of categorical exemption.

B) The Department Applied The Wrong Standard For a Categorical Exemption And Has Misinterpreted the Statute Which Forbids a Exemption in this Case

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In order to grant to this site a Categorical Exemption, the Department offers its own “interpretation” of the above code section without reference to any supporting case law or guidelines for the interpretation. Citing the removal of the five leaking underground storage tanks, the Department states as follows:

The Department does not explain or offer any support for its interpretation of the law, and it is Appellants’ contention that such an interpretation is contrary to the intent of CEQA and to the well established rules for its interpretation. The Department’s interpretation is *under inclusive* while CEQA and its guidelines are specifically meant to be interpreted in a broad fashion and to be *over inclusive* to provide the citizens of California with the greatest possible environmental protection.

One of the basic principals to govern the application of CEQA is that the statute and the guidelines are to be interpreted as broadly as possible in order to provide the maximum protection to the environment and to the people of California. In the first case to interpret CEQA, the California Supreme Court made it clear that ambiguous language found in the statute was to be applied broadly rather than narrowly. In, Friends of Mammoth v Board of Supervisors 8 Cal.3rd 247 (1972), Justice Stanley Mosk wrote that the Act (CEQA) is to be interpreted and construed so as to give the environment the fullest protection possible. This analysis, now known as the “*Mammoth* interpretive principle” was based on the legislative statements of intent and is still applicable today.

The Department’s narrow interpretation of Section 15300.2 is incorrect as a matter of law and violated the principles of CEQA requiring broad interpretation of its provisions. Because the Project site is included on one of the State’s Hazardous Waste lists, it is not eligible for a Categorical Exemption and the Department should re-evaluate the Project and include specific mitigations because of the distinct possibility that further contaminants may be uncovered during excavation at the site.

C) The Site Can Never Meet the High Standard Of “Certainty” of “No Possibility” of an Adverse Environmental Impact

The second provision of CEQA relied upon by the Department has also been incorrectly applied and interpreted by the Department. Section 15061(b)(3) provides that a Project may be given a Categorical Exemption is it can be said with *certainty* that there is *no possibility* of an adverse environmental impact. By definition, with the issuing of the second C.E., the Department is saying that there is **absolute certainty** in this case and **no possibility** construction activity will have a significant effect on the environment.

It is hard to imagine a more unusual circumstance that could have a significant environmental impact than the proposal to construct a large new industrial building on a hazardous/toxic waste site. The location, size and type of the proposed construction is an unusual circumstance that represents an exception to the CatEx approval. The Department’s analysis treats this property as if it was any other site and completely ignores the long history of toxics and hazardous materials at the site. One is tempted to

ponder, what would constitute “possible” effect on the environment? It is certainly a “possibility” that toxics are still present on the property at unacceptable levels. In fact, the testing done by the City confirms this fact. It is also reasonable to assume that the excavation of the entire lot might release some of those toxins into the surrounding environment (perhaps without even knowing it). The bottom line is, Why not require a mitigation plan IF such toxins are found at the site? Why not have DPW draw up a contingency plan to provide for this reasonable possibility? The Department should require a mitigation plan for such a contingency to be in place. The blanket categorical exemption is not appropriate.

The proposed size of the structure is also an “unusual circumstance.” The building is slated to be much larger than any building constructed in the area and is the only through lot on the block, and therefore it is reasonable to assume it could cause significant environmental disruption both in terms of air, land and noise, effecting the neighborhood and the social and physical environment. The Project is **not** consistent with the zoning in the area and is the only lot zoned “P” on the block. This allows the Project to increase bulk and eliminate any rear yard.

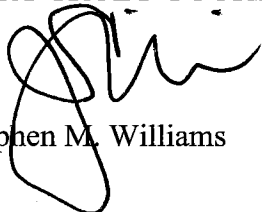
D) The Project Could Have a Significant Effect on the Environment:

By definition with the issuing of the CatEx, the Department is saying that there is **no possibility** construction activity will have a significant effect on the environment due to circumstances at the site. The location, size and type of the proposed construction is an unusual circumstance that represents an exception to the CatEx approval. The building is much larger than any building constructed in the area, and therefore could cause significant environmental disruption both in terms of air, land and noise, but also of the resulting effects on the neighborhood and the social and physical environment. The location’s proximity to schools, children and the tourist destinations of visitors to San Francisco further disqualifies it for categorical exemption under the code, and is a compelling argument for a greater standard of environmental review.

