



CATEGORICAL EXEMPTION APPEAL

1310 Junipero Serra Boulevard

Date: April 21, 2025
To: Angela Calvillo, Clerk of the Board of Supervisors
From: Lisa Gibson, Environmental Review Officer – lisa.gibson@sfgov.org, 628.652.7571
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RE: Board File No. 250280
Planning Record No. 2023-007010ENV
Appeal of Categorical Exemption for 1310 Junipero Serra Boulevard

Hearing Date: April 29, 2025

Project Sponsors: Daniel Robinson, MacCracken Robinson Architects, 415.487.2050
Appellant: Linda Shah, on behalf of Friends of Saint Thomas More

Introduction

This memorandum responds to the March 13, 2025 letter of appeal to the board of supervisors (the board) regarding the planning department's (the department) issuance of a categorical exemption under the California Environmental Quality Act (CEQA determination) for the proposed 1310 Junipero Serra Boulevard project.

The department, pursuant to Article 19 of the CEQA Guidelines, issued a categorical exemption for the proposed project on April 5, 2024, finding that the proposed project is exempt from CEQA as a Class 32 exemption.

The decision before the board is whether to uphold the department's decision to issue a categorical exemption and deny the appeal, or to overturn the department's decision to issue a categorical exemption and return the project to department staff for additional environmental review.

Site Description and Existing Use

The approximately 164-acre San Francisco Golf Club property (established in 1915) is generally bordered by Brotherhood Way to the north, Junipero Serra Boulevard to the east, Wilshire Avenue (Daly City) to the south, and Lake Merced Boulevard to the west in the Lakeshore neighborhood. The project site, where construction would occur, consists of an approximately 1.7-acre (75,473 square feet) portion immediately west of Thomas More Way. The project site is immediately adjacent to Saint Thomas More Catholic School

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(approximately 10 feet to the north). Other nearby sensitive land uses include the following: Utopia Preschool is located approximately 90 feet to the north; Alma Via Senior Living is located approximately 145 feet to the northeast; and Brandeis School of San Francisco is located approximately 200 feet to the west. Interstate 280 is located approximately 520 east of the project site.

Project Description

The San Francisco Golf Club (SFGC) proposes the demolition of nine maintenance and facility structures (totaling approximately 10,500 square feet in size) and construction of a 23-foot-tall, one-story accessory maintenance and facility building approximately 19,100 gross square feet in size.

The proposed maintenance building¹ would include the following: an administrative wing containing offices for staff, a locker room, showers, bathrooms, a small reception area for guests, and a large break room for maintenance staff (approximately 25); a storage area for covered overnight secure storage of a variety of currently gasoline powered small equipment which would be transitioning to electric; a battery charging room for the removable back pack type batteries; a repair area where the equipment stored in the building can be repaired or maintained including a small vehicle lift for tire changes, motor repair, and other maintenance issues; an enclosed grinding area² where mower blades would be sharpened twice a month;³ a small oil storage area to store minimal amounts (about 50 gallons per year) of used oil created from gasoline golf cart oil changes (this would be reduced as carts are replaced with electric options); and an exterior materials bin area where unbleached sand and other bulk materials are stored before being distributed on the course in golf cart type carts (located at the far west of the project site and currently used for this purpose now).

The equipment that would be primarily stored in the proposed maintenance building is smaller backpack type gasoline leaf blowers, weed whackers, and chainsaws. The larger equipment includes mowers, golf carts, and other landscape maintenance machines. Over the next few years, SFGC plans to replace gasoline-powered equipment with electric-powered equipment.^{4,5} While this equipment would be stored in the proposed maintenance building, their engines are not started until pulled onto the actual golf course on a small trailer behind a golf cart type vehicle. Mowers and other equipment are towed to the golf course between 5:30 am and 6:00 am and then returned to the maintenance building around 2:30 pm.

The project would also include the following components: approximately 210 linear feet of retaining wall (up to 5 feet in retained height) along the eastern boundary and northeastern boundary of the site; a surface parking area with 23 spaces for employees/staff and 2 electric vehicle charging spaces; a new storm drain (approximately 1,500 linear feet); a bioretention area; and removal of approximately 36 eucalyptus gum trees and planting of 45 new trees.⁶

¹ The use plan for the proposed maintenance building is located here: [2024-12-18 DRAFT SFGC Use Plan.pdf](#), accessed April 3, 2025.

² Details of the sharpening machine can be located here: <https://bernhard.co.uk/products/express-dual-3000mc/>, accessed April 3, 2025.

