ADDENDUM TO ENVIRONMENTAL IMPACT REPORT

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Date: July 10, 2015

Case No.: 2015-008342ENV

Project Title: Board of Supervisors File No. 150271; Rezoning Properties on

Ocean Avenue

Existing Zoning: Residential, House, Two-Family (RH-2) and Residential, Mixed, Low

Density (RM-1)

40-X Height and Bulk District

Block/Lot (RH-2): 6946/001, 6946/051, 6946/061, 6947/001, 6947/001A, 6947/001B, 6947/001C,

6947/001D, 6947/001E, 6947/002, 6947/002D, 6947/002E

Block/Lot (RM-1): 6946/032, 6946/033, 6946/034, 6946/035, 6946/036, 6946/037, 6946/057

Project Sponsor: Supervisor Norman Yee, District 7, San Francisco Board of Supervisors

Lead Agency: San Francisco Planning Department

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REMARKS

BACKGROUND

On December 4, 2008, the Planning Commission certified the *Balboa Park Station Final Environmental Impact Report (FEIR)*, and on April 7, 2009 the Board of Supervisors approved the *Balboa Park Station Area Plan*. The Mayor subsequently signed the legislation for the *Area Plan*, which was enacted on May 18, 2009. The *Area Plan* was adopted in part to encourage and intensify mixed-use housing and neighborhood-serving retail development near transit. The *FEIR* is a comprehensive programmatic document that presents an analysis of the environmental effects of implementing the *Area Plan*. The *Balboa Park Station FEIR* identified a significant and unavoidable impact to historic architectural resources and transportation. With the adoption of the *Balboa Park Station Area Plan*, properties along Ocean Avenue from Manor Drive to Phelan Avenue were all rezoned to Ocean NCT. None of the subject 19 parcels were rezoned under the Area Plan. With implementation of the proposed legislation, the Ocean NCT zoning district would extend farther east along Ocean Avenue to Howth Street.

PROPOSED REVISIONS TO PROJECT

The proposed ordinance, introduced by Supervisor Yee on June 6, 2015, would amend Section 737.1 of the Planning Code and Sheet ZN12 of the Zoning Map to rezone 19 parcels to Ocean Avenue Neighborhood Commercial Transit (NCT). The subject parcels are currently zoned RH-2 (12 parcels) or RM-1 (7 parcels) and are located along the south side of Ocean Avenue between Phelan Avenue and Howth Street within the *Balboa Park Station Area Plan* area. The RH-2 and RM-1 districts are residential districts that regulate residential density based on lot area, require off-street parking to be provided at minimum quantities based on particular uses or activities, and allow only a small range of non-residential uses. The Ocean Avenue NCT district regulates residential density by physical envelope controls, does not require off-street parking for any use or activity, and allows for a large range of non-residential uses. One distinction

of NCT districts is the manner in which residential density is regulated. Older districts rely on individual lot size to restrict the allowed number of dwelling units on a property. For example, the RM-1 district requires at least 800 square feet of lot area for each dwelling unit. On a typical 2,500 square foot lot with a 40 foot height limit, a maximum of three dwelling units are permitted. In NCT districts, density is determined by permitted height and bulk limits; rear yard requirements; open space requirements; and dwelling unit exposure requirements. Using that same typical lot and height limit as described above, and assuming a buildable area of 1,875 square feet, it is possible for two to three units could be built per floor depending on unit size. Assuming only three residential floors, this same typical lot would yield six to nine dwelling units in an NCT district as opposed to three in an RM-1 District. This is done in the same building envelope as the first example with the same visual impact on character and scale.

Another distinction of NCT districts is that off-street parking for any use is not required. Maximum amounts of off-street parking are established and amounts in excess are classified as either a principally permitted or conditional use, depending upon the use provisions applicable to the district in which the parking is located. This is in contrast to many of the older districts, including the RH and RM, where a minimum amount of off-street parking for each use or activity is required and amounts often exceed what NCT districts would allow.

While there are no proposed changes to the existing 40-X height and bulk district, Section 263.20 of the Planning Code allows NCT districts an additional five feet in height for buildings that feature either higher ground floor ceilings for non-residential uses or ground floor residential units that have direct walk-up access from the sidewalk. Therefore, the proposed rezoning of the subject 19 parcels could result in an incremental increase in height in the project area.

PROJECT SETTING

The project site includes a total of 19 parcels, comprising an area of approximately 1.5 acres, located on Ocean Avenue between Phelan Avenue and Howth Street within the Balboa Park Station Area Plan area. The subject parcels are largely occupied by two-story residential buildings. The only parcel that is undeveloped is 6946/001, which is a City-owned lot that provides a pedestrian bridge over Ocean Avenue. Surrounding parcels south of the project site are zoned RH-2 and RH-1 (Residential, House, One-Family) with a 40-X height and bulk district, and parcels immediately west of the project site along Ocean Avenue are zoned Ocean NCT with a 45-X height and bulk district. Recent development on Ocean Avenue near the project site includes the following: the Ingleside Branch Library approximately three blocks west of the project site; the Avalon Ocean Avenue apartment community, which includes approximately 170 new dwelling units and 30,000 square feet of retail (featuring Whole Foods Market), located two blocks to the west; the 270 Brighton Avenue development, which includes 28 dwelling units and 4,000 square feet of commercial space, located two blocks to the west; and the 1100 Ocean Avenue affordable housing development, which includes 71 dwelling units, located one block to the west. The Phelan Loop, between Harold and Phelan Avenue, serves as a bus terminal for multiple Muni bus lines, and an adjacent space is planned to become a public plaza to connect the area's businesses and residents to Muni and nearby schools, including the main campus for City College which is located across Ocean Avenue to the north from the project site.

ANALYSIS OF POTENTIAL ENVIRONMENTAL EFFECTS

Based on the proposed legislation submitted to the Planning Department, the City must determine what level of environmental review is required to comply with the California Environmental Quality Act

(CEQA). An Addendum may be prepared if (1) the proposed project is not substantially revised so as to result in new significant impacts or a worsening of significant impacts identified in the previously certified EIR; (2) the background conditions under which the proposed project would be constructed have not changed substantively from those conditions described in the previously certified EIR; and (3) new information of substantial importance has not surfaced (see Section 15162 of the CEQA Guidelines for a detailed description of the conditions that trigger preparation of a subsequent EIR). The proposed legislation would not result in any new significant impacts compared to those identified in the *Balboa Park Station FEIR*. Therefore, under Section 15162 of the CEQA Guidelines, a subsequent EIR does not need to be prepared. This Addendum conforms to the requirements of CEQA Guidelines Section 15164 and discloses potential changes in physical effects relating to the proposed modifications.

As described above, the proposed legislation would rezone 19 parcels on Ocean Avenue located in the *Balboa Park Station Area Plan* from either RH-1 or RM-1 to Ocean Avenue NCT. New significant effects or increases in the severity of previously identified significant effects are not expected to result from the proposed project, and a subsequent EIR is, therefore, not necessary. Accordingly, an Addendum is appropriate for CEQA clearance of the proposed project.

The *Balboa Park Station FEIR* included analyses of environmental issues including: land use, plans and policies; population, housing, and employment; transportation; noise; air quality; shadow; hydrology and water quality; historic architectural resources; and archaeological resources. Development that may result with implementation of the proposed legislation would represent a small part of the growth that was forecast for the *Balboa Park Station Area Plan* area in the *FEIR*. As a result, the proposed legislation would not result in any new or substantially more severe impacts than were identified in the *FEIR*. The following discussion demonstrates that the proposed legislation would not result in significant impacts beyond those analyzed in the *FEIR*.

Land Use, Plans, and Policies

The *Balboa Park Station Area Plan* did not propose changes to existing land use patterns, but would intensify and encourage mixed-use housing and neighborhood-serving retail development near transit areas. The *Balboa Park Station FEIR* stated that new *Area Plan*-related development would not divide or disrupt an existing community and would not result in a significant adverse impact in land use character. Furthermore, the *FEIR* determined that the rezoning would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

The Ocean Avenue NCT District is a multi-purpose transit-oriented small-scale commercial district that transitions from a predominantly one- and two-story retail district to include neighborhood-serving commercial uses on lower floors and housing above. The Ocean Avenue NCT District is intended to provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market. The proposed legislation is consistent with the *Plan's* goals of mixed-use, high-density development near transit, and implementation of the proposed legislation would not result in any new land use impacts that were not already identified and addressed in the *FEIR*.

Population, Housing, and Employment

The Balboa Park Station FEIR concluded that significant adverse physical effects on the environment would not result from the anticipated population and density increases. The Balboa Park Station Area Plan is anticipated to result in a net increase of 4,095 residents by the year 2025. The FEIR determined that while the Plan would generate household growth, it would not cause an adverse physical impact as it

would focus new housing development in San Francisco in an established urban area that has a high level of transportation and other public services that can accommodate the proposed residential increase. It is anticipated that future development on the subject parcels that would take advantage of the proposed rezoning would result in a slight increase of new residential units and ground-floor commercial space as the project site is in a substantially built environment. Therefore, the proposed legislation would not induce substantial population growth and any increase in population, housing, and employment would be within the scope and consistent with the projections of the *Balboa Park Station FEIR* analysis.

Transportation

The *Balboa Park Station FEIR* anticipated that growth resulting from the *Area Plan* could result in significant transportation impacts. These impacts were found to be significant and unavoidable because cumulative traffic impacts at certain local intersections and the cumulative impacts on the Muni K-Ingleside transit line could not be fully mitigated to less-than-significant levels. These impacts were addressed in a Statement of Overriding Considerations with Findings and adopted as part of the *Balboa Park Station Area Plan*, which was approved on December 4, 2008.

Intersection operating conditions¹ in the Area Plan area were analyzed for the weekday p.m. peak hour for two future scenarios: 2025 without the Area Plan and 2025 with the Area Plan. Seven study intersections would be expected to operate at acceptable conditions (LOS D or better) during the p.m. peak hour in 2025 with the Area Plan's traffic contribution while five study intersection would be expected to operate at unacceptable conditions (LOS E or worse). The nearest intersections to the project site for which the Balboa Park Station FEIR identified significant adverse impacts under the 2025 weekday p.m. peak hour scenario were at Ocean Avenue/Geneva Avenue/Phelan Avenue (located immediately adjacent to the project site); Ocean Avenue/I-280 northbound on-ramp (approximately 650 feet east of project site); Ocean Avenue/San Jose Avenue² (approximately 1,440 feet east of the project site); and the Geneva Avenue/I-280 southbound and northbound on-ramps (approximately 1,000 feet southeast of project site). Future development taking advantage of the proposed legislation could result in a slight increase of residential units and commercial space, resulting in additional vehicle trips to these intersections. However, given the distance of the project site to these intersections, that the proposed rezoning is in a substantially built environment, and any future improvements on the subject parcels would occur over a period of years, the proposed legislation would not substantially increase traffic volumes at these or other nearby intersections. In addition, any additional vehicle trips related to the proposed legislation would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by the Balboa Park Station Area Plan. Any new vehicle trips resulting from the proposed legislation would be considered minimal compared to the increased number of vehicles anticipated at these intersections. This impact was disclosed in the FEIR as significant and unavoidable due to future growth in the project area.

The Balboa Park Station FEIR found that impacts on the K-Ingleside Muni Metro line would be considered significant and unavoidable. It is anticipated that the proposed legislation would eventually add new transit trips to the K-Ingelside Muni Metro line that could potentially contribute to its cumulative adverse

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¹ Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco.

