



SAN FRANCISCO PLANNING DEPARTMENT

BOS-11, COB, Dep., Leg
Clyde Clerk

RECEIVED
BOARD OF SUPERVISORS

MEMO

THURSDAY 11 AM 10:22
Ak

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Transmittal

Planning Department Response to the Appeal of the Categorical Exemption for 2251 Greenwich Street San Francisco Fire Station No. 16

DATE: May 11, 2015
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Sarah B. Jones, Environmental Review Officer – (415) 575-9034
Jessica Range, Senior Environmental Planner – (415) 575-9018
RE: BOS File No. 140767 [Case No. 2012.1443APL-02]
Appeal of the Categorical Exemption for 2251 Greenwich Street
(San Francisco Fire Station No. 16)
HEARING DATE: May 19, 2015

Pursuant to the San Francisco Administrative Code Chapter 31, the Planning Department has prepared a response to the Appeal of the Categorical Exemption for 2251 Greenwich Street (San Francisco Fire Station No. 16). The Planning Department is transmitting one (1) hard copy of the appeal response. In compliance with San Francisco’s Administrative Code Section 8.12.5 “Electronic Distribution of Multi-Page Documents,” the Planning Department has submitted a multi-page response to the Appeal of the Categorical Exemption for 2251 Greenwich Street [BF 140767] in digital format.

If you have any questions regarding this matter, please contact Jessica Range at 575-9018 or Jessica.Range@sfgov.org.



**SAN FRANCISCO
PLANNING DEPARTMENT**

MEMO

Categorical Exemption Appeal

2251 Greenwich Street, San Francisco Fire Station #16

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

DATE: May 11, 2015
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Sarah B. Jones, Environmental Review Officer – (415) 558-9048
Jessica Range – (415) 575-9018
RE: Planning Case No. 2012.1443APL-02
Board File No. 140767
Appeal of Categorical Exemption for 2251 Greenwich Street
San Francisco First Station #16
HEARING DATE: May 19, 2015
ATTACHMENTS: A. Categorical Exemption Determination with Historic Resource Evaluation
Response
B. Appeal Letter
C. Geotracker Case Closure Report
D. Letter from San Francisco Department of Public Health to Department of
Public Works, November 9, 2014

PROJECT SPONSOR: Samuel Chui, Department of Public Works, (415) 558-4082
APPELLANT: Stephen Williams of the Law Office of Stephen M. Williams on behalf of Brent
McMicking and Evan Kletter

INTRODUCTION

This memorandum and the attached documents are a response to the 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 project at 2251 Greenwich Street, San Francisco Fire Station #16 (the "Project").

The Department, pursuant to Title 14 of the CEQA Guidelines, issued a Categorical Exemption for the project on June 2, 2014 finding that the proposed project is exempt from the California Environmental Quality Act (CEQA) as a Class 2 categorical 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 & EXISTING USE

The subject property is located at 2251 Greenwich Street on the block bounded by Greenwich Street to the north, Fillmore Street to the east, Pixley Street to the south, and Steiner Street to the west in the Marina neighborhood of San Francisco. The project site is zoned Public (P) and within a 40-X Height and Bulk District. The approximately 5,760 square foot (sf) site is fully occupied by a two-story, 33-foot tall (to top of parapet and 46 feet to top of hose tower), 8,966 sf fire station (Station #16) that was constructed in 1938.

Surrounding lots are zoned Residential House, Two-Family (RH-2) and Union Street Neighborhood Commercial District (Union Street NCD) and within a 40-X Height and Bulk District. Uses in the surrounding area are predominately residential with the presence of neighborhood serving retail uses in proximity to the site.

PROJECT DESCRIPTION

The proposed project includes demolition of the existing fire station and construction of a new, two-story, approximately 33-foot tall (up to 46-foot tall to top of elevator enclosure), 10,400 sf fire station in its place to comply with essential life safety requirements for fire station facilities. The proposed fire station would accommodate two apparatus bays for three fire trucks with supportive services and sleeping quarters. The project also includes replacement of an existing generator, removal of one underground fuel tank and replacement of a second underground fuel tank.

BACKGROUND

November 7, 2012- Environmental Evaluation Application Filed

On November 7, 2012, the Department of Public Works (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for a CEQA Determination for the project described above.

January 23, 2013- CEQA Clearance

On January 23, 2013, the Department determined that the project was categorically exempt under CEQA Class 2 Replacement or Reconstruction (CEQA Guidelines Section 15302) and that no further environmental review was required.

February 3, 2014- Arts Commission Review

On February 3, 2014, the Arts Commission approved the design of the proposed project by resolution No. 0203-14-043. Approval of the project's design by the Arts Commission is not a project approval and does not commit the City to implement the project, as discussed below under Response to Issue #1.

June 2, 2014- CEQA Clearance

On June 2, 2014, the Department corrected the CEQA Categorical Exemption Determination previously issued, specifying that the project would be subject to soil and groundwater remediation in compliance with Health Code Article 22A, also known as the Maher Ordinance. The CEQA Determination identified

approval of the Building Permit as the Approval Action for the project in compliance with San Francisco Administrative Code Section 31.04(h).

July 2, 2014- CEQA Appeal Filed

On July 2, 2014 Stephen Williams of the Law Offices of Stephen M. Williams, on behalf of Brent McMicking and Evan Kletter, filed an appeal of the Categorical Exemption Determination.

July 7, 2014- Planning Department Timeliness Determination

On July 7, 2014, the Planning Department determined that the CEQA appeal was not yet ripe because the Approval Action had not occurred, and therefore the appeal hearing could not be scheduled.

February 12, 2015-Building Permit Issued

On February 12, 2015, the Department of Building Inspection issued a building permit for the proposed project.

March 10, 2015 to April 30, 2015- Appeal Period

Pursuant to Section 31.08(g) of the San Francisco Administrative Code, the 30-day appeal period for a CEQA exemption determination shall begin on the first day of posting of the Approval Action on the Planning Department's website. The Planning Department posted the required notice on March 10, 2015, following notice of approval of the Building Permit by the Department of Public Works on March 10, 2015.

March 16, 2015- Notice to the Clerk of the Board of Supervisors of CEQA Appeal

On March 16, 2015 the Department notified the Clerk of the Board that the CEQA appeal filed on July 2, 2014 by Stephen Williams could be scheduled for a hearing before the Board of Supervisors in accordance with Section 31.16(b)(4) of the San Francisco Administrative Code.

Categorical Exemptions

Section 21084 of the California Public Resources Code requires that the CEQA Guidelines identify a list of classes of projects that have been determined not to have a significant effect on the environment and are exempt from further environmental review.

In response to that mandate, the State Secretary of Resources found that certain classes of projects, which are listed in CEQA Guidelines Sections 15301 through 15333, do not have a significant impact on the environment, and therefore are categorically exempt from the requirement for the preparation of further environmental review.

CEQA State Guidelines Section 15302, or Class 2, consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and have substantially the same purpose and capacity as the structure replaced. The proposed project is the demolition of an existing fire station and construction of a new fire station on the same site with substantially the same purpose and capacity as the structure replaced.

In determining the significance of environmental effects caused by a project, CEQA State 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 State Guidelines 15604(f)(5) offers the following guidance: "Argument, speculation, unsubstantiated opinion or narrative, or evidence that is 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."

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES

The concerns raised in the July 2, 2014 Appeal Letter are cited below and are followed by the Department's responses.

Issue 1: Project Sponsor did not adequately notify the public of the Arts Commission review for the proposed project and the June 2, 2014 CEQA Determination violated CEQA because it occurred after the February 3, 2014 Arts Commission Review of the proposed project, which constituted approval of the project.

