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Preliminary Mitigated Negative Declaration

Date:	February 16, 2011
Case No.:	**2004.0891E**
Project Address:	**899 Valencia Street**
BPA Nos.:	200411108942, 200505031486
Zoning:	Valencia Street (Neighborhood Commercial Transit) District 55-X Height and Bulk District Mission Alcohol Beverage Control District
Block/Lot:	Block 3596, Lot 113
Lot Size:	10,925 square feet
Project Sponsor	Tuija Catalano, Reuben & Junius LLP, 415-567-9000, Representing Vermont Street Townhomes, LLC 415 297-6206
Lead Agency:	San Francisco Planning Department
Staff Contact:	Jeremy D. Battis – 415-575-9022 Jeremy.battis@sfgov.org)

PROJECT DESCRIPTION:

The proposed project would demolish the existing service station, now used for surface parking, including a one-story approximately 1,800-square foot (sq ft) service station building, three associated fueling pump structures, a customer fueling area canopy structure, and a business sign structure, and would construct an approximately 50,000-sq ft, five-story, 52 1/3-foot-high residential building containing 18 3-bedroom dwelling units, with 7,100 sq ft of ground-floor retail space. The proposed building would have a below-grade parking garage accessible from 20th Street with 14 residential and four retail off-street parking spaces. The project site is within the block bounded by Valencia Street to the west, 19th Street to the north, Mission Street to the east, and 20th Street to the south in the Mission District neighborhood. The proposed project would require conditional use authorization for development of a parcel exceeding 10,000 sq ft, for a non-residential use in excess of 3,000 sq ft, and to allow for permanent conversion of a service station to a new use.

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 Section F, Page 110** of the attached Initial Study

INITIAL STUDY
2004.0891E – 899 VALENCIA STREET

A. PROJECT DESCRIPTION

Project Location and Site Characteristics

The project site is located at 899 Valencia Street, an approximately 10,925-square foot (sq ft) (0.25 acre) corner parcel (Assessor's Block 3596, Lot 113), on the northeast corner of Valencia and 20th Streets on the Mission District block bounded by Valencia Street to the west, 19th Street to the north, Mission Street to the east and 20th Street to the south (see Figure 1). According to the project sponsor, the automotive service station on the project site ceased operation in October 2004. The project site is currently used as a temporary public surface parking lot.

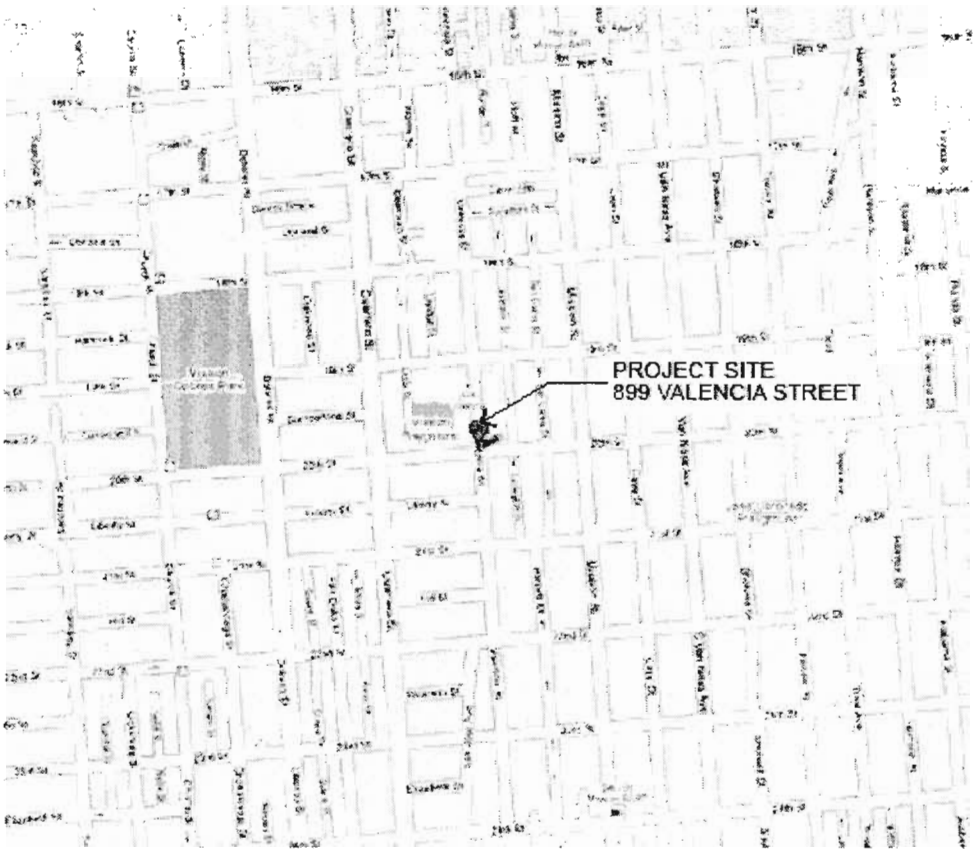
The project site is located within the Valencia Street Neighborhood Commercial Transit (Valencia Street NCT) District,[1] a new zoning designation that became effective January 2009 with adoption of the Eastern Neighborhoods Area Plan. That action also changed the site's height and bulk designation to 55-X. The Valencia Street NCT District is situated approximately along Valencia Street between 14th and Cesar Chavez Street, extending to Dolores Street and including a portion of 16th Street. Valencia-NCT controls are designed to permit moderate-scale buildings and uses and to preserve rear yards above the ground story and at stories having residential use. The Valencia–NCT controls encourage neighborhood-serving commercial uses on the ground level and residential use above. The site is also within the Mission Alcoholic Beverage Control (Mission ABC) Special Use District (SUD), which is intended to limit the number of establishments selling alcoholic beverages.

The project site, at the northeast corner of the intersection of 20th Street, is at the center of the Valencia corridor, equidistant between Mission Street BART stations at 16th and 24th Streets. With the exception of the five-story building located on the northwest corner of Valencia and 20th Streets, and the four-story building located on the southeast corner of Valencia and 20th Streets, both directly opposite the project site, the predominant form of buildings in the immediate vicinity is two- and three-story residential buildings over ground-floor retail. Corner lots in the Mission District are generally larger; and as such, the buildings situated at the remaining three corners of the Valencia and 20th Streets intersection are larger than the remainder on the block, have full lot coverage, and consist of higher density residential units, and/or commercial uses.

Proposed Project

The proposed project would demolish the existing vacant service station on the site, now used for surface parking, including a one-story approximately 1,800-square foot (sq ft) service station building, three associated fueling pump structures, a customer fueling area canopy structure, and a business sign structure, and would construct an approximately 50,000-sq ft, five-story, 52 1/3-foot-high residential building containing 18 3-bedroom dwelling units, with 7,100 sq ft of ground-floor retail space. The proposed building would have a below-grade parking garage accessible from 20th Street with 14 residential and four retail off-street parking spaces. The proposed project's demolition, grading, and

1 Defined by Planning Code Section 726.



AREA PLAN

Figure 1 – Project Location Map
899 Valencia Street
Source: Kerman Morris Architects, June 2009
(not to scale)