² The FEIR found that the Ocean Avenue/San Jose Avenue intersection would operate at unacceptable conditions (LOS F) in 2025 with or without the proposed Area Plan.

transit condition. Any new transit trips resulting from the proposed legislation would be considered minimal compared to the increased number of transit trips anticipated on this Muni Metro line. This impact was disclosed in the *FEIR* as significant and unavoidable due to future growth in the project area. The project site is well-served by other local transit lines including the Balboa Park Station BART station, Muni Metro lines (T-Third, J-Church, and M-Oceanview) and Muni bus lines (8-Bayshore , 8BX-Bayshore Express, 29-Sunset, 43-Masonic, 49-Van Ness/Mission, 54-Felton, and 88 BART Shuttle) that have the capacity to accommodate any new trips associated with the implementation of the proposed legislation.

Adequate facilities exist to accommodate pedestrian and bicycle trips and incidental loading operations throughout the project area. Off-street parking would be constrained, however, no hazardous condition would result and there would be no impacts due to parking deficits as a result of the proposed legislation. Therefore, the proposed legislation would not result in any transportation-related significant impacts that were not identified in the *Balboa Park Station FEIR*.

Noise

The *Balboa Park Station FEIR* noted that the existing ambient noise environment within the *Area Plan* area is dominated by vehicular traffic on the l-280 freeway and traffic on local roadways, and that some streets have higher background noise levels, such as Ocean Avenue. Overall, the *FEIR* concluded that *Plan*-related growth and transportation improvements would not significantly affect future noise levels along local roadways. However, since noise measurements indicate noise levels exceed 60 dBA (Ldn) in most areas of the *Plan* area, the *Balboa Park Station FEIR* identified a mitigation measure that would reduce impacts to future residential development proposed in the *Area Plan* area to a less-than-significant level. In addition, the *FEIR* stated that rapid transit train (such as BART trains) and light rail train (such as Muni trains) operations can produce groundborne vibration, which can adversely affect adjacent land uses. The *FEIR* concluded that if any residential uses are proposed within 150 feet of Muni rail facilities or within 200 feet of BART facilities, a vibration analysis would be required to determine the potential for impact and need for incorporation of design measures to reduce vibration to acceptable levels. To reduce vibration impacts to a less-than-significant level, the *FEIR* identified a mitigation measure that would ensure that future residents or other vibration-sensitive land uses would not be subject to disturbance from vibration.

Future development that could take advantage of the proposed legislation would not result in substantial trip generation that could cause a noticeable increase in the ambient noise level in the project vicinity. Any future construction that would occur with implementation of the proposed legislation would temporarily generate noise and possibly vibrations that could be considered an annoyance by occupants of nearby properties. Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the Police Code), and Title 24 of the California Code of Regulations establishes uniform noise insulation standards for residential projects. Implementation of the proposed legislation would not result in any new noise impacts that were not already identified and addressed in the *FEIR*.

Air Quality (including Greenhouse Gas Emissions)

The *Balboa Park Station Initial Study* identified a significant construction-related air quality impact and determined that Mitigation Measure AQ-1, which specified construction dust control measures, would reduce the effects to a less-than-significant level. Subsequent to publication of the *Initial Study*, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08,

effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection. Any future construction activities that come out of the proposed legislation would be required to comply with the Construction Dust Control Ordinance, which would avoid any significant potential construction-related air quality impacts.

The Balboa Park Station FEIR identified potentially significant air quality impacts related to exposing future residential uses near roadways with elevated pollutant levels, diesel particulate matter and PM₁₀ and determined that new residential development could be required to include an analysis of PM_{2.5} and, if warranted based on the results, to incorporate upgraded ventilation systems to minimize exposure of future residents to PM_{2.5} (which includes DPM) and other pollutant emissions, as well as odors for projects located (1) within 500 feet of the I-280 freeway; (2) adjacent to the proposed bus layover facility on the Phelan Loop Site; (3) any active recreation areas such as playgrounds that are proposed as part of any future residential development in either of these areas; and (4) any other location where total daily traffic volumes from all roadways within 500 feet of such location exceed 100,000 vehicles.

Subsequent to certification of the *Balboa Park Station FEIR*, San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, effective December 8, 2014)(Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone (APEZ) and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the APEZ. The APEZ as defined in Article 38 are areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM25 concentration, cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. Projects within the APEZ require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality. None of the subject 19 parcels are located within an identified APEZ.

Land use projects typically result in emissions of criteria air pollutants and toxic air contaminants primarily from an increase in motor vehicle trips. Implementation of the legislation would not result in a substantial increase in vehicle trips that would affect regional or local air quality or generate substantial emissions of greenhouse gases that would conflict with local, regional and state plans for reducing greenhouse gas emissions. Implementation of the proposed legislation would not result in any new air quality impacts that were not already identified and addressed in the *FEIR*.

Shadow

The *Balboa Park Station FEIR* determined that no significant shadow impact would occur from implementing the *Area Plan*. Section 295 of the Planning Code was adopted in response to Proposition K (passed November 1984) in order to protect certain public open spaces from shadowing by new structures during the period between one hour after sunrise and one hour before sunset, year round. Planning Code Section 295 restricts net new shadow on public open spaces under the jurisdiction of, or to be acquired by, the Recreation and Park Commission by any structure exceeding 40 feet unless the Planning Commission, in consultation with the Recreation and Park Commission, finds the impact to be less than significant. All of the subject 19 parcels are within a 40-X height and bulk district, and Section 263.20 of the Planning Code allows NCT districts an additional five feet in height for buildings that

Rezoning Properties on Ocean Avenue 2015-008342ENV

feature active ground floor uses. Any future development proposal taking advantage of the proposed legislation would be subject to further environmental review. Therefore, implementation of the proposed legislation would not result in any new shadow impacts that were not already addressed in the FEIR.

Hydrology and Water Quality

The Balboa Park Station FEIR determined that implementing the Area Plan would not lead to significant impacts related to hydrology and water quality. The subject parcels are not located in a 100-year floodplain, and there is no threat of exposing and endangering people to tsunamis, seiches, or mudflows. Any future development taking advantage of the proposed legislation would have less than significant impacts related to hydrology and water quality.

Historic Architectural Resources

The Balboa Park Station FEIR anticipated that implementation of the Area Plan may result in the demolition of buildings identified as contributors to a potential historic district (i.e., the Ocean Avenue Neighborhood Commercial Historic District). The FEIR determined that a cumulative significant impact to historic resources would occur due to the loss of contributing buildings, and the construction of considerably taller infill buildings in their place and on other sites within the boundaries of the potential district. The loss of specific buildings could eliminate the integrity of the potential district such that a potential district along Ocean Avenue could no longer be justified. This impact was addressed in a Statement of Overriding Considerations with Findings and adopted as part of the Balboa Park Station Area Plan approval on December 4, 2008.

The subject 19 parcels proposed for rezoning are not located within the boundaries of the potential Ocean Avenue Neighborhood Commercial Historic District. Any future development proposal taking advantage of the proposed legislation would be subject to further environmental review for a determination of whether construction activities would result in potential impacts to historical resources. Implementation of the proposed legislation would not result in any new historic architectural resources impacts that were not already identified and addressed in the FEIR.

Archeological Resources

The Balboa Park Station FEIR identified potential archeological impacts related to the Area Plan program and identified two archeological mitigation measures that would reduce impacts to a less-than-significant level. The proposed legislation does not include any construction activities at this time, and any future projects that would occur as a result of the rezoning would be subject to further environmental review. Implementation of the proposed legislation would not result in any new archeological resources impacts that were not already identified and addressed in the *FEIR*.

OTHER ENVIRONMENTAL EFFECTS

The Initial Study for the Balboa Park Station FEIR, published on July 29, 2006, determined that the following effects of the Area Plan would either be insignificant or would be reduced to a less-thansignificant level by implementation of the mitigation measures included in the Initial Study: Visual Quality, Wind, Utilities/Public Services, Biology, Geology/Topography, Water, Energy/Natural Resources, and Hazards. Therefore, the FEIR did not discuss these issues.3

³ The Initial Study also found that project-related land use changes would not cause potential significant environmental effects, but this topic (Land Use) was presented in the EIR for informational purposes.

Implementation of the proposed legislation would not change the findings of these topics. The proposed legislation's potential aesthetic effects would be consistent with the effects considered in the *Balboa Park Station FEIR*, which were determined to be less-than-significant. Any development proposal taking advantage of the proposed zoning change would not result in potential wind impacts as the 19 subject parcels are within a 40-X height and bulk district, and buildings less than 80 feet tall are not anticipated to create significant changes to the wind environment. Implementation of the proposed legislation could result in a slight increase in residential units and commercial space resulting in an incremental increase in demand for utility, public services, and energy. However, this increase in demand would not be in excess of amounts expected and already provided for. The subject 19 parcels are all located in a developed urban area which does not support or provide habitat for any rare or endangered wildlife species, animal, or plant life or habitat, and would not interfere with any resident or migratory species. For any future development proposal taking advantage of the proposed rezoning, final building plans would be reviewed by the Department of Building Inspection (DBI), and any potential geologic hazards would be avoided through DBI's building permit application review pursuant to its implementation of the Building Code.

The *Balboa Park Station Initial Study* identified a significant impact from the release of contaminated soil during the construction of subsequent projects within the *Plan* area and identified three mitigation measures to reduce this impact to a less-than-significant level. Subsequently, the San Francisco Board of Supervisors amended Health Code Article 22A, which is administered and overseen by the Department of Public Health (DPH) and is also known as the Maher Ordinance. Amendments to the Maher Ordinance became effective August 24, 2013, and require sponsors for projects that disturb soil on sites that are known or suspected to contain contaminated soil and/or groundwater to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The proposed legislation does not include construction activities, and any future construction related to the proposed legislation would be subject to a separate environmental review.

GROWTH INDUCEMENT

Growth inducement analysis under CEQA considers the ways in which proposed projects could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. The *Balboa Park Station Area Plan* would be growth inducing in that it would change the land use designations (zoning), increase the height and bulk limits in some portions of the Project Area, and reduce the parking requirements for some types of development in the Project Area. The amount of population growth anticipated in the *Area Plan* area—approximately 4,095 residents by 2025—would represent nearly 70 times the increase of 60 residents anticipated in the absence of the *Area Plan*. The gains in population and employment would comprise less than 4 percent of the population growth and less than 0.2 percent of the employment growth anticipated in San Francisco between 2000 and 2025. The potential for the Area Plan to induce growth in locations beyond its boundaries is considered to be low. The population and employment increases in the *Balboa Park Station Area Plan* area would not, in themselves, have any significant adverse impacts on conditions in the *Area Plan* area or a broader area. Secondary impacts that might result from that growth were discussed in the respective topical sections of the *FEIR*. As discussed in this Addendum, any growth resulting from the proposed legislation is consistent with and was encompassed within the analysis in the *FEIR*.

CONCLUSION

Based on the analysis and discussion presented in this document, no supplemental or subsequent environmental analysis is needed pursuant to the CEQA Guidelines, Sections 15162, 15163, and 15164. It is concluded that the analyses conducted and the conclusions reached in the *Balboa Park Station FEIR*, certified on December 4, 2008, remain valid. The proposed rezoning of the subject parcels would not cause new significant impacts not identified in the *FEIR* or result in a substantial increase in the severity of previously identified significant impacts, and no new mitigation measures would be necessary to reduce significant impacts. Therefore, no supplemental environmental review is required beyond this Addendum.

Date of Determination

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

Sarah B. Jones

Environmental Review Officer

Cc: Supervisor Norman Yee, District 7; Diego Sanchez, Current Planner; Distribution List; Bulletin Board