³ With a sound transmission class (STC) of 55, the room is designed to protect staff in the adjacent repair area.

⁴ More information regarding future electrified equipment is provided here: <https://www.dropbox.com/scl/fi/t4d4x65rrko3oopdwbd/2024-12-10-Proposed-Golf-Equipment.pdf?rlkey=tr3cxuwtjo2q9vejcn0kzxeb&e=1&dl=0>, accessed April 3, 2025.

⁵ Most of this equipment falls under new legislation that no longer allows their sale in California, requiring only electrified versions of the same equipment to be sold after 2024. The threshold is anything under 25 horsepower and defined as a "small off-road engines" (SORE). Further information regarding this legislation and the types of equipment that will no longer be sold is provided here: <https://www2.arb.ca.gov/our-work/programs/small-off-road-engines-sore/about>, accessed April 3, 2025.

⁶ After a January 2024 storm caused a large eucalyptus tree to fall, the nearby school raised concerns about the risk of future tree falls. In response, SFGC removed approximately 70 eucalyptus trees from the project site in February 2024 to prevent potential damage from future storms on adjacent properties.

Access to the proposed building would be through the existing member access vehicular gate via an existing private drive connecting to Thomas More Way. The proposed building would be set back from the adjacent building to the north by approximately 21 to 59 feet. There would be new landscaping between the existing sidewalk and new fence. A series of planted areas are proposed to screen the building, and a south facing rooftop solar array is proposed.

Project construction would require approximately 6,300 cubic yards of excavation with a maximum depth of approximately 7 feet below ground surface. Construction duration is estimated for 10 months (including four weeks for grading/excavation). The proposed building would be supported on a shallow building foundation.

Background

The following bullet points provide a chronological summary of the various actions documented in the record related to the proposed project:

- On August 2, 2023, Daniel Robinson of MacCracken Robinson Architects (hereinafter "Project Sponsor") filed a project application.
- On April 5, 2024, the department determined that the project was categorically exempt under CEQA Class 32 – Infill Development Projects, and that no further environmental review was required.
- On February 13, 2025, the Planning Commission approved the conditional use authorization.
- On March 13, 2025, Linda Shah, on behalf of Friends of Saint Thomas More (hereinafter "Appellant"), filed an appeal of the categorical exemption determination.
- On March 19, 2025, the department determined that the appeal was timely filed.

CEQA Guidelines

Categorical Exemptions

Pursuant to CEQA Guidelines section 15061, "Once a lead agency has determined that an activity is a project subject to CEQA, a lead agency shall determine whether the project is exempt from CEQA" [CEQA Guidelines section 15061(a)]. A project is exempt from CEQA if "the project is exempt pursuant to a categorical exemption. . . and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2." [CEQA Guidelines section 15061(b)(2).]

In accordance with Public Resources Code section 21084, CEQA Guidelines sections 15301 through 15333 list classes of projects that have been determined *not* to have a significant effect on the environment and are exempt from further environmental review.

CEQA Guidelines section 15332 (In-Fill Development Projects), or Class 32, consists of projects characterized as infill development, provided they meet various conditions. These conditions include: the project's

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consistency with applicable general plan designation, general plan policies and applicable zoning designations and regulations; the project's location within city limits on a project site of no more than five acres substantially surrounded by urban uses; the project site having no value as habitat for endangered, rare or threatened species; the project approval not resulting in any significant effects relating to traffic, noise, air quality, or water quality; and the project site being able to be adequately served by all required utilities and public services.

As noted above, a categorical exemption may not be used when an exception listed in CEQA Guidelines section 15300.2 applies. Among these exceptions are projects where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances [CEQA Guidelines section 15300.2(c)].

Pursuant to CEQA Guidelines section 15300.2(c), lead agencies must apply a two-pronged analysis in determining whether the "unusual circumstances" exception applies. First, an unusual circumstance must exist, and second, the unusual circumstance must give rise to "a reasonable possibility that the activity will have a significant effect on the environment." It is important to note that it is not enough for an Appellant to claim the project – *as a whole* – will have a substantial effect on the environment. Rather, an Appellant must show that the specific unusual circumstances themselves will potentially cause that substantial effect.

Standards of Review

The standard of judicial review of lead agency decisions on a project's qualification for a given class of exemption is the "substantial evidence" standard of Public Resources Code section 21168.5. Under this substantial evidence standard, courts will defer to the agency decision as long it is supported by substantial evidence, even if there is conflicting evidence. This standard applies to review of the department's determination that the project fits within the Class 32 exemption, including the conditions that must be met.