Response 1: Public notification of the Arts Commission review of a proposed project is not a CEQA topic and the Arts Commission review of the proposed project is not an "Approval Action" under Chapter 31 of the Administrative Code. The approval action (issuance of a Building Permit) occurred subsequent to the June 2, 2014 CEQA Determination.

Concerns surrounding notification of the Arts Commission hearings are not a CEQA topic and are more appropriately addressed to the Arts Commission and/or the project sponsor. With regards to the Arts Commission review and the timing of the CEQA Determination, the Arts Commission review is not an approval action under Chapter 31 of the Administrative Code because their review does not grant any entitlement, does not commit the City to a definite course of action in regard to the project, or allow the proposed project to move forward in any way. The Arts Commission is primarily concerned with the design of a public building from a purely aesthetic point and their review may help to further define the project that will ultimately undergo CEQA review. Thus, in compliance with Section 31.04(h)(2)(A) of the Administrative Code, the June 2, 2014 CEQA Determination properly identified the approval action as approval of the Building Permit, which subsequently occurred on February 12, 2015.

Issue 2: The January 23, 2013 CEQA Determination failed to note that the project included replacement of one underground storage tank and removal of another as well as replacement of a diesel generator; failed to note that the site is contained on the Maher Map as a hazardous waste site; and the project description did not mention the presence of historically documented underground storage tanks.

Response 2: The January 23, 2013 CEQA Determination is not the subject of this appeal.

The subject of this appeal is the CEQA Determination issued on June 2, 2014 because that determination is what was relied upon to approve the proposed project. No approvals were granted prior to the June 2, 2014 CEQA Determination. See the above discussion under Response to Issue 1 substantiating that the Arts Commission Review does not constitute an Approval Action per Chapter 31 of the Administrative Code.

Issue 3: The project will disturb more than 5,000 gross square feet of soil and is required to comply with the San Francisco Public Utilities Commission's (SFPUC) Stormwater Management Ordinance.

Response 3: The appellant states that the project is subject to the SFPUC's Stormwater Management Ordinance. Compliance with the City's Stormwater Management Ordinance does not affect the CEQA Determination.

The proposed project is subject to, and complies with, the Stormwater Management Ordinance, which would reduce the project's effect on the City's Stormwater system by reducing the overall volume of stormwater requiring treatment at SFPUC's wastewater treatment facilities below existing, baseline conditions. Therefore, stormwater effects would improve compared to existing conditions and there would be no adverse impact on the City's stormwater collection and treatment facilities.

Issue 4: The Department is precluded from issuing a Categorical Exemption because the project site is on a hazardous waste list compiled pursuant to Section 65962.5 of the Government Code, demonstrating the presence of potentially hazardous materials. Due to the presence of potentially hazardous materials onsite, the project should include mitigation measures and the Department should prepare a Mitigated Negative Declaration.

Response 4: The project site's listing on the "Cortese List" (a list of sites compiled pursuant to Section 65962.5 of the Government Code) does not necessarily preclude the issuance of a categorical exemption when a closure letter from the appropriate state agency, or their designee, has been issued. The proposed project would not result in a significant impact on the environment as a result of hazardous material releases.

The appellant cites to California Public Resources Code Section 21084(c) to support the claim that any project on this site is precluded from the issuance of a Categorical Exemption. Lists compiled pursuant to Section 65962.5 of the Government Code are commonly known as the "Cortese List." The appellant states that due to the site's inclusion on the Cortese List and potential presence of hazardous materials, the Department should issue a Mitigated Negative Declaration with certain mitigation measures including a contingency plan if residual contaminants are detected, require workers at the site to adhere to certain hygienic standards, and heightened dust control.

The Cortese list includes hazardous waste sites from the Department of Toxic Substances Control's (DTSC) EnviroStor database, a list of hazardous facilities identified by DTSC that are subject to corrective

action pursuant to Health and Safety Code Section 25187.5, a list of leaking underground storage tank sites maintained by the state Water Board in their Geotracker database, a list of solid waste disposal sites maintained by the state Water Board, and a list of sites with active cease and desist orders and clean up and abatement orders.

The project site is located on the Cortese List because it is identified on the Water Board's Geotracker database as a site with a previous leaking underground storage tank (UST). However, the site was issued a case closure letter by the San Francisco Bay Regional Water Quality Control Board and the reason for its placement on this list has since been abated. Of importance, once a site is placed on this list, it is never removed from the list, even after the site has been remediated and no longer presents a hazard to the public. One of the possible reasons why sites remain on the Cortese List is because remediation techniques may include capping the site (or containment of the hazardous material) so that the hazardous material no longer presents a risk to humans or the environment. However, a subsequent project that includes excavation or would otherwise disturb that containment, could expose the public and the environment to hazardous materials within the soil/groundwater that were previously contained.

In order to determine whether the project could present a risk to humans or the environment as a result of hazardous materials within the soil or groundwater, it is important to understand both the history of site as well as the regulations in place to protect the health of the public and workers. Both are discussed below.

Underground Storage Tank History

A memorandum from the Department of Public Works summarizes the history of USTs at the site:¹

- Removal of a UST in 1987 and installation of a monitoring well in 1988: A 1956 UST was removed from the site in September of 1987.² The UST was found to be in good condition and no groundwater was encountered during excavation required for the UST removal. Soil samples were subsequently collected and found that petroleum hydrocarbons exceeded allowable levels. Under the direction of the San Francisco Department of Public Health (SFDPH), as part of their Local Oversight Program, a monitoring well was installed in 1988. The UST was removed and the pit backfilled with clean excavated soils and fill.
- Removal of the monitoring well in 1998:³ The SFDPH approved the removal of the monitoring well related to the removal of 1956 UST on September 3, 1998 (10 years later). SFDPH issued a Remedial Action Completion Certificate on October 29, 1998 indicating that all site investigation and remedial action for the UST were completed and no further action was required. This letter

¹ Memorandum to Jessica Range, SF Planning Department-Environmental Planning from Frank Filice and Sandy Ngan, San Francisco Department of Public Works. April 30, 2014. Subject: Underground Storage Tanks at Fire Station #16- 2251 Greenwich Street. This document is on file and available for public review at 1650 Mission Street, Suite 400, San Francisco, CA 94103 as part of Planning Department Case File No. 2012.1443E.

² Clayton Environmental Consultants, Inc. *Tank Closure Report at the San Francisco Fire Department Station NO. 16 for the City and County of San Francisco, CA.* December 21, 1987. This document is on file and available for public review at 1650 Mission Street, Suite 400, San Francisco, CA 94103 as part of Planning Department Case File No. 2012.1443E.

³ OGISO Environmental. *Report of Closure-In-Place of an Underground Storage Tank and Destruction of Monitoring Well.* June 30, 2001. This document is on file and available for public review at 1650 Mission Street, Suite 400, San Francisco, CA 94103 as part of Planning Department Case File No. 2012.1443E.

was issued pursuant to authority granted to SFDPH's Local Over Sight Program (LOP) by the San Francisco Bay Regional Water Quality Control Board (Attachment C).

- Installation of a UST and UST closure-in-place in 1998: The San Francisco Fire Department (SFFD) approved the installation of a 3,000 gallon UST on the site on March 12, 1998. During excavation for the UST installation, a previously unknown 600-gallon UST was discovered approximately four feet below ground surface. Soil samples collected in the area surrounding the previously unknown UST found that petroleum hydrocarbons did not exceed allowable levels. The SFDPH approved closure in place of the UST by cement slurry. The 3,000-gallon UST was installed adjacent to the 600-gallon UST.

Proposed Underground Storage Tank Removal and Replacement

The proposed project includes removal of the previously installed 3,000 gallon UST and previously closed-in-place 600-gallon UST. The project would install a new 3,000 gallon UST with a new oil separator system, bringing the UST system up to current standards. As discussed in the June 2, 2014 CEQA Determination, the proposed project would be subject to Article 22A of the San Francisco Health Code, also known as the Maher Ordinance. The Maher Ordinance, administered by SFDPH, requires remediation of soil and groundwater for sites with suspected contamination due to past or current uses. The project sponsor has enrolled in SFDPH's Maher program and pursuant to the Maher Ordinance, has reviewed background reports and files including an Environmental Soil Characterization Report prepared in November 2012.⁴ In a letter dated November 9, 2014, SFDPH summarizes the findings of their review which indicate that, with the exception of arsenic, all contaminants are below the Regional Water Quality Control Board's Environmental Screening Levels (ESLs) (Attachment D). Arsenic levels were representative of background concentrations. SFDPH has concluded that there is no further action at this time in regards to compliance with Health Code Article 22A. However, SFDPH notes that if the proposed USTs are to be removed from the site, permits shall be obtained from SFDPH's Hazardous Materials Unified Program Agency (HMUPA), the SFFD, and the Department of Public Works (DPW).

Applicable Regulations/Programs Addressing Underground Storage Tanks, Hazardous Soil/Groundwater Construction Dust Control, and Worker Safety

Health Code Article 21, SFDPH's Hazardous Materials Unified Program Agency: SFDPH is the HMUPA responsible for providing regulatory oversight for the construction, operation, repair and removal of USTs in the City and County of San Francisco, in accordance with the California Health and Safety Code, Chapter 6.7; Title 23 of the California Code of Regulations, and the San Francisco Health Code, Article 21. The purpose of the regulation is to prevent releases of petroleum and other hazardous substances stored in USTs. The program conducts all routine, construction, modification, repair and closure inspections of UST systems in San Francisco. As the HMUPA, SFDPH has issued guidelines for the installation and closure of USTs to ensure the prevention of releases of hazardous materials, including the collection of soil samples following UST installation or removal. During tank removal a HMUPA inspector is on site to witness soil and/or groundwater sampling. A UST removal report is required by the

⁴ AWE Engineering. *Environmental Characterization Report, Fire Station No. 16 Renovation Project, San Francisco Fire Department, San Francisco, CA.* November 2012. This document is on file and available for public review at 1650 Mission Street, Suite 400, San Francisco, CA 94103 as part of Planning Department Case File No. 2012.1443E.

HMUPA and includes soil and ground water sampling analyses and a description of the UST removal. The report also includes observations, such as odors, discoloration in the soil, and holes in the UST. Based on these observations and analytical results a UST removal may be referred to the Local Oversight Program (LOP) of SFDPH. The LOP program has authority from the State Water Resources Board to review reports, respond to reports, place USTs in the LOP program and issue case closure letters with concurrence from the Regional Water Quality Control Board. Owners and operators are required to obtain a UST operating permit, as well as permits for the closure or modification of existing USTs, and adhere to the SFDPH's Guidelines. In addition to compliance with SFDPH's HMUPA requirements, the SFFD and/or DPW may require permits to install or remove USTs and various conditions of those permits would apply.

Health Code Article 22A, Hazardous Waste Management (Maher Ordinance): The Maher Ordinance is administered by SFDPH and requires that for sites with known or expected soil or groundwater contamination, a project sponsor conduct soil and/or groundwater sampling and analysis. Where the analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) and to remediate any site contamination in accordance with an approved SMP prior to issuance of any building permit. The November 9, 2014 letter from SFDPH (Attachment D) confirms that the project sponsor has entered into the Maher program and that no further action is required at this time to comply with Health Code Article 22A.

Health Code Article 22B, Construction Dust Control: This ordinance requires that all site preparation work, demolition, or other construction activities within San Francisco that have the potential to create dust or to expose or disturb more than 10 cubic yards or 500 square feet of soil comply with specified dust control measures whether or not the activity requires a permit from the Department of Building Inspection (DBI). The project sponsor and the contractor responsible for construction activities at the project site are required to ensure that there would be no visible dust during construction activities. The contractor is required to use the following practices to control construction dust on the site or other practices that result in equivalent dust control that are acceptable to the Director of DBI. Dust suppression activities may include watering all active construction areas sufficiently to prevent dust from becoming airborne; increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Contractors are required to provide as much water as necessary to control dust (without creating run-off in any area of land clearing, and/or earth movement). During excavation and dirt-moving activities, contractors are required to wet sweep or vacuum the streets, sidewalks, paths and intersections where work is in progress at the end of the workday. Inactive stockpiles (where no disturbance occurs for more than seven days) greater than 10 cubic yards or 500 square feet of excavated materials, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10 millimeter (0.01 inch) polyethylene plastic (or equivalent) tarp, braced down, or use other equivalent soil stabilization techniques.

In addition to the above local regulations, the protection of worker safety during UST installation and removal is under the purview of California Occupational Safety and Health Administration (Cal/OSHA). However, a HMUPA inspector has authority to stop a UST installation or removal and require that a Cal/OSHA inspector inspect the site for any safety issues pertaining to worker safety.

In summary, CEQA Guidelines Sections 15301 through 15333 provide a list of categorical exemptions that have been determined not to have a significant effect on the environment and which are therefore exempt from additional environmental review. While categorical exemptions are qualified by the exceptions listed in CEQA Guidelines Section 15300.2, including a site's listing on the Cortese List, a site's inclusion on this list does not necessarily demonstrate that the project will have a significant effect on the environment, especially considering a site will remain on the Cortese List following remediation. The project sponsor would be required to adhere to the above regulations when removing and installing USTs and during construction of the new fire station. The requirements outlined in the above regulations protect the health and welfare of the public, workers and the environment and would ensure that no significant environmental effects would occur. Therefore, mitigation measures recommended by the appellant, which are substantially similar to the requirements in the regulations described above, are unnecessary. Compliance with the aforementioned regulations would ensure the proposed project would not result in a significant hazard to the public or the environment through the release of hazardous materials.

Issue 5: The location, size and type of proposed construction present an unusual circumstance. Due to the presence of unusual circumstances, the Department cannot be certain that there is no possibility of a significant environmental effect to air, land and noise, hazardous materials, and the neighborhood and social environment.

Response 5: The project's location, size and type of construction do not present an unusual circumstance and even if unusual circumstances were present, the project would not have a significant effect on the environment.

The determination of whether a project is eligible for a categorical exemption is based on a two-step analysis: (1) determining whether the project meets the requirements of the categorical exemption, and (2) determining whether there are unusual circumstances at the site or with the proposal that would result in a reasonable possibility of a significant effect. The project types that are listed in CEQA Guidelines Sections 15301 through 15333 have been determined not to have a significant environmental effect. Absent the presence of unusual circumstances at the site or with the proposed project that could present a reasonable possibility of a significant effect, these classes of projects have been determined to be exempt from CEQA review. The proposed project meets the requirements of the Class 2 CEQA exemption because it would replace the existing approximately 8,966 sf and 33-foot-tall (up to 46-foot tall to top of hose tower) fire station at 2251 Greenwich Street and construct a new approximately 10,400, 33-foot tall (up to 46-foot tall to top of elevator enclosure) fire station located on the same site as the existing fire station and having substantially the same purpose and capacity of the existing fire station. Thus, the project meets the Class 2 CEQA exemption criteria.

The Appellant states that the project's size, location and type of construction present an unusual circumstance. However, the appellant does not in any way substantiate or provide evidence of any unusual circumstance. As discussed above, the new fire station would have substantially the same capacity as the existing fire station. The new fire station would be two stories, rising to a total height of about 42-feet (to the roof parapet). Buildings in the surrounding area are similarly two and three-stories or two-stories over a garage and extend to the 40-foot height limit (and higher for allowable rooftop

appurtenances). With regards to location, the new fire station would replace an existing fire station on the same site. There is nothing unusual about the fire station's location in a primarily residential neighborhood. There are currently 44 fire stations located throughout San Francisco, with a majority of those fire stations located in primarily residential areas or near residential land uses. Finally, there does not appear to be anything unusual about the type of building construction proposed. The proposed project would use a shallow foundation system of concrete piers, grade beams and structure slab-on-grade. The estimated construction schedule is 14 months. Therefore, there does not appear to be anything unusual about the proposed project's size, location or type of construction and the appellant has not provided any evidence supporting that there may be unusual circumstances at the site or with the proposed project.

The Appellant also states that the project could not meet the standard of no possibility of an adverse environmental impact and specifically states that there is a possibility of environmental effects related to hazardous materials, air quality, land and noise, and the neighborhood and social environment. But this is not the standard under CEQA. With regards to categorical exemptions, the standard is not whether or not there is a possibility of an adverse environmental effect, but rather whether substantial evidence supports the use of the categorical exemption, whether substantial evidence shows that there is or is not an unusual circumstance, and, only if there is an unusual circumstance, whether a fair argument based on substantial evidence in the record indicates that a significant adverse environmental effect could result from that unusual circumstance. The Appellant has not provided any evidence of an unusual circumstance and has not refuted the Department's substantial evidence that there are no unusual circumstances present at the site or with the project.

Environmental effects of a project are measured based on the existing conditions at the project site, which for 2251 Greenwich Street consists of an existing operational fire station. For the reasons discussed below, the proposed project would not result in a significant adverse environmental effect from release of hazardous materials, to air quality, land and noise and neighborhood character. In regards to social effects referenced by the appellant, social effects are not environmental effects under CEQA. CEQA Guidelines Section 15382 defines a significant effect on the environment to mean "a substantial, or potentially substantial, change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment." The appellant has not stated what the project's potential social effect could be or provided any evidence that the project could result in a social effect, thus it is not possible to determine whether that undefined social effect could result in any secondary environmental effect.

Hazardous Materials

There are no unusual circumstances regarding the project or the project site related to hazardous materials, and the proposed project would not result in a significant environmental effect from below ground hazardous materials for the reasons discussed in Response to Issue 4, above. Other hazardous materials include hazardous building materials that would need to be removed during the demolition of the existing fire station. The disposal of hazardous building materials including lead-based paint, asbestos, and other hazardous building materials are regulated by existing federal, state and local laws. A

Hazardous Materials Survey Report⁵ was prepared for the proposed project to identify the presence of asbestos containing materials, lead based paint and other regulated materials that may be affected during demolition of the fire station. The report identified asbestos containing materials, lead-based paint, and other regulated materials in light tubes, ballasts, and illuminated signs. However, the removal and disposal of these materials are highly regulated and compliance with the applicable federal, state, and local regulations would ensure that there would be no significant environmental effect as a result of hazardous materials released into the environment. The applicable regulations are discussed below.

Asbestos Containing Materials

Section 19827.5 of the *California Health and Safety Code* requires that local agencies not issue demolition or alternation permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. The Bay Area Air Quality Management District (BAAQMD) is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified of any demolition or renovation project that involves the removal of 100 square feet or more of asbestos-containing materials 10 days in advance of the work. Notification includes the names and addresses of operations and persons responsible; description and location of the structure to be demolished including size, age and prior use; the approximate amount of friable asbestos to be removed or disturbed; the scheduled starting and completion dates of demolition or abatement; the nature of the planned work and methods to be employed to meet BAAQMD requirements; and the name and location of the waste disposal site to be used. Approved methods of control of asbestos-containing materials during abatement include adequate wetting of all asbestos-containing materials and providing containment with a negative air pressure ventilation system to prevent migration of asbestos-containing materials. BAAQMD randomly inspects asbestos removal operations and will inspect any removal operation when a complaint has been received.

The local office of (Cal/OSHA) must be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in 8CCR1529 and 8CCR341.6 through 341.17 where there is asbestos-related work involving 100 square feet or more of asbestos-containing material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services. The contractor and hauler of the material are required to file a Hazardous Waste Manifest which details the hauling of the material from the site and disposal of it. Pursuant to California law, DBI would not issue the required permit until the applicant has complied with the notice and abatement requirements discussed above. Therefore, compliance with the regulations described above would ensure that there would be no significant environmental effect as a result of removal of asbestos-containing building materials.

⁵ Millennium Consulting Associates. *Hazardous Materials Survey Report, Fire Station No. 16, 2251 Greenwich Street, San Francisco, CA 94123*. September 10, 2012. This document is on file and available for public review at 1650 Mission Street, Suite 400, San Francisco, CA 94103 as part of Planning Department Case File No. 2012.1443E.

Lead Based Paint

Projects proposing work on any pre-1979 buildings must comply with Section 3425 of the San Francisco Building Code (Building Code), Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Section 3425 contains performance standards, including establishment of containment barriers and identifies prohibited practices that may not be used in disturbance or removal of lead-based paint. Any person performing work subject to Section 3425 shall make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work, and any person performing regulated work shall make all reasonable efforts to remove all visible lead paint contaminants from all regulated areas of the property prior to completion of the work.

Section 3425 also includes notification requirements, contents of notice, and requirements for project site signs. Prior to commencement of exterior work that disturbs or removes 100 or more square feet or 100 or more linear feet of lead-based paint in total, the responsible party must provide the Director of DBI with written notice that describes the address and location of the proposed project; the scope and specific location of the work; whether the responsible party has reason to know or presume that lead-based paint is present; the methods and tools for paint disturbance and/or removal; the approximate age of the structure; anticipated job start and completion dates for the work; whether the building is residential or nonresidential; whether it is owner-occupied or rental property; the approximate number of dwelling units, if any; the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. Further notice requirements include: a Post Sign notifying the public of restricted access to work area, a Notice to Residential Occupants, Availability of Pamphlet related to protection from lead in the home, and Early Commencement of Work (by Owner, Requested by Tenant), and Notice of Lead Contaminated Dust or Soil, if applicable. Section 3425 contains provisions regarding inspection and sampling for compliance by DBI, and enforcement, and describes penalties for non-compliance with the requirements of the ordinance. The proposed project would be subject to and would comply with the above regulations; therefore, impacts from lead-based paint would not be significant.

Other Building Materials

Other hazardous building materials include polychlorinated bi-phenol (PCB) containing light ballasts and mercury in lighting fixtures and self-illuminating signs. All light ballasts containing PCBs are required to be removed by personnel trained in PCB-related work (inspection, removal, and clean-up). All workers must also follow the Cal/OSHA regulations governing the removal and handling of PCB products including the Code of Federal Regulations (CFR) Title 29 Section 1910.120-Hazardous Waste Operations and Emergency Response and 8CCR Title 8 Section 5192-Hazardous Waste Operations and Emergency Response.

Fixtures and self-illuminating signs typically contain mercury at levels that exceed the California Environmental Protection Agency (Cal/EPA) Total Threshold Limit Concentration and/or Soluble Threshold Limit Concentration values and must be sent to an authorized recycle facility or to a universal waste consolidator for shipment to an authorized recycling facility. Any fixture not designated for recycling or continued use, must be handled, managed and disposed of as a hazardous waste in accordance with Cal/EPA Title 22 requirements. Therefore, compliance with existing regulations would

ensure that hazardous building materials to be removed or demolished would not result in a significant environmental effect.

Air Quality

There are no unusual circumstances related to the project or project site that would impact air quality. The proposed project would not result in any net new operational air pollutant emissions. The site is currently occupied by an existing fire station and would continue that use upon construction of the proposed fire station. The project would include replacement of an existing diesel generator, estimated to be at least 20 years old, with a new United States Environmental Protection Agency Tier 4 rated generator. Emergency generators are regulated by the BAAQMD through their New Source Review (Regulation 2, Rule 5) permitting process. The project sponsor would be required to obtain applicable permits to operate an emergency generator from the BAAQMD. As part of the permitting process, the BAAQMD would limit the excess cancer risk from any facility to no more than ten per one million population and requires any source that would result in an excess cancer risk greater than one per one million population to install Best Available Control Technology for Toxics (TBACT). Given that the project would replace the existing older generator with a new Tier 4-compliant generator that would be subject to the BAAQMD permitting requirements, the project would result in lower air pollutant emissions than the existing facility.

With regards to air pollutant effects during construction, the BAAQMD in their *CEQA Air Quality Guidelines* (May 2011), has developed screening criteria to determine if projects would violate an air quality standard, contribute substantially to an air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants within the San Francisco Bay Area Air Basin. If a proposed project meets the screening criteria, then the project not would result in significant criteria air pollutant impacts. A project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds. The proposed project would not exceed any construction criteria air pollutant screening levels identified in the BAAQMD's *CEQA Air Quality Guidelines*.⁶ Therefore, construction-related air pollutant emissions would not be significant.

Land, Noise, and Neighborhood Character

There are no unusual circumstances related to the project or project site that would create impacts to land use, noise, or neighborhood character. The proposed project would demolish an existing fire station and construct a new fire station of substantially the same size in its place. Upon completion of construction activities, there would be no change from existing conditions at the site. Therefore, there would be no significant effects to land use, noise or neighborhood character. Additionally, the proposed project's construction activities are subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code; Noise Ordinance). 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 dBA⁷ 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

⁶ Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, Updated May 2011. Table 3-1.

⁷ dBA refers to A-weighted decibels and are an expression of the relative loudness of sounds in air as perceived by the human ear.

(DPW) or the Director of the DBI 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. Compliance with the Noise Ordinance would ensure that construction noise would not be significant.

CONCLUSION

There is substantial evidence in the record to show that the project meets the requirements for a Class 2 exemption under CEQA and that no unusual circumstances relative to the project or the project site exist. The Appellant has provided no evidence of any unusual circumstances. The Appellant has not provided any substantial evidence or expert opinion to refute the conclusions of the Department.

For the reasons stated above and in the June 2, 2014 CEQA Categorical Exemption Determination, the CEQA Determination complies with the requirements of CEQA and the Project is appropriately exempt from environmental review pursuant to the cited exemption. The Department therefore recommends that the Board uphold the CEQA Categorical Exemption Determination and deny the appeal of the CEQA Determination.



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>

**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 Residential Design Guidelines.
<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> .

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:



SAN FRANCISCO PLANNING DEPARTMENT

Historic Resource Evaluation Response

Date December 28, 2012
Case No.: 2012.1443E
Project Address: 2251 Greenwich Street (Station #16)
Zoning: P (Public)
40-X Height and Bulk District
Block/Lot: 0515/031
Staff Contact: Allison Vanderslice, Preservation Planner
(415) 575 - 9075
allison.vanderslice@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

PART I: HISTORIC RESOURCE EVALUATION

Buildings and Property Description

The subject parcel is located on the south side of Greenwich Street between Steiner Street and Fillmore Street in the Marina District. The property is San Francisco Fire Station #16 and is located within a P (Public) Zoning District and a 40-X Height and Bulk District.

2251 Greenwich Street was constructed in 1938 in the Spanish Eclectic / Mission Revival style as a fire station for the San Francisco Fire Department (SFFD). In 1955-56 the building underwent a major renovation funded by the 1952 Firehouse Bond. The two-story, reinforced concrete fire station is now in the altered Modern style. The irregular plan building is topped with a gable roof toward the north (primary façade), a narrow flat-roofed addition at the east, a shed roof at the center, a flat-roofed deck toward the south, and flat-roofed, one story kitchen wing at the southwest corner. The cladding is stucco and fenestration is primarily multi-lite, fixed metal sash windows. The primary façade (north) contains two rectangular apparatus room openings with metal roll-up doors.

Pre-Existing Historic Rating / Survey

The subject property is not included on any historic resource surveys or listed on any local, state or national registries. The building is considered a "Category B" property (Properties Requiring Further Consultation and Review) for the purposes of the Planning Department's California Environmental Quality Act (CEQA) review procedures due to its age (constructed in 1938).

Neighborhood Context and Description

The subject parcel is within a mixed-use district comprised primarily of multi-family residences with some commercial buildings closer to Fillmore Street in the Cow Hollow neighborhood of the Marina District. The majority of buildings on the subject block face were constructed in the early 20th century and are interspersed with ~~some later development. The area does not appear to constitute a cohesive collection of styles or types. Prior to~~ the construction of Station #16 in 1938, the lot was occupied by three commercial buildings fronting on Greenwich Street with residential in the rear fronting on Pixley Street. 2251 Greenwich Street was constructed in 1938 for Engine 20, which was relocated from 2666 Lombard Street, several blocks to the west of the subject parcel.

San Francisco 1952 Firehouse Bond Act Thematic Historic District

A Historic Resource Evaluation Report prepared by Page & Turnbull in March 2010 for 676 Howard Street (Station #1) identified 14 firehouses as constituting a potential discontinuous thematic historic district that is significant under Criterion 1 (Events) and Criterion 3 (Architecture).⁴ The proposed district is notable for the strong collection of International Style firehouses and as the largest firehouse building campaign undertaken by the City of San Francisco. The period of significance relates to the construction campaign authorized by the 1952 Firehouse Bond Act that dates from 1952 to 1961. The firehouse inventory compiled by Page & Turnbull for the proposed discontinuous district includes firehouses that were built between 1953 and 1961 in the International Style and does not include existing stations that were altered or upgraded during that period. While the subject property underwent major alterations in 1955-1956 as part of the construction campaign, the building is clearly a stripped down version of its earlier style and is not an example of the International Style. 2251 Greenwich Street does not contain the character-defining features of the district nor did it significantly contribute to the modernization of the SFFD and, therefore, it is not a contributing property to the San Francisco 1952 Firehouse Bond Act Thematic Historic District.

Criterion 1: Property is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

Constructed in 1938, the subject property does not appear to be associated with any events significant in the history of the SFFD or San Francisco generally. While Station #16 was renovated in the mid-1950s as part of the 1952 Firehouse Bond Act, this association is not significant in the broader trend of the modernization of the SFFD. Therefore, Staff finds that the subject property is not associated with any historically significant events and is not eligible for inclusion on the California Register individually or as a contributor to a potential historic district under Criterion 1.

Criterion 2: Property is associated with the lives of persons important in our local, regional or national past.

Records do not indicate that any persons significant in the local, regional or national past are associated with the subject property. The station was constructed during the tenure of Chief Brennan but does not appear to be associated with him directly or with the main achievements of his career. Therefore, the subject property is not eligible under Criterion 2.

Criterion 3: Property embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.

The property was constructed in 1938 as a firehouse in the Spanish Eclectic style. The original architect and builder were not identified. The building underwent a major alteration in 1955-56 which included the following changes: the façade was reclad and stripped of all ornamentation; the apparatus room openings were converted from arched openings to rectangle openings; and all windows and doors were replaced. Due to these alterations, the building is no longer a good example of the Spanish Eclectic style. Although the building underwent a major alteration in the 1950s, it is not a good example of the International Style or Modern-period architecture generally, particularly with the gable roof. Therefore, it is not a good

⁴ Page & Turnbull, *Historic Resources Evaluation for SFFD Station No. 1, 676 Howard Street, San Francisco, California*, March 31, 2010. A copy of this report is on file with the Planning Department at 1650 Mission Street, Suite 400 and is available for public review as part of project file 2009.0291E.

Historic Resource Evaluation Response
December 28, 2012

CASE NO. 2012.1443E
2251 Greenwich Street

CEQA Historic Resource Determination

- Historical Resource Present
 - Individually-eligible Resource
 - Contributor to an eligible Historic District
 - Non-contributor to an eligible Historic District
- No Historical Resource Present

PART I: SENIOR PRESERVATION PLANNER REVIEW

Signature: *Tina Tam*
Tina Tam, Senior Preservation Planner

Date: 1-16-2013

State of California — The Resources Agency DEPARTMENT OF PARKS AND RECREATION PRIMARY RECORD		Primary # _____ HRI # _____ Trinomial _____ NRHP Status Code _____
Other Listings Review Code _____	Reviewer _____	Date _____

Page 1 of 9 Resource name(s) or number (assigned by recorder) 2251 Greenwich Street

P1. Other Identifier:
 *P2. Location: Not for Publication Unrestricted *a. County San Francisco
 *b. USGS 7.5' Quad San Francisco North, Calif Date: 1995
 *c. Address 2251 Greenwich Street City San Francisco Zip 94123
 *e. Other Locational Data: Assessor's Parcel Number Block: 0515 Lot 031

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries.)
 2251 Greenwich Street occupies a 48' x 120' lot on the south side of Greenwich Street, between Steiner and Fillmore Streets. Built in 1938, the two-story, reinforced concrete fire station is designed in an altered Modern style. The irregular-plan building is clad in smooth stucco. It is capped by a gable roof toward the north, a narrow flat-roofed addition at the east, a shed roof at the center, a flat-roofed deck toward the south, and a flat-roofed kitchen wing at the southwest corner. The primary façade faces north. It features a four-light steel-sash hopper window behind a metal grille at the first story, as well as two apparatus room (garage) openings with roll-up metal doors. One four-light steel-sash hopper window and two three-part multi-light steel-sash awning windows are located at the second story. The façade terminates in a metal vent in the gable end and a simple cornice and concrete parapet. The primary entrance is located in a recessed bay to the west, and is accessed through a metal gate within a scored stucco concrete wall. A brick walkway leads to a shed-roofed entrance portico, which features original decorative wood posts, a carved arched opening, and brackets. The entrance contains a partially glazed metal replacement door.
 (Continued)

*P3b. Resource Attributes: (list attributes and codes) HP14 Government Building

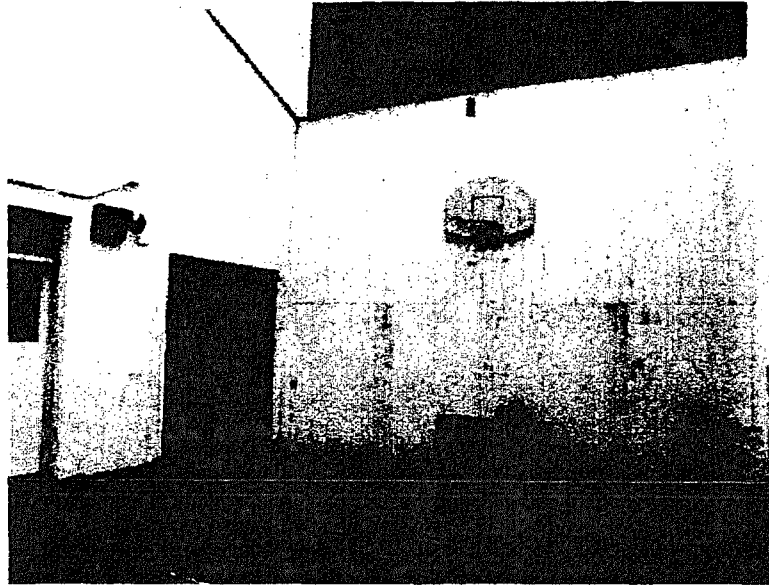
*P4. Resources Present: Building Structure Object Site District Element of District Other



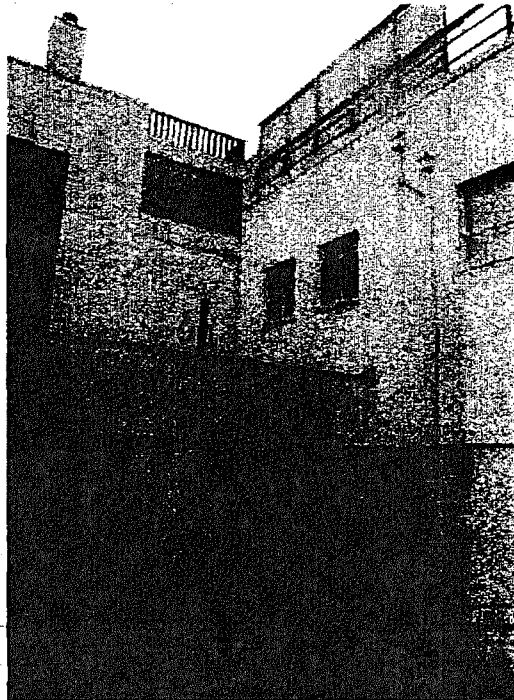
P5b. Photo: (view and date)
View from north (13 February 2012)
 *P6. Date Constructed/Age and Sources: historic
1938 (SFFD Museum)
 *P7. Owner and Address:
San Francisco City Property
25 Van Ness Avenue
San Francisco, CA 94102
 *P8. Recorded by:
Page & Turnbull, Inc
1000 Sansome Street, Suite 200
San Francisco, CA 94111
 *P9. Date Recorded:
2/15/2012
 *P10. Survey Type:
Intensive
 *P11. Report Citation: (Cite survey report and other sources, or enter "none")
None

*Attachments: None Location Map Sketch Map Continuation Sheet Building, Structure, and Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (list)

CONTINUATION SHEET



Rear (south) façade, partial view looking northeast.
(Source: Page & Turnbull, February 2012)



Rear (south) façade, partial view looking northwest toward kitchen wing.
(Source: Page & Turnbull, February 2012)

BUILDING, STRUCTURE, AND OBJECT RECORD

B1. Historic name: San Francisco Fire Department Engine No 20
B2. Common name: San Francisco Fire Department Station 16
B3. Original Use: Fire station B4. Present use: Fire Station

*B5. Architectural Style: altered Modern

*B6. Construction History: (Construction date, alterations, and date of alterations)

- Constructed in 1938 in a Spanish Eclectic style
- Conversion of apparatus room arched openings to rectangular openings; re-cladding of primary façade; removal of buttresses, cornice, and clay tile roof; replacement of all windows; replacement of doors; construction of second-story additions on east side and south end (1955-1956; no permits on file)
- Removal of all existing roofing and installation of new built-up roofing system and waterproofing at roof edges (June 1994, Permit #746387)
- General interior remodeling of dormitory and toilet/locker rooms; mechanical and electrical system upgrade; women's facilities, and ADA-accessibility on first floor (December 1994 Permit #767920)
- New overhead apparatus room doors (Drawing elevation, 1994)

*B7. Moved? No Yes Unknown Date: _____ Original Location: _____

*B8. Related Features: None.

B9a. Architect: Unknown

b. Builder: Unknown

*B10. Significance: Theme Infrastructure and Government Area Cow Hollow

Services Development

Period of Significance N/A Property Type Fire Station Applicable Criteria N/A

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity)

2251 Greenwich Street was constructed in 1938 as a fire station for the City of San Francisco Fire Department (SFFD). It is a single engine station. The original architect and builder are unknown. The fire station is located in the Cow Hollow neighborhood, a mixed-use district of commercial buildings and residences originally developed during the nineteenth century.

The Paid Fire Department of the City and County of San Francisco went into active operation on 3 December 1866, before which it was operated entirely on a volunteer basis. The Fire Department's third Chief Engineer, David Scannell, assumed the office in 1871 and held the position until his death in 1893. He recommended limiting frame buildings to sixty feet in height and installing fire escapes and standpipes on tall buildings. San Francisco was expanding rapidly, and Chief Scannell took every precaution to keep abreast of its needs. By the late 1870s, membership had grown to 276 regulars plus 201 on-call volunteers.¹ (continued)

B11. Additional Resource Attributes: (List attributes and codes) _____

*B12. References:

See continuation sheet, pg 6

B13. Remarks

*B14. Evaluator: Christina Dikas, Page & Turnbull

*Date of Evaluation: February 15, 2012

(This space reserved for official comments.)

Sketch Map



¹ "Historical Review, Part II: The Paid Department," *San Francisco Fire Department Museum*, web site accessed on 24 March 2011 from http://www.guardiansofthecity.org/sffd/history/paid_department.html.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 7 of 9

Resource Name or # (Assigned by recorder) 2251 Greenwich Street

*Recorded by Page & Turnbull, Inc.

*Date February 2012 Continuation Update

B10. Significance (continued)

Integrity

2251 Greenwich Street has been greatly altered, though it continues to be used as a San Francisco fire station. Alterations include altering the shape of the apparatus room door openings, remodeling the primary façade to a modern style, constructing second story additions at the east side and the south end of the building, and conducting interior alterations and upgrades. Therefore, it retains integrity of location, setting, and association. It does not retain integrity of design, materials, workmanship or feeling. Overall, the property does not retain integrity.

Historic Significance

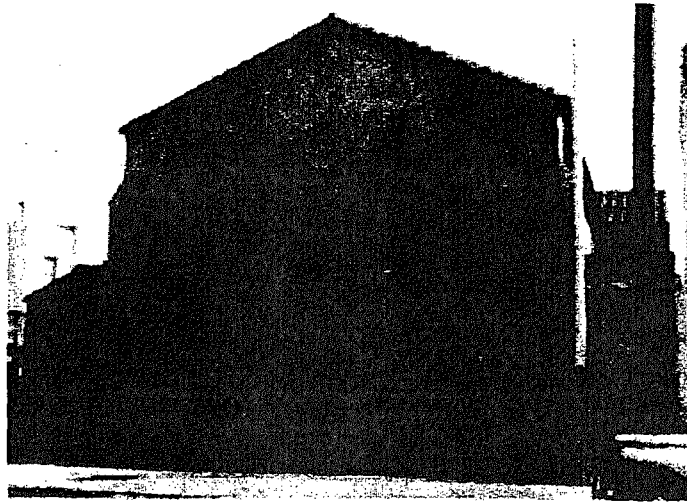
2251 Greenwich Street does not appear to be associated with events that have made a significant contribution to the broad patterns of our history such that it would be eligible for local designation under National Register Criterion A (California Register Criterion 1). Its original construction is not associated with any major fire station construction program in San Francisco, nor did it play a pivotal role in the growth of the Cow Hollow neighborhood. Its 1950s renovations were funded by an important 1952 Bond Act, but it does not appear individually eligible for this association.

2251 Greenwich Street does not appear to be associated with any persons significant to the history of the State of California or the City of San Francisco such that it would be eligible under National Register Criterion B (California Register Criterion 2). None of the people directly associated with the building appear to be significant to local, state, or national history.

2251 Greenwich Street does not appear eligible under National Register Criterion C (California Register Criterion 3) because it does not feature high artistic value, and it does not embody the distinctive characteristics of a type, method, or period of construction. The original architect is unknown. Furthermore, the fire station has been greatly altered and does not retain integrity.

This property was not assessed for its potential to yield information important in prehistory or history, per National Register Criterion D (California Register Criterion 4).

Based on the above assessment, 2251 Greenwich Street is designated with a CHRSC code of 6Z, which means it has been "Found ineligible for NR, CR or Local designation through survey evaluation."



2251 Greenwich Street, 1938.

(Source: San Francisco Fire Department Museum)

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____

HRI # _____

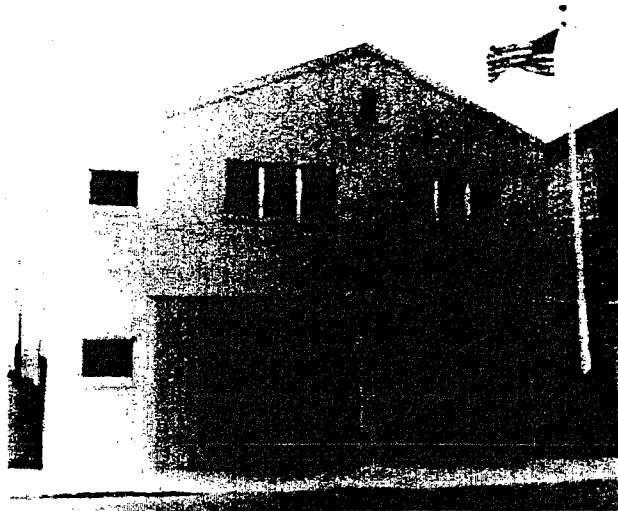
Trinomial _____

Page 9 of 9

*Recorded by Page & Turnbull, Inc

Resource Name or # (Assigned by recorder) 2251 Greenwich Street

*Date February 2012 Continuation Update



2251 Greenwich Street, ca. 1956.
(Source: San Francisco Fire Department Museum)

B12. References (continued)

"Current Firehouse of San Francisco," Guardians of the City Website accessed on 23 July 2009 from: <http://guardiansofthecity.org>

Historical Review, Part II: The Paid Department," *San Francisco Fire Department Museum*, web site accessed on 24 March 2011 from http://www.guardiansofthecity.org/sffd/history/paid_department.html

Sanborn Fire Insurance Maps: 1913, 1950, 1998.

San Francisco Department of Building Inspection, permit records and plans.

San Francisco Firehouse Survey (ca 1991).



LAW OFFICES OF
STEPHEN M. WILLIAMS

Attachment B

1934 Divisadero Street | San Francisco, CA 94115 | TEL: 415.292.3656 | FAX: 415.776.8047 | smw@stevewilliamsllaw.com

July 2, 2014

RECEIVED
 BOARD OF SUPERVISORS
 2014 JUL -2 PM 2: 33

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

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.

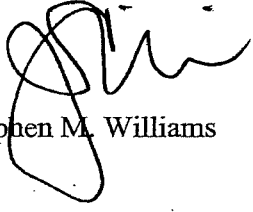
D) The Project Could Have a Significant Effect on the Environment:

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=City of San Francisco, ou=City Planning, email=avanders@sf.gov</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:

STATE WATER RESOURCES CONTROL BOARD
GEOTRACKER

CASE SUMMARY

<u>REPORT DATE</u> 1/2/1965	<u>HAZARDOUS MATERIAL INCIDENT REPORT FILED WITH OES?</u>		
<u>I. REPORTED BY -</u> UNKNOWN	<u>CREATED BY</u> UNKNOWN		
<u>II. RESPONSIBLE PARTY -</u> UNKNOWN			
<u>III. SITE LOCATION</u>			
<u>FACILITY NAME</u> SFFD #16	<u>FACILITY ID</u>		
<u>FACILITY ADDRESS</u> 2251 Greenwich Street San Francisco, CA 94123 SAN FRANCISCO COUNTY	<u>ORIENTATION OF SITE TO STREET</u> <u>CROSS STREET</u>		
<u>V. SUBSTANCES RELEASED / CONTAMINANT(S) OF CONCERN</u> GASOLINE			
<u>VI. DISCOVERY/ABATEMENT</u>			
<u>DATE DISCHARGE BEGAN</u>			
<u>DATE DISCOVERED</u> 9/3/1987	<u>HOW DISCOVERED</u>	<u>DESCRIPTION</u>	
<u>DATE STOPPED</u>	<u>STOP METHOD</u>	<u>DESCRIPTION</u>	
<u>VII. SOURCE/CAUSE</u>			
<u>SOURCE OF DISCHARGE</u>		<u>CAUSE OF DISCHARGE</u>	
<u>DISCHARGE DESCRIPTION</u>			
<u>VIII. CASE TYPE</u>			
<u>CASE TYPE</u> Other Groundwater (uses other than drinking water)			
<u>IX. REMEDIAL ACTION</u>			
<u>REMEDIAL ACTION</u> NA	<u>BEGIN DATE</u> 1/1/1965	<u>END DATE</u>	<u>DESCRIPTION</u>
<u>X. GENERAL COMMENTS</u>			
<u>XI. CERTIFICATION</u>			
I HEREBY CERTIFY THAT THE INFORMATION REPORTED HEREIN IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.			
<u>XII. REGULATORY USE ONLY</u>			

<u>LOCAL AGENCY CASE NUMBER</u> 10169		<u>REGIONAL BOARD CASE NUMBER</u> 38-0285	
LOCAL AGENCY			
<u>CONTACT NAME</u> STEPHANIE CUSHING	<u>INITIALS</u> SC	<u>ORGANIZATION NAME</u> SAN FRANCISCO COUNTY LOP	<u>EMAIL ADDRESS</u> stephanie.cushing@sfdph.org
<u>ADDRESS</u> 1390 MARKET STREET #210 SAN FRANCISCO, CA 94102		<u>CONTACT DESCRIPTION</u>	
<u>PHONE TYPE</u> BUSINESS	<u>PHONE NUMBER</u> (415)-252-3926	<u>EXTENSION</u>	
REGIONAL BOARD			
<u>CONTACT NAME</u> VIC PAL	<u>INITIALS</u> VP	<u>ORGANIZATION NAME</u> SAN FRANCISCO BAY RWQCB (REGION 2)	<u>EMAIL ADDRESS</u> vpal@waterboards.ca.gov
<u>ADDRESS</u> 1515 CLAY STREET, SUITE 1400 OAKLAND, CA 94612		<u>CONTACT DESCRIPTION</u>	
<u>PHONE TYPE</u> office	<u>PHONE NUMBER</u> (510)-622-2403	<u>EXTENSION</u>	

Copyright © 2014 State of California



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH

Edwin M. Lee, Mayor
Barbara A. Garcia, MPA, Director of Health

Richard J. Lee, MPH, CIH, REHS
Acting Environmental Health Director

November 9, 2014

Attachment D

Gabriella Judd-Cirelli
Department of Public Works
30 Van Ness, 4th Floor
San Francisco, CA 94102

Subject: Fire Station No. 16 Renovation Project
2251 Greenwich Street, San Francisco
EHB-SAM Case Number: 1088

Dear Ms. Cirelli:

In accordance with Article 22A of the San Francisco Health Code and Section 106.3.2.4 of the Building Code, the San Francisco Department of Public Health, Environmental Health Branch- Site Assessment and Mitigation (EHB-SAM) has reviewed the following documents:

- Report of Groundwater Sampling Activities, Fire Station No. 16, 2251 Greenwich Street, San Francisco, prepared by Baseline Environmental, July 1997;
- Report of Groundwater Sampling Activities, Fire Station No. 16, 2251 Greenwich Street, San Francisco, prepared by Baseline Environmental, August 1997;
- Report of Groundwater Sampling Activities, Fire Station No. 16, 2251 Greenwich Street, San Francisco, prepared by Baseline Environmental, November 1997;
- Report of Groundwater Sampling Activities, Fire Station No. 16, 2251 Greenwich Street, San Francisco, prepared by Baseline Environmental, April 1998;
- Primary Record, 2251 Greenwich Street, February 2012;
- Environmental Characterization Report, Fire Station No. 16 Renovation Project, San Francisco Fire Department, prepared by AEW Engineering, November 2012;
- Geotechnical Investigation Report, Fire Station No. 16, 2251 Greenwich Street, San Francisco, prepared by San Francisco Department of Public Works Infrastructure Design and Construction, December 2012; and
- LOP files for UST closure- in-place

The project includes the demolition and construction of a new fire station at the above address. In August through October 2011, AEW Engineering installed 3 soil borings at the site to characterize soil for disposal. Soil and groundwater samples were collected. Soil borings were installed to 56 feet below ground surface (bgs). Groundwater was found at 20 feet bgs. Soil samples were sampled for Total petroleum hydrocarbons as gasoline (TPHg), Total petroleum hydrocarbons as diesel (TPHd) and motor oil (TPHmo), Volatile Organic Compounds (VOCs), Semi-

Volatile Organic Compounds (SVOCs),-Organochlorine Pesticides, Organochlorine Herbicides, Polychlorinated Biphenyls (PCBs), CAM 17, Title 22 Metals, and Asbestos.

Groundwater samples are to be analyzed for:

TPHg, TPHd, TPHmo, VOCs, SVOCs, , PCBs, CAM 17 Title 22 metals, Total Recoverable Oil and Grease (TOG), Total Suspended Solids, Chemical Oxygen Demand, pH, Total Cyanide, Flash Point, and Dissolved Sulfide.

Results indicated that TPH-g ranged from not detected (ND) to 1.3 ppm, TPH-d ranged from ND to 2.3 ppm, TPH-m.o. ranged from ND to 7.8 ppm, benzene, toluene, ethylbenzene and xylenes (BTEX) were ND, methyl tertiary butyl ether was ND, asbestos, VOCs and SVOCs were ND. Antimony, cadmium, mercury, molybdenum, selenium, silver, and thallium were ND. Arsenic ranged from 2.2 to 4.4 ppm, barium ranged from 46 to 100 ppm, chromium ranged from 68 to 110 ppm, cobalt ranged from 7.2 to 11 ppm, copper ranged from 7.5 to 16 ppm, lead ranged from 2.3 to 4.7 ppm, nickel ranged from 48 to 72 ppm, vanadium ranged from 37 to 66 ppm and zinc ranged from 27 to 40 ppm.

AEW concluded that TPH-g, TPH-d, TPH-m.o. were below Regional Water Quality Control Board's (RWQCB) Environmental Screening Levels (ESLs). All metals were below ESLs. Only arsenic was above ESLs but representative of background concentrations.

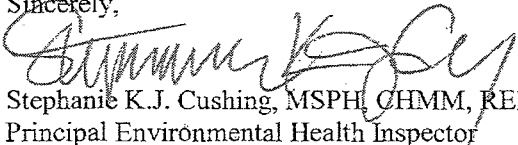
In groundwater Oil and Greas was ND, pH was 7.37, cis-1,2-dichloehane was 0.033 ppm, trans-1,2-dichloroethane was 0.00085 ppm, tetrachloroethene was 0.0095 ppm, trichloroethene was 0.003 ppm, total dissolved solids (TSS) were 18100 ppb and chloride was 27 ppm. None of the levels were above San Francisco Public Utilities Commission batch discharge requirements.

Based on these results, AFW concluded that no soil remediation is required for the site. A Health and Safety plan to protect worker health and safety should be developed.

EHB-SAM finds that no further action with regards to SFHC Article 22A is required. However, usual construction dust control shall be enforced with the criteria of no visible dust. Should underground storage tanks be removed from the site, permits shall be obtained from the Hazardous Materials Unified Program Agency (HMUPA), San Francisco Fire Department (SFFD) and the Department of Public Works (DPW).

Should you have any questions, please contact me at (415) 252-3926.

Sincerely,


Stephanie K.J. Cushing, MSPH, CHMM, REHS
Principal Environmental Health Inspector

Cc: Ed Sweeney, DBI
Jessica Range, Planning
Stanley DeSouza, DPW BCM-SAR