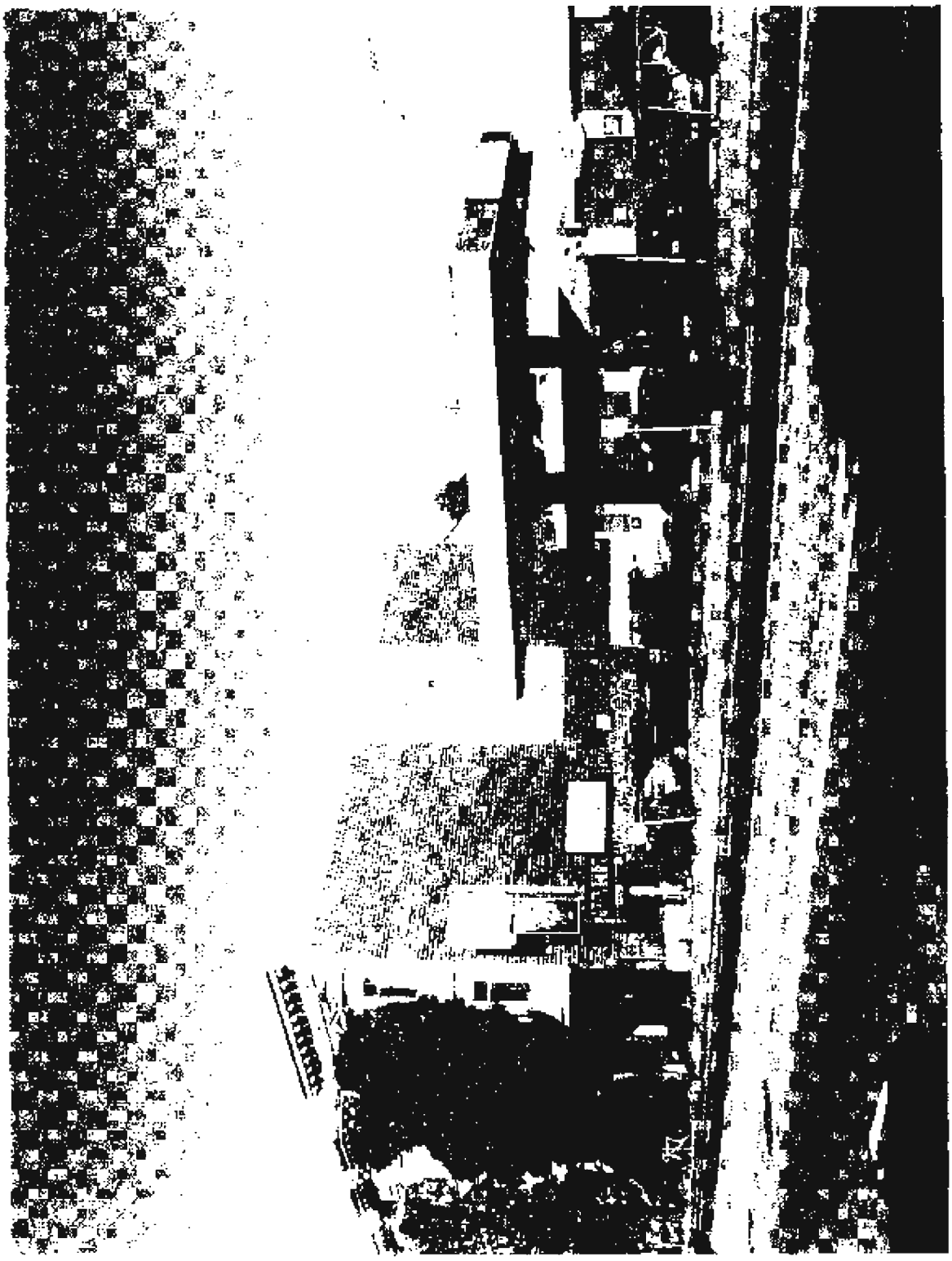


Figure 3 – Project Site Photo
899 Valencia Street
Source: Kerman Morris Architects, no date
(not to scale)

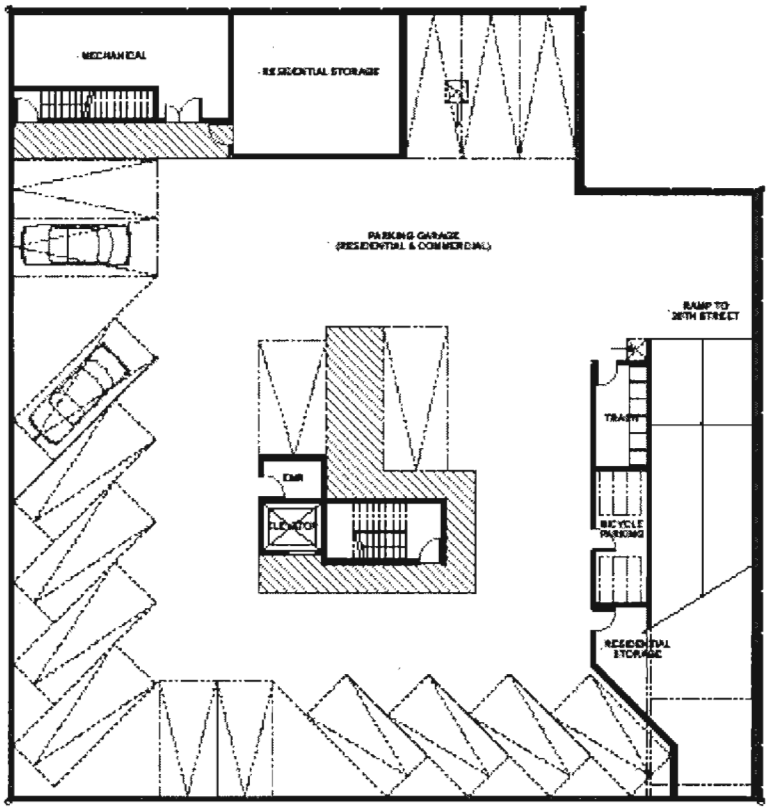
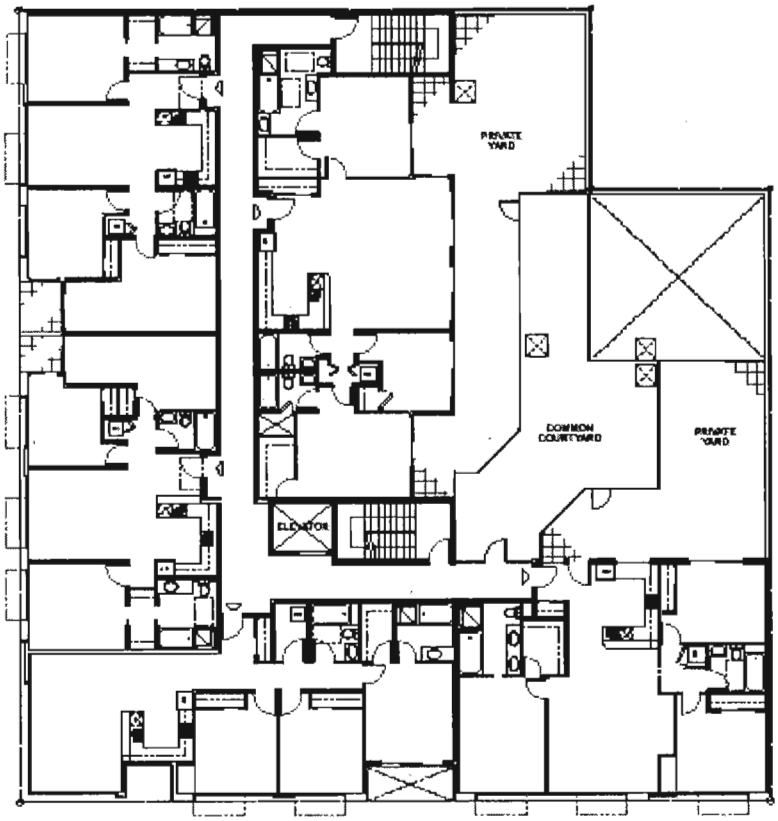


Figure 5 – Basement Plan
899 Valencia Street
Source: Kerman Morris Architects, June 2009
(not to scale)



SECOND FLOOR PLAN

Figure 7 – Second Floor Plan
899 Valencia Street
Source: Kerman Morris Architects, June 2009
(not to scale)

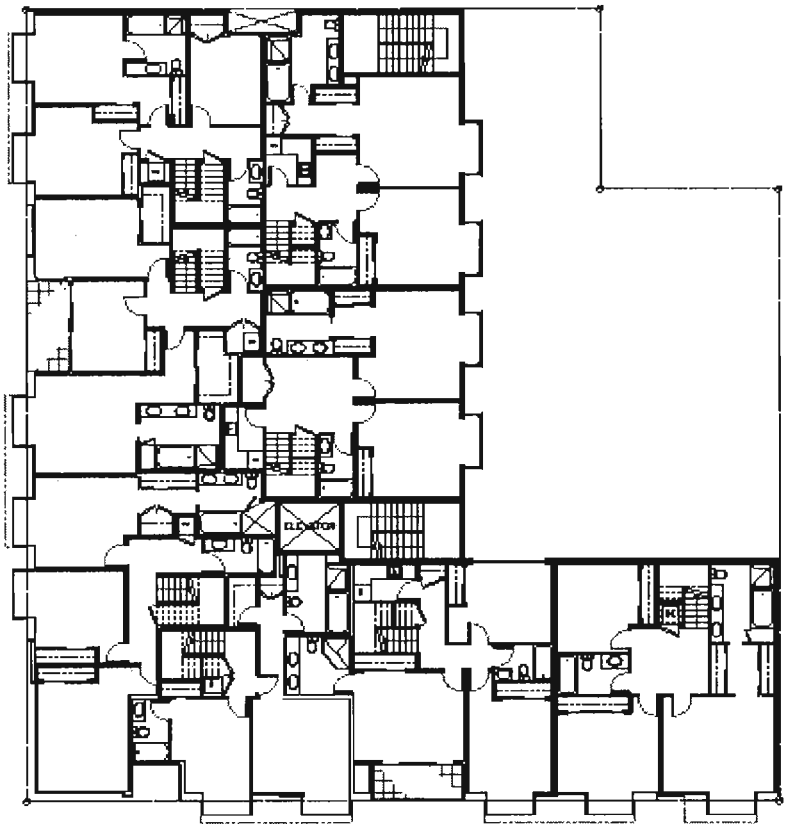
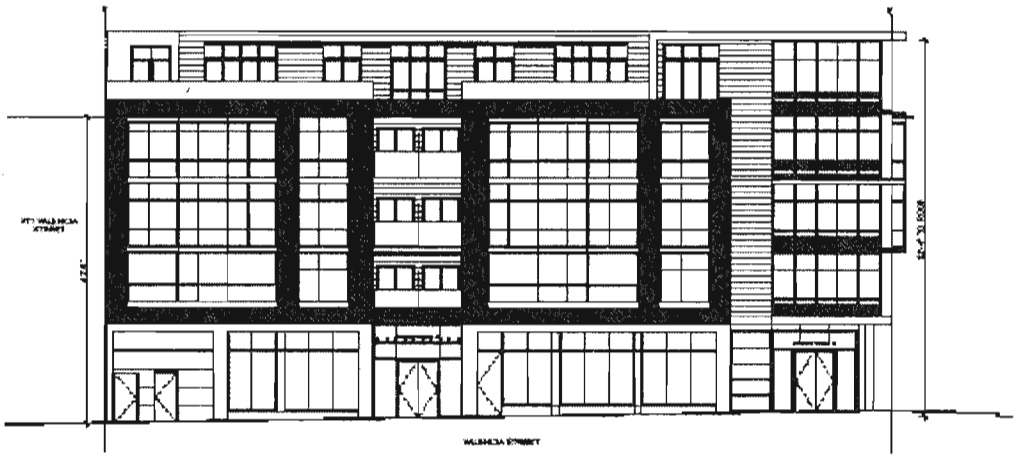


Figure 9 – Fourth Floor Plan
899 Valencia Street
Source: Kerman Morris Architects, June 2009
(not to scale)



VALENCIA STREET ELEVATION

20TH STREET ELEVATION

PROPOSED ELEVATIONS

Figure 11 – Elevation, Front (Facing South and West)
899 Valencia Street
Source: Kerman Morris Architects, June 2009
(not to scale)

B. PROJECT SETTING

The project site is located within the Valencia NCT, near the center of San Francisco in the Mission District. The Valencia NCT lies along Valencia Street between 14th and Cesar Chavez Street, and includes a portion of 16th Street extending west toward Dolores Street. Within the Valencia NCT is an approximately mile-long corridor with active ground-floor commercial uses commonly known as the "Valencia corridor," extending roughly from 15th Street to the north to 24th Street to the south. This area includes many retail, restaurant, and entertainment uses that in recent years have been replacing heavy commercial and light industrial uses. In March 1999, Valencia Street was converted from a four-lane, two-way arterial to a two-lane, two-way street with a center turn-lane median. The Valencia corridor continues to be characterized by buildings of various architectural periods, styles, and quality, producing continuous frontage and contributing to a strong street edge. Common buildings include many three-story Victorian-era two- and three-family structures, larger Victorian- and Edwardian-