The standard of judicial review for most exceptions to the categorical exemption is the "fair argument" standard. Under the "fair argument" standard, the exception to the exemption would apply, and would require additional environmental analysis under CEQA, if the record contains evidence that supports a fair argument that the unusual circumstances may produce a significant effect on the environment.

The standard of judicial review for the "unusual circumstance" exception is two-pronged, as follows: An agency's determination as to whether (or not) there are "unusual circumstances" [CEQA Guidelines section 15300.2 (c)] is reviewed under the substantial evidence standard. On the other hand, an agency's determination as to whether unusual circumstances result in "a reasonable possibility that the activity will have a significant effect on the environment" is reviewed under the non-deferential "fair argument" standard. The historic resources exception is not raised in this appeal, so the standards for that exception are not described here.

Substantial Evidence

In determining the significance of environmental effects caused by a project, CEQA Guidelines section 15064(f) states that "the decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency." CEQA Guidelines section 15064(f)(5) offers the following guidance: "Argument, speculation, unsubstantiated opinion or narrative, or evidence that is

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clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumption predicated upon facts, and expert opinion supported by facts.”

Planning Department Responses

The responses, below, address the environmental concerns raised by the Appellant, beginning with topics pertaining to the project’s eligibility for the Class 32 exemption, and then moving on to topics related to the exceptions to issuance of a categorical exemption. For the reasons explained in the responses below, the department continues to find that the project satisfies the eligibility criteria for a Class 32 exemption pursuant to CEQA Guidelines section 15332, and that issuance of the exemption is not barred by any of the exceptions identified in CEQA Guidelines section 15300.2. The Appellant has not met the legal burden of proof to challenge the department’s determination.

Infill Development and Project Site Characteristics

Response 1: The proposed project fits the description of a Class 32 categorical exemption, including that it is an infill development that occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.

On April 5, 2024, the department issued a categorical exemption determination for the proposed project, finding that the proposed maintenance facility qualifies for a Class 32 exemption as an infill development that meets the conditions set forth in CEQA Guidelines section 15332. The department’s determination documents that the project met each of the required conditions, which include that it: be consistent with applicable general plan designation, general plan policies and applicable zoning designations and regulations; be located within city limits on a project site of no more than five acres substantially surrounded by urban uses; be located on a site with no value as habitat for endangered, rare or threatened species; must not result any significant effects relating to traffic, noise, air quality, or water quality; and be located on a site that is adequately served by all required utilities and public services.

This response addresses Appellant arguments related to the project’s eligibility for the Class 32 exemption regarding its characterization as infill development and the project site location and acreage conditions. Responses 2, 3, 4, and 5 provide further discussion of Appellant arguments related to the project’s eligibility for the Class 32 exemption regarding other conditions.

Please refer to Responses 6 and 7 for discussion pertaining to the exceptions to issuance of a categorical exemption.

Project Characterization as Infill Development

The Appellant incorrectly states that the project does not qualify for a Class 32 exemption because is not consistent with the definition of “Infill Site” pursuant to California Public Resources Code §21061.3. In a recent appellate decision, the court rejected the argument that terms like “in-fill development” and “substantially surrounded by urban uses” should be interpreted using definitions from other parts of the CEQA Guidelines, such as those for “in-fill site” and “urbanized area.”⁷ Instead, the court focused on the

⁷ *Working Families of Monterey County v. King City Planning Commission* (2024) 106 Cal.App.5th 833. In this case, the Sixth District Court of Appeal upheld the King City Planning Commission’s approval of a Grocery Outlet project, determining that the project site met the criteria for the Class 32 “in-fill development” exemption.

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specific language of the Class 32 exemption, which requires that the project site be "within city limits on a project site of no more than five acres substantially surrounded by urban uses."

Without citing any legal authority, the Appellant also erroneously states that the Class 32 exemption only applies to "small-scale urban landfill projects intended for residential, commercial, or mixed-use developments," and further states that the proposed project does not qualify for a Class 32 exemption because it is located on a private golf course and does not provide public benefit. The Appellant compares the project to a golf infill project in a nearby jurisdiction (Santa Clara) that required environmental review. But the Santa Clara project is distinguishable from the proposed project in several respects. Specifically, the "400 Saratoga Avenue Residential Project" is located on a golf course in Santa Clara that is significantly larger in scale, as it proposes two structures (55 feet and 44 feet in height) that total 361,170 square feet in size with 324 residential units and two underground levels of parking (392 spaces).⁸

Project Site Location and Acreage

The project is within city limits on a project site of no more than five acres substantially surrounded by urban uses. The project site is surrounded by schools, a church, a temple and residential uses to the east, north, and west, and the golf course is located to the south. While the golf club property occupies approximately 164 acres, the project - including all demolition and construction of hardscape and landscape - is limited to an approximately 1.7-acre (75,473 square feet) site. Accordingly, the project site meets the requirements of Class 32 exemptions that the site be less than five acres substantially surrounded by urban uses.

The department's determination that the project is an infill development and that it satisfies the location and acreage condition of the Class 32 exemption is supported by substantial evidence as set forth above, and the Appellant has not demonstrated otherwise.

Exemption Eligibility Condition: Air Quality

Response 2: The project would not result in any significant air quality impacts during project construction or operations.

The project site is immediately adjacent to Saint Thomas More Catholic School (approximately 10 feet to the north). Other nearby sensitive land uses include the following: Utopia Preschool is located approximately 90 feet to the north, Alma Via Senior Living is located approximately 145 feet to the northeast, and Brandeis School of San Francisco is located approximately 200 feet to the west. Interstate 280, a source of vehicular emissions, is located approximately 520 east of the project site.

Construction

Project construction would require approximately 6,300 cubic yards of excavation with a maximum depth of approximately 7 feet below ground surface. The use of diesel-fueled construction equipment would be temporary and intermittent as the construction duration is estimated for 10 months (including four weeks for grading/excavation). Pursuant to Director's Bulletin No. 2 for Type 3, Clean Construction projects, the project sponsor has committed to using Tier 4 engines on all diesel-fueled construction equipment.⁹

⁸ Further information regarding this project can be located here: [400 Saratoga Avenue Residential Project | Projects Listing | City of Santa Clara](#), accessed March 26, 2025.

⁹ [Application for Priority Application Processing for 1310 Junipero Serra Boulevard](#). Planning Department Case Number 2023-007010PRJ. Accessed April 8, 2025.

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The Bay Area Air Quality Management District developed criteria air pollutant screening tools¹⁰ to determine if a project's short-term construction-related air quality impacts may exceed criteria air pollutant significance thresholds. If a proposed project meets the screening criteria, then construction of the project would result in less-than-significant criteria air pollutant impacts. There is no land use category that aligns with the proposed project; but the nearest selection is "General Light Industrial," which may have significant construction emissions if the project is larger than 452,000 square feet. The proposed project is less than one-twentieth of the screening criteria size at 20,000 square feet and therefore will have less than significant criteria air pollutant impacts from project construction.

The use of diesel-powered construction equipment generates emission of diesel particulate matter, which is a toxic air contaminant. The proposed project went through a screening level health risk analysis, which assessed the potential for the project to result in significant health risk impacts.¹¹ The analysis found that the proposed project would be substantially below health risk thresholds, and would therefore not result in a significant health risk impact.

Construction Dust. The proposed project's construction activities would be subject to the Dust Control Ordinance (Article 22B of the Health Code). In compliance with the Dust Control Ordinance, the project sponsor submitted a site-specific dust control plan to DPH on June 26, 2024.¹² The dust control plan describes nearby sensitive receptors (including schools and senior living facilities), dust reduction measures, air monitoring, public signage, recordkeeping, and reporting.

As discussed in the dust control plan, an independent third-party environmental consultant would perform PM₁₀¹³ dust monitoring during all soil-disturbing construction activities. A dust monitor would be placed at an upwind and a downwind location (total of two dust monitors). Work activities would be stopped if any of the following occur: dust migrates beyond the property boundary or is uncontrolled within the property boundary; the PM₁₀ dust measurements exceed the action level of 200 micrograms per cubic meter (µg/m³) over a ten-minute averaging period; and wind speeds exceed 25 miles per hour (mph) or if sustained winds exceed 20 mph for more than four hours in a workday. Work may re-commence after dust has been controlled, the average PM₁₀ dust measurements are below 150 µg/m³ over a 30-minute period, and wind speeds are below 20 mph.

The dust control plan lists the following methods:

- Implement stabilized construction entrance/exit, tire shaker, entrance outlet tire washing, and workers' boot wash station to prevent dirt track-out onto paved public roads.
- Clean and wet sweep the project site and adjacent paved areas at the end of each shift.
- Install wind fences, wind barriers, dust curtains, or other windbreaks.
- Wet soil and unpaved areas, apply water to active soil storage piles at least three times per day, and apply non-toxic dust suppressants or soil stabilizers.

¹⁰ Bay Area Air Quality Management District, CEQA Guidelines Chapter 4: Screening for Criteria Air Pollutants and Precursors, April 20, 2023, https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa-guidelines-2022/ceqaguidelines-chapter-4-screening_final-pdf.pdf?rev=ac551d35a52d479dad475e7d4c57afa6&sc_lang=en, accessed April 2025.

¹¹ [Memorandum from Brian Schuster and Sarah Patterson \(ESA\) to Liz White, Josh Pollak, and Tania Sheyner \(SF Planning Department\)](#), April 14, 2025. Subject: 1310 Junipero Serra Blvd Construction Air Quality Memorandum.

¹² [Dust Control Plan for 1310 Junipero Serra Blvd.pdf](#), accessed March 27, 2025.

¹³ Particulate matter with a diameter of 10 micrometers or smaller

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- Minimize the material drop height from an excavator's bucket onto the soil storage pile.
- Minimize the use of soil storage piles by moving excavated soil to areas that need to be filled.
- Maintain inactive soil storage piles by keeping pile heights below 10 feet and covered with a tarp, hydroseeding, or stabilizing with non-toxic soil stabilizers.
- Enforce a 15-mph speed limit for vehicular traffic on unpaved roads and areas.
- Keep the cargo off-haul load height below six inches from the top of the truck cargo compartment and cover cargo load with a tarp.

At the end of project construction, disturbed soil areas would be stabilized by establishing a vegetative cover (hydroseeding) and/or applying non-toxic soil stabilizers. Weekly air monitoring results would be required to be submitted to DPH. The SFGC would be required to maintain the air monitoring records for at least seven years.

On July 30, 2024, the DPH found the dust control plan compliant with Article 22B of the Health Code and approved the plan with the following comment: within 48 hours of receiving a public dust complaint, the dust monitoring consultant shall notify DPH via email of the complaint and describe how the complaint was resolved.

Implementation of the DPH-approved dust control plan would reduce construction dust impacts to a less than significant level. The Appellant has provided no substantial evidence to the contrary.

Operations

The Bay Area Air Quality Management District also developed criteria air pollutant screening tools¹⁴ for operational impacts. Similar to what is described above under "Construction," if a proposed project meets the screening criteria, then operation of the project would result in less-than-significant criteria air pollutant impacts. There is no land use category that aligns with the proposed project, but the nearest selection is 765,000 square feet for a "General Office Building" or 998,000 square feet for a "General Light Industry" building. The proposed 19,100-square-foot maintenance building would be well below the operational screening level and therefore will have less than significant criteria air pollutant impacts from project operation.

The project site is not located within an air pollutant exposure zone and the proposed project would not add new stationary sources of toxic air contaminants; the project does not propose a diesel-powered backup generator. The project would also not result in a substantial increase in vehicle and delivery trips to the project site.

The Appellant alleges that the proposed facility poses substantial air pollution risks from emissions from fuel storage, pesticides, fertilizers and maintenance equipment. However, as discussed above, the proposed project would not relocate the storage of the existing pesticides and fertilizers at the golf course from their current locations or change the existing procedures for handling of such materials; specifically, they would not be moved to the project site. In addition, the existing underground tanks and fuel area would also remain in their existing locations and would not relocate to the project site. Furthermore, the

¹⁴ Bay Area Air Quality Management District, CEQA Guidelines Chapter 4: Screening for Criteria Air Pollutants and Precursors, April 20, 2023, https://www.baaqmd.gov/~/_media/files/planning-and-research/ceqa/ceqa-guidelines-2022/ceqaguidelines-chapter-4-screening_final-pdf.pdf?rev=ac551d35a52d479dad475e7d4c57afa6&sc_lang=en, accessed April 2025.

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lawnmowers and other equipment stored in the proposed maintenance building would not have their engines started at the project site. Instead, the equipment would be pulled onto the actual golf course on a smaller trailer behind a golf cart type vehicle before starting. Furthermore, as discussed above, the SFGC is in the process of replacing its current gasoline-powered equipment with electric-powered equipment.

For the above reasons, the department's finding that significant construction or operational air quality impacts would not occur is supported by substantial evidence in the record. The Appellant has not demonstrated otherwise.

Exemption Eligibility Condition: Noise**Response 3: The project would not result in any significant noise impact during construction or operations.***Construction*

Construction of the proposed project would be temporary in nature, with a limited duration of up to 10 months, and would not include pile driving or any bedrock excavation. The proposed project would use typical construction equipment that would be regulated by Article 29 of the Police Code (section 2907, Construction Equipment). Project construction would not involve the use of impact equipment (such as a hoe ram), and nighttime construction is not proposed. For these reasons, construction vibration would not affect adjacent buildings.

Operations

The proposed project would not generate a substantial permanent increase in ambient noise levels in the vicinity of the project. The proposed project would not generate sufficient vehicle trips to noticeably increase ambient noise levels as the project would simply consolidate the golf club's existing maintenance facilities into one location, rather than adding vehicle trips. The proposed facility does not include sources that would generate substantial operational noise as no emergency back-up generators, large air handling units, chillers, exhaust fans, or cooling towers are proposed. The proposed building would include typical fixed-mechanical equipment (such as HVAC).

As discussed in the project description, the enclosed grinding area has been designed with a Sound Transmission Class (STC) of 55 to prevent noise disturbance to workers in the adjacent repair area. Furthermore, the use of the grinder machine to sharpen the blades of lawnmowers would be limited to twice a month. The enclosed repair area, which would be used primarily for tire changes, motor repair, and other maintenance issues, would also not create substantial noise.

The mowers and other stored equipment would be towed by a small trailer to the golf course between 5:30 am and 6:00 am and returned around 2:30 pm. The noise from the golf cart-type vehicle that would pull the trailer would be insignificant. The proposed facility building would also shield the adjacent school from outdoor noise.

The Appellant incorrectly states the project would result in continuous operation of heavy machinery. It is not clear what equipment the Appellant is referring to. Occupational Safety and Health Administration (OSHA) classifies self-powered, self-propelled, or pull-type equipment weighing at least 1,500 pounds as heavy equipment. As discussed in this appeal response, the proposed maintenance facility would not result in the continuous operation of heavy machinery. Based on substantial evidence, the proposed project would not result in a significant operational or construction noise impact. The Appellant has provided no

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substantial evidence to the contrary.

Exemption Eligibility Condition: Water Quality**Response 4: The project would not result in a significant water quality impact.**

The project's construction activities are required to comply with the Construction Site Runoff Ordinance (Public Works Code, article 2.4, section 146). Since the project would disturb over 5,000 square feet, the project sponsor would be required to submit a Stormwater Pollution Prevention Plan, and a Construction Site Runoff Control Project Application to the San Francisco Public Utilities Commission (SFPUC). Stormwater and wastewater discharged from the project site during operations would flow to the City's combined sewer system and be treated to the standards in the City's National Pollutant Discharge Elimination System permit.

According to the geotechnical report that was prepared for the proposed project, groundwater was encountered approximately 25 to 30 feet below ground surface (bgs).¹⁵ Given the proposed maximum excavation depth of 7 feet bgs, project construction is not anticipated to encounter groundwater. However, should groundwater be encountered during construction, it would be subject to the requirements of article 4.1 of the public works code, Industrial Waste, which requires groundwater to meet specified water quality standards before it is discharged to the combined sewer system. These measures ensure the protection of water quality during construction, which represents a temporary condition. The Bureau of Systems Planning, Environment, and Compliance of the SFPUC must be notified regarding projects that necessitate dewatering. In this case, the SFPUC may require water quality analysis prior to discharge. The project sponsor would be required to obtain a Batch Wastewater Discharge Permit from the SFPUC Wastewater Enterprise Collection System Division prior to any dewatering activities.

In addition, as discussed below in Response 7, on May 17, 2024, the department of public health determined that no hazardous substances are expected to be present in soil or groundwater exceeding applicable health risk levels.

In light of the above, no significant water quality impact would occur. The Appellant does not provide substantial evidence to support its claim that project implementation would present a high risk of stormwater and groundwater contamination.

Exemption Eligibility Condition: Value as Habitat for Rare, Threatened, or Endangered Species**Response 5: The project site has no value as habitat for rare, threatened, or endangered species.**

The Appellant alleges that San Francisco Bay Spineflower has occurred on the project site since the 1950s, and that an environmental impact report is required to analyze the project impacts to this plant species. The San Francisco Bay Spineflower is listed as "not sensitive" by the California Natural Diversity Database (CNDDDB), and the last observation of the Spineflower on the project site was recorded on July 7, 1957. A qualified biologist conducted a biological evaluation of the project site¹⁶ on April 3, 2025, and determined that the project site does not support plant communities associated with occurrences of San Francisco Bay

¹⁵ A3GEO, Inc., Design-Level Geotechnical Study Report, San Francisco Golf Club Maintenance and Office Building, 1310 Junipero Serra Blvd., San Francisco, August 23, 2023. Located at: <https://citypln-m-exnrl.sfgov.org/SharedLinks.aspx?accesskey=4289fdc6e2d8451856abab20e0eff71a1dd3c59ba9765313e90da2552a9e0ec9a&VaultGUID=A4A7DACD-B0DC-4322-BD29-F6F07103C6E0>, accessed March 24, 2025.

¹⁶ Memorandum from Justin Semion (WRA) to John Kevlin (Reuben, Junius, & Rose). April 11, 2025. Subject: Biological Report for SF Golf Club Maintenance Building Project in San Francisco County, CA.

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Spineflower. No San Francisco Bay Spineflower was present on the site.

Further, the project site has no significant riparian corridors, estuaries, marshes, wetlands, or any other potential wildlife habitat that might contain endangered, rare or threatened species. Thus, the project site has no value as habitat for rare, threatened, or endangered species.

Exceptions to Use of Categorical Exemption

Response 6: None of the exceptions for categorical exemptions apply to the proposed project.

CEQA Guidelines section 15300.2 identifies exceptions to the applicability of categorical exemptions. When any of the exceptions apply, a project that otherwise fits within a categorical exemption must undergo a higher level of environmental review. None of the exceptions to the categorical exemptions apply to the proposed project. The following exceptions are not raised in this appeal so they are not discussed below: cumulative impacts, scenic highways, hazardous waste sites (regarding listing of the project site on the so-called “Cortese List”), and historical resources.¹⁷ Please see Response 7 regarding hazardous materials in the context of the unusual circumstances exception.

Significant Effect Due to Unusual Circumstances

As required by CEQA, the department applies a two-part analysis to determine whether there is a reasonable possibility that a project will have a significant effect on the environment due to unusual circumstances, as follows.

Part 1 Question: Do unusual circumstances exist?

Part 1 Answer: There are no unusual circumstances surrounding the project.

The circumstances surrounding the project and the project site are not unusual. A non-residential development near a sensitive receptor, such as a school, in the urban context of San Francisco is not a unique or unusual circumstance. The proposed construction activities are typical for San Francisco, including excavation work near sensitive receptors. The proposed maintenance operations also do not present unusual circumstances as they would not generate noise levels substantially different from or louder than other nonresidential uses located in San Francisco near sensitive uses. In addition, the project proposes typical fixed-mechanical equipment (such as heating, ventilation, and cooling [HVAC]) and no unconventional noise-generating equipment is proposed.

The issues raised by the Appellant do not rise to the level of “unusual circumstances,” but rather describe conditions encountered throughout San Francisco. For the above reasons, the department’s determination that unusual circumstances are not present is supported by substantial evidence; the Appellant has not demonstrated otherwise.

Part 2 Question: Would the project result in significant effects due to unusual circumstances?

Part 2 Answer: This question is not applicable, given that no unusual circumstances are present.

As stated above, there are no unusual circumstances surrounding the project.

¹⁷ The proposed project is not located on a site that is listed as a hazardous waste site by the state. The nearest Cortese case, which is located on the subject property at the historic Golf Clubhouse, is over 500 feet from the project site.

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Considering the above, none of the exceptions to the use of a categorical exemption apply. As such, the project is not required to undergo further environmental review. The Appellant has not met the legal burden of proof to demonstrate otherwise.

Exception: Hazardous Materials Impact due to Unusual Circumstances

Response 7: The proposed project does not present any unusual circumstances that would give rise to a significant impact related to hazardous materials.

The project is subject to the Maher Ordinance (Article 22A of the Health Code), which is administered by the department of public health (DPH). On April 10, 2024, the DPH received the project sponsor's Maher application¹⁸ and phase I environmental site assessment (ESA). The phase I ESA identified no recognized environmental conditions at the project site. The phase I ESA identified a historical recognized environmental condition elsewhere on the golf club property which involved a leaking underground storage tank (UST) containing heating oil that was previously removed from the property. DPH Local Oversight Program (LOP) investigated the UST and closed the case in September 2008. The historical UST, which was located at the San Francisco Golf Club's clubhouse, is more than 500 feet from the project site. On May 17, 2024, DPH approved the phase I ESA pursuant to Article 22A.6 and determined that no further action is necessary for Article 22A (Maher) compliance based on the findings that no hazardous substances are expected to be present in soil or groundwater exceeding applicable health risk levels.¹⁹

The amount and type of hazardous materials that would be stored in the proposed maintenance building is also not considered unusual. The project includes the charging and use of limited quantities of lithium-ion battery-powered lawn maintenance equipment and golf carts.²⁰ The following facilities would remain in their existing locations and would not be relocated to the proposed maintenance building: pesticide and fertilizer storage, underground tanks and fuel area, and wash area.

The proposed maintenance building would include a battery storage room with lithium-ion battery chargers for backpack units (blowers and weed whackers) and for small handheld tools. Only backpack and tool batteries would be charged within the battery room as those batteries are removable. The following equipment would be charged in place: utility golf carts, lawnmowers, and rollers.

As discussed in an engineering opinion letter, at full capacity, the total quantity of stored lithium-ion batteries is not expected to exceed 400 kilowatt hours (kWh), which is equivalent to approximately four household electric vehicles (EV).²¹ For comparison, in accordance with Division of the State Architect Publication IR CG-1 and California Green Building Code, new public K-12 schools in California are required to provide EV parking. Under these requirements, a public K-12 school of similar size to the school present in the local San Francisco community would be mandated to provide at least 13 or more EV parking spots.

The storage of hazardous materials is strictly regulated, and the proposed building will comply with all applicable Building and Fire Code requirements. An engineering opinion report was prepared for the proposed project to analyze the proposed equipment quantities relative to lithium-ion battery safety and

¹⁸ Site Mitigation Environmental Health Database (SMED) case number is 2243.

¹⁹ This memorandum can be located here: [Maher Approval 2024.05.17 2243 1310 Junipero Serra Blvd DCP-req.pdf](#), accessed March 27, 2025.

²⁰ [SF Golf Equipment - Battery List.pdf](#), accessed March 31, 2025.

²¹ The engineering opinion report can be located here: [SF Golf Engineering Opinion Report.pdf](#), accessed March 31, 2025.

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general fire safety. According to the engineering opinion report, the proposed project would meet, and in several aspects, exceed San Francisco Fire Department, City, and State fire and life safety requirements.²² The project would provide fire and life safety features that meet and, in some cases, exceed the requirements of the building and fire code. These features include the following:

- Fully compliant fire sprinkler system providing rapid automatic fire suppression in the event of a fire.
- Fully compliant fire alarm system providing 24/7 monitoring, detection, and quick-fire response in the event of a fire.
- Enhanced building construction above and beyond building and fire code requirements, such as using more robust materials like steel, concrete, and gypsum board (commonly known as drywall).
- Enhanced fire separation distance of 40 feet (more than four times the required distance per California Building Code 602) between the proposed San Francisco Golf Club building and northern property line shared with an adjacent building (St. Thomas More School).

The Appellant cites Appendix G of the CEQA Guidelines, which provides a sample initial study checklist for agencies to evaluate projects that are not exempt from environmental review. One of the questions asks if the project would “emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?” Because the proposed project qualifies for a class 32 categorical exemption, an initial study is not required. Further, although the project site is located within one-quarter mile of an existing school, i.e., Saint Thomas More Catholic School, compliance with the Maher Ordinance, as well as building and fire codes, would ensure that the proposed project would not result in a significant hazardous materials impact.

The Appellant has provided no substantial evidence to support the argument that hazardous materials could result in a significant impact on the environment resulting from an unusual circumstance of the project. Furthermore, even if these circumstances were considered unusual, the project would not result in a significant impact for the reasons explained above.

Conclusion

The department has determined, based on substantial evidence in the record, that the proposed project is categorically exempt from environmental review under CEQA on the basis that: (1) the project satisfies the criteria for eligibility for a Class 32 categorical exemption pursuant to CEQA Guidelines section 15332, and (2) none of the exceptions specified in CEQA Guidelines section 15300.2 prohibiting the use of a categorical exemption are applicable to the project. Specifically, as documented above, the Class 32 categorical exemption was appropriately issued because the proposed project would not have any significant environmental impacts related to noise, air quality, and water quality. Moreover, there are no unusual circumstances that would exclude the project from qualifying from a categorical exemption and no mitigation measures are required under CEQA.

The Appellant has not met the legal burden of proof to challenge the department’s issuance of the Class 32 categorical exemption for the proposed project. The department therefore respectfully recommends that the board affirm the CEQA categorical exemption determination and deny the appeal.

²² [SF Golf Engineering Opinion Report.pdf](#), accessed March 31, 2025.