Conclusion

For these reasons, we appeal the granting of a categorical exemption by the San Francisco City Planning Department to the Project sponsor, DPW. We respectfully request that the San Francisco Board of Supervisors require the current Building’s demolition and the construction of any new building on the lot to undergo environmental mitigation review as required by CEQA.

VERY TRULY YOURS,



Stephen M. Williams



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
2251 Greenwich Street		0515/031	
Case No.	Permit No.	Plans Dated	
2012.1443E	N/A	09/10/12	
<input type="checkbox"/> Addition/ Alteration	<input checked="" type="checkbox"/> Demolition (requires HRER if over 50 years old)	<input checked="" type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval.			
Demolition and new construction of Fire Station #13. The proposed project includes demolition of the existing 2-story, 10,272 square foot (sf) fire station built in 1938 and construction of a new 2-story, 10,398 sf fire station on the same lot with three programmed areas: (1) Apparatus bay and support, (2) firefighter operations, and (3) living quarters. The project also includes replacement of the roof top generator, removal of one underground storage tank and replacement of a second underground storage tank.			

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.*	
<input type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	Class 3 – New Construction. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.
<input checked="" type="checkbox"/>	Class 2 Replacement & reconstruction of existing structures/facilities. New structure located on the same site as structure replaced with substantially the same purpose & capacity.

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an air pollution hot spot? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Hot Spots)
<input checked="" type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>

<input checked="" type="checkbox"/>	Soil Disturbance/Modification: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	Noise: Does the project include new noise-sensitive receptors (schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area)
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	Slope = or > 20%: Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, or grading on a lot with a slope average of 20% or more? <i>Exceptions: do not check box for work performed on a previously developed portion of site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, grading –including excavation and fill on a landslide zone – as identified in the San Francisco General Plan? <i>Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1000 sq ft, shoring, underpinning, retaining wall work, or grading on a lot in a liquefaction zone? <i>Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required
<input type="checkbox"/>	Serpentine Rock: Does the project involve any excavation on a property containing serpentine rock? <i>Exceptions: do not check box for stairs, patio, deck, retaining walls, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Serpentine)
*If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <u>Environmental Evaluation Application</u> is required, unless reviewed by an Environmental Planner.	
<input type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional): Jessica Range	
<small>Correction to exemption issued 1/23/2013. Proposed project subject to soil & groundwater remediation in compliance with Health Code Article 22B (Maher Ordinance). Project sponsor has enrolled in the Maher Program with the San Francisco Department of Public Health. Project reviewed by staff archeologist.</small>	

STEP 3: PROPERTY STATUS – HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input checked="" type="checkbox"/>	Category B: Potential Historical Resource (over 50 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 50 years of age). GO TO STEP 6.

**STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	3. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	4. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	5. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the <i>Residential Design Guidelines</i> .
<input type="checkbox"/>	6. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	8. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	9. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input checked="" type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

**STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .

<input type="checkbox"/>	8. Other work consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties (specify or add comments):
<input checked="" type="checkbox"/>	9. Reclassification of property status to Category C. (Requires approval by Senior Preservation Planner/Preservation Coordinator) a. Per HRER dated: <u>12/28/2012</u> (attach HRER) b. Other (specify):
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.	
<input type="checkbox"/>	Further environmental review required. Based on the information provided, the project requires an Environmental Evaluation Application to be submitted. GO TO STEP 6.
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature: Allison K. Vanderslice <small>Digitally signed by Allison K. Vanderslice DN: cn=Allison K. Vanderslice, o=San Francisco Planning Department, ou=Environmental Planning, email=avanderslice@sf.gov, c=US</small>	

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER**

<input type="checkbox"/>	Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review STOP! Must file an Environmental Evaluation Application.
<input type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA.
Planner Name: Jessica Range Project Approval Action: Building Permit *If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	Signature or Stamp: Jessica Range <small>Digitally signed by Jessica Range DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Environmental Planning, cn=Jessica Range, email=jessica.range@sfgov.org Date: 2014.06.02 11:41:55 -0700</small>
Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.	

**STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT
TO BE COMPLETED BY PROJECT PLANNER**

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required CATEX FORM	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp: