

Plan to streamline environmental reviews for S.F. development projects hits opposition

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A San Francisco ordinance aiming to standardize policies and requirements for proposed housing and development projects in a bid to expedite the environmental review process was stalled this week following community pushback.

Under the Standard Environmental Requirements Program Ordinance, introduced earlier this year, pre-determined mitigation requirements would be applied to projects that would otherwise face a longer and more intensive environmental evaluation. Currently, mitigation measures are applied on a project-by-project review basis, and streamlining the process is expected to allow mandated reviews to be conducted “roughly three months faster on average” for certain projects, said Planning Department spokesperson Candace SooHoo.



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The San Francisco skyline from Twin Peaks on Thursday, March 26, 2020.

But a virtual hearing about the ordinance scheduled at the Historic Preservation Commission on Wednesday was continued to May 6 at the behest of environmental advocacy groups and members of the public wary of the effort.

They shared concerns that applying standardized mitigation measures to projects across the board would curtail civic engagement and effectively advance development projects without thorough review under the California Environmental Quality Act (CEQA).

In light of San Francisco’s current order directing citizens to shelter in place, many also requested that a public discussion of the policy be postponed until the ban on public gatherings is lifted, citing barriers to accessing technology that may be preventing some members of the public from participating.

“There is no justification whatsoever to rush this proposal through other than what we believe to be the Planning Department’s clear pro-industry bias,” said Bradley Angel, executive director of Greenaction for Health and Environmental Justice, in a letter addressed to the commission on Tuesday. “We have tremendous concerns about the proposed ordinance, which is an attempt to expedite approval of development projects without proper environmental review — and to avoid CEQA review wherever possible.”

Currently, the Planning Department reviews development projects for potential environmental impact pursuant to CEQA. The CEQA process identifies potential negative impacts that proposed projects would have on the environment, assesses the significance of these impacts, and proposes mitigation measures to eliminate or lessen them. Most development projects, including most housing projects, are subject to environmental review, but some — like those sanctioned under Senate Bill 35 — are not.

If adopted, proposed development projects would still be subject to environmental review, but the ordinance would apply standard mitigation measures to all projects through the Planning Department’s permit review and approval process, rather than through the environmental review process.

SooHoo stressed that the standard mitigation policies established under the proposed ordinance would apply to all projects, including those currently exempt from CEQA, and would therefore enhance existing protections.

She added that the ordinance will “help San Franciscans know at the beginning of a project’s environmental review what requirements would be needed for the project to

reduce or eliminate environmental impacts,” and was designed to achieve “the same or higher, level of environmental protection currently achieved through the environmental review process under CEQA.”

But environmental law attorney Richard Drury, who spoke in opposition of the ordinance on Wednesday, said that it would be “asking the Planning Commission to approve a pig in a poke.”

Drury acknowledged that in some cases ordinance would “enhance protections,” but said that in others, it may not. He said that he recently won a case involving a power plant near Mammoth Lakes, in which the local air district applied standardized mitigation measures to the project to reduce air pollution.

“Our experts came up with a bunch of other conditions that would have reduced pollution by 90% — but they refused to impose them,” said Drury.

“The whole point of the CEQA process is that sometimes, there is more than one way to skin a cat,” he added.

At its May 6 hearing, the Historic Preservation Commission must make a recommendation on the ordinance to the Planning Commission. Following adaptation, the Planning Commission would then forward the ordinance to the Board of Supervisors for review and a final vote.

Laura Waxmann
Staff Reporter
San Francisco Business Times

