SAN FRANCISCO
PLANNING DEPARTMENT

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

1650 Mission St.
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San Francisco,
CA 94103-2479

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

To Whom It May Concern:

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

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

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

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

1) Review the Preliminary Mitigated Negative Declaration as an informational item and take no action.

2) Make recommendations for amending the text of the document. The text of the Preliminary Mitigated Negative Declaration may be amended to clarify or correct statements and/or expanded to include

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

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

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

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

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Preliminary Mitigated Negative Declaration

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

PROJECT DESCRIPTION:

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

FINDING:

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

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

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

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Table of Contents

Page

A. Project Description 1

B. Project Setting 2

C. Compatibility with Existing Zoning and Plans 4

D. Summary of Environmental Effects 5

E. Evaluation of Environmental Effects 6

1. Hazards and Hazardous Materials 7
2. Mandatory Findings of Significance 18

F. Mitigation Measures and Improvement Measures 19

G. Neighborhood Notification 22

H. Determination 23

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INITIAL STUDY
17TH STREET AND FOLSOM STREET PARK
PLANNING DEPARTMENT CASE NO. 2009.1163E

A. PROJECT DESCRIPTION

Project Location and Site Characteristics

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

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

Proposed Project

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

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

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

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

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

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

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

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

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

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

B. PROJECT SETTING

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

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

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

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

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

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

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

C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

	Applicable	*Not Applicable*
Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.	☐	☒
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	☐	☒
Discuss any approvals and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from Regional, State, or Federal Agencies.	☐	☒

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

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

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

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

[2] San Francisco Planning Commission Motion 17659, August 7, 2008. http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Eastern_Neighborhoods/Draft_Resolution_Public%20Parcels_FINAL.pdf

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

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

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

D. SUMMARY OF ENVIRONMENTAL EFFECTS

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

☐ Land Use	☐ Air Quality	☐ Geology and Soils
☐ Aesthetics	☐ Wind and Shadow	☐ Hydrology and Water Quality
☐ Population and Housing	☐ Recreation	☒ Hazards/Hazardous Materials
☐ Cultural and Paleo. Resources	☐ Utilities and Service Systems	☐ Mineral/Energy Resources
☐ Transportation and Circulation	☐ Public Services	☐ Agricultural Resources

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

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

☐ Noise ☐ Biological Resources ☒ Mandatory Findings of Signif.

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

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

E. EVALUATION OF ENVIRONMENTAL EFFECTS

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

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

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

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

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

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

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

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

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

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

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

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

- According to historical Sanborn maps, the project site has been developed with residential and light industrial structures since 1889. Based on Sanborn maps and historic aerial photographs, the subject property has been developed with a parking lot since 1987. Since the subject property has been developed with residential properties, historic heating oil tanks may be present on the subject property.

- According to historic building permits, the southeast corner of the subject property (2098 Folsom Street) was developed as a factory in 1906 and a service station between 1930 and 1940. According to the city directory abstract, 2090 and 2098 Folsom Street were listed as a historical auto/gas station in 1930 and 1940, respectively. The eastern and central portion of the subject property (2060 and 2070 Folsom Street) was developed with a wrecking company, an auto washing area, a trailer manufacturing factory, and a paint booth.

- Several properties in the vicinity of the subject property were listed in state and federal databases of known or suspected contaminated sites. Of these sites the following are considered to have some potential to have a negative environmental impact on the subject property: Kilpatrick's Bakery/J. Schmidt Chocolate Factory (2000 and 2030 Folsom Street) and Hans Art Automotive (3121 17th Street).

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

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

- The Auto City Gasoline/T. Saberi Svc./Automotive City Chevron (505 South Van Ness Avenue) and PG&E Treat Avenue Parking Lot (401 Treat Avenue) properties are facilities with known soil and groundwater contamination and are a potential source of contamination to the subject property.

- Several properties in the vicinity of the subject property were listed in state databases of known USTs. Of these listed sites, the following are considered to have some potential to have a negative environmental impact on the subject site: Target Auto/Gas 'N Shop (600 Van Ness Avenue) and Gas & Shop (599 South Van Ness Avenue).

- According to the certified Sanborn maps, the 3141 17th Street property was occupied by a laundry company in 1975 and 1987. According to the city directory abstract, this property was also developed with a machine works/oil clarifier company from 1953 to 1962, Graphic Linen Supply Laundry in 1971, Carpet and Tile in 1977, and Weeck Lumber in 1982 and 1985.

- According to the city directory abstract, the 3154 17th Street property was developed with a welding company in 1944, Acme Welding Co. in 1949, Gromm System of Cleaning Rugs from 1958 to 1971, and Ocean Sash & Door Co. from 1977 to 2006. Gromm System of Cleaning was described as a rug cleaners and dyers in 1958, 1962, and 1966 in the historical cleaners database.

- Serpentine rock has been encountered beneath the fill at depths ranging from approximately 10 feet to 11.5 feet below ground surface on the east adjacent property. Serpentine rock can be indicative of the presence of naturally-occurring asbestos and exposure to asbestos fibers has potential human-health consequence.

- Paint chips were observed on the building located on the north adjacent property which was first observed in the 1946 historic aerial photograph and therefore the paint may contain lead.

- During CDM's site reconnaissance, Ms. Krop (SFDPW) mentioned her concern regarding the potential presence of asbestos containing materials (ACM) in the asphalt that covers the subject property.

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

- Volatile Organic Compounds (VOCs) and Total Petroleum Hydrocarbons (TPH) as gasoline were not detected in any of the soil samples.

- Five of the six composite soil samples analyzed for lead exceeded the Environmental Screening Levels (ESLs) for residential land use, none of these soil samples exceed the ESLs for commercial/industrial land use, and none of the soil samples exceeded the ESLs for direct exposure in a construction/trench/worker scenario.

- Only one of the ten soil samples analyzed for TPH as diesel and motor oil exceeded the ESLs for residential land use and also for commercial/industrial land use. None of the soil samples exceeded the ESLs for direct exposure in a construction/trench/worker scenario.

- Asbestos (chrysotile/fibrous serpentine) was detected at concentrations of 0.50 percent in material consisting of gold clay and green serpentine grains with sand.

- Only two of the five grab groundwater samples contained contaminants at concentrations that exceed any of the groundwater ESLs. The groundwater sample collected from monitoring well MW-1 did not exceed any of the groundwater ESLs.

- The groundwater sample from boring SB-1 contained concentrations of TPH as gasoline and Methyl Tert-Butyl Ether (MTBE) that exceed the ESLs for groundwater that is not a current or potential drinking water source. The MTBE concentration also exceeds the ESL for groundwater gross contamination ceiling levels.

- The groundwater sample from boring SB-4 contained concentrations of TPH as diesel and motor oil that exceed the ESLs for groundwater that is not a current or potential drinking water source. The TPH as diesel and motor oil concentrations also exceeds the ESL for groundwater gross contamination ceiling levels.

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

- Two additional groundwater monitoring wells were discovered during the Subsurface Investigation. There are three existing groundwater wells, as opposed to the one well that was previously reported in the Phase I ESA.

- No conclusive evidence of USTs in the subsurface was identified.

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

- No other metals were analyzed for; at minimum the Leaking Underground Fuel Tank (LUFT) metals should be analyzed to address metals that may be in the soil from the noted serpentine rock.

- The SMP shall address the source of the MTBE, TPH-D, and TPH-mo.

- Semi-volatile organic compound (SVOC) analyses shall be completed for the description of black sand found in borings SB-4, SB-5, SB-6, and SB-10.

- Lead and asbestos analyses shall be completed for SB-5, SB-4, and SB-3 in the proposed park location.

- The Phase II report stated that there were anomalies found by ground penetrating radar (GPR) in the southwest and southeastern portion of the site (SB-4 had high TPH-d and TPH-mo found in the ground water), and the SMP should address this concern.

- SB-10 is located in the area of the proposed cistern but sampling only occurred to 5 feet bgs not to the depth of the proposed excavation at 10 feet bgs. The SMP should address this concern.

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

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

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

Mitigation Measure M-HZ-1

Hazards (Handling of Contaminated Soil)

Step 1: Preparation of Site Mitigation Plan

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

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

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

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

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

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

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

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

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

Step 3: Preparation of Closure/Certification Report

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

Mitigation Measure M-HZ-2

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

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

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

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

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

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

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

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

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

Mitigation Measure M-HZ-3

Hazards (Decontamination of Vehicles)

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

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

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

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

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

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

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

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

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

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

F. MITIGATION AND IMPROVEMENT MEASURES

Mitigation Measure M-HZ-1

Hazards (Handling of Contaminated Soil)

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Mitigation Measure M-HZ-2

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

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Mitigation Measure M-HZ-3

Hazards (Decontamination of Vehicles)

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G. PUBLIC NOTICE AND COMMENT

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

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

G. DETERMINATION

On the basis of this Initial Study:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.

Bill Wycko
Environmental Review Officer
for
John Rahaim
Director of Planning

DATE January 24, 2011