

# **Environmental Review and 55 Laguna**

## **A Primer from Hayes Valley Neighborhood Association**

### **April 2007**

Significant development projects in San Francisco are required to undergo environmental review, under the California Environmental Quality Act (CEQA). Smaller projects usually receive a “Negative Declaration” or a “Mitigated Negative Declaration”, meaning that their impact will be insignificant and a full environmental impact report is not warranted. Larger projects, including 55 Laguna (UC Extension Campus), require a full Environmental Impact Report (EIR).

#### **How does an EIR get approved?**

Step 1: The Draft EIR is the subject of a Planning Commission hearing. Written comments on the draft are also accepted.

Step 2: The Planning Department revises the Draft EIR, and prepares a “Comments and Responses” document to address all substantive issues raised in the hearing and written comments. All comments have to be responded to, but the Planning Department is free to disagree and take no other action. This process can take two to three months.

Step 3: The Planning Commission certifies the Final EIR at a public meeting. This decision may be appealed to the Board of Supervisors.

#### **Does approval of the EIR mean that the project is approved?**

No. The Planning Commission often approves both the EIR and the development itself at the same hearing, but these actions can be taken independently. There will be other hearings on the development proposal itself, where the public may also testify. Although it removes one “hurdle,” approval of the EIR does not mean that the plan will eventually be approved as well.

#### **Can a different development proposal go ahead under the same EIR?**

In many cases, it can. Once an EIR is approved, it can be applied to a substantially revised development proposal on that site. If the new proposal has different or greater environmental impacts (e.g. more traffic), a “Supplemental EIR” may be required.

#### **What happens if the EIR identifies environmental impacts?**

CEQA is a procedural law. It requires environmental impacts to be studied, but does not require that they be eliminated. If the Planning Commission finds that the project will have a significant effect on the environment, it can require changes in the project or “mitigation measures.” Alternatively, it can find that changes are infeasible or that the benefits outweigh the impacts, and adopt a “statement of overriding considerations”.

#### **What are defined as environmental impacts?**

Each city defines its own criteria for judging environmental impacts, and sets thresholds above which an impact is considered “significance”. Traffic, transit, noise, air quality, historic preservation, species, views, wind, and hazardous materials are all typically included.

#### **Where can I get more information?**

San Francisco Planning Department: [http://www.sfgov.org/site/planning\\_index.asp?id=37672](http://www.sfgov.org/site/planning_index.asp?id=37672)  
State of California: [http://ceres.ca.gov/topic/env\\_law/ceqa/more/faq.htm](http://ceres.ca.gov/topic/env_law/ceqa/more/faq.htm)