

FILE NO. 060224

ORDINANCE NO. 116-06

1 [Requirement to provide minimum information for environmental evaluation application and  
2 initial study.]

3 **Ordinance amending the San Francisco Administrative Code by amending Section**  
4 **31.10 to require certain minimum information to be provided in an environmental**  
5 **evaluation application and an initial study under the California Environmental Quality**  
6 **Act.**

7 Note: Additions are *single-underline italics Times New Roman*;  
8 deletions are *strikethrough italics Times New Roman*.  
9 Board amendment additions are double underlined.  
10 Board amendment deletions are ~~strikethrough normal~~.

11 Be it ordained by the People of the City and County of San Francisco:

12 Section 1. The San Francisco Administrative Code is hereby amended by amending  
13 Section 31.10, to read as follows:

14 Sec. 31.10. **INITIAL EVALUATION OF PROJECTS.**

15 (a) Upon receiving an environmental evaluation application for a project, or upon  
16 referral of a project by the board, commission or department that is to carry out or approve the  
17 project, the Environmental Review Officer shall determine whether such project is exempt  
18 from environmental review. If not exempt, the Environmental Review Officer shall complete an  
19 initial study to determine the level of environmental analysis required. In the event it is clear  
20 at the outset that an environmental impact report is required, the Environmental Review  
21 Officer may, with the consent of the applicant, make an immediate determination and  
22 dispense with the initial study. Each environmental evaluation application or referral shall include  
23 a project description using as its base the environmental information form set forth as Appendix H of  
24 the CEQA Guidelines, which form shall be supplemented to require additional data and information  
25 applicable to a project's effects, including consistency with the environmental issues included in the

1 Eight Priority Policies set forth in Section 101.1 of the Planning Code and incorporated into the  
2 General Plan, shadow impacts, including the analysis set forth in Planning Code Section 295, and such  
3 other data and information specific to the urban environment of San Francisco or to the specific  
4 project. Each environmental evaluation application or referral shall be certified as true and correct by  
5 the applicant or referring board, commission or department. Each initial study shall include an  
6 identification of the environmental effects of a project using as its base the environmental checklist  
7 form set forth in Appendix G of the CEQA Guidelines and addressing each of the questions from the  
8 checklist form that are relevant to a project's environmental effects; provided that the checklist form  
9 shall be supplemented to address additional environmental effects, including consistency with the  
10 environmental issues included in the Eight Priority Policies set forth in Section 101.1 of the  
11 Planning Code and incorporated into the General Plan, shadow impacts, including the analysis set  
12 forth in Planning Code Section 295, and such other environmental effects specific to the urban  
13 environment of San Francisco or to the specific project.

14 (b) The initial study shall provide data and analysis regarding the potential for the project  
15 to determine whether the project may have a significant effect on the environment. The basic  
16 criteria for determination of significant effect shall be consistent with the provisions set forth in  
17 CEQA. ~~The Planning Commission may adopt criteria for determination of significant effect as~~  
18 ~~administrative regulations by resolution of the Planning Commission after public hearing, according to~~  
19 ~~the procedure set forth in Section 31.04(e) of this Chapter.~~

20 (c) The applicant or the board, commission or department that is to carry out or  
21 approve the project shall submit to the Environmental Review Officer such data and  
22 information as may be necessary for the initial study. If such data and information are not  
23 submitted, the Environmental Review Officer may suspend work on the initial evaluation.


1 (d) During preparation of the initial study, the Environmental Review Officer may  
2 consult with any person having knowledge or interest concerning the project. In cases in  
3 which the project is to be carried out or approved by more than one government agency and  
4 the City is the lead agency, the Environmental Review Officer shall solicit input from all other  
5 government agencies that are to carry out or approve the project.

6 (e) If a project is subject to CEQA and the National Environmental Policy Act, an  
7 initial evaluation prepared pursuant to the National Environmental Policy Act may be used to  
8 satisfy the requirements of this Section.

9 (f) Based on the analysis and conclusions in the initial study, the Environmental  
10 Review Officer shall determine, based on the requirements of CEQA, whether there is a "fair  
11 argument" that the project could have a significant effect on the environment, and whether a  
12 negative declaration or environmental impact report shall be prepared.

13  
14 APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

15  
16 By:

  
17 KATE HERRMANN STACY  
Deputy City Attorney



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails Ordinance

---

**File Number:** 060224

**Date Passed:**

Ordinance amending the San Francisco Administrative Code by amending Section 31.10 to require certain minimum information to be provided in an environmental evaluation application and an initial study under the California Environmental Quality Act.

---

May 16, 2006 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,  
McGoldrick, Mirkarimi, Peskin, Sandoval

May 23, 2006 Board of Supervisors — FINALLY PASSED

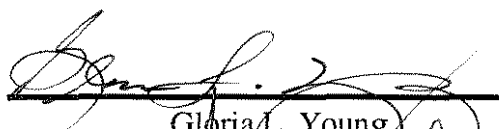
Ayes: 8 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin  
Absent: 3 - Alioto-Pier, McGoldrick, Sandoval

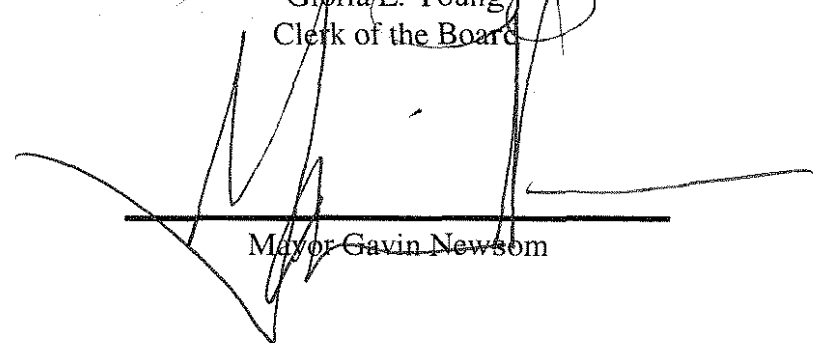
File No. 060224

I hereby certify that the foregoing Ordinance was FINALLY PASSED on May 23, 2006 by the Board of Supervisors of the City and County of San Francisco.

JUN 1 2006

\_\_\_\_\_  
Date Approved

  
\_\_\_\_\_  
Gloria L. Young  
Clerk of the Board

  
\_\_\_\_\_  
Mayor Gavin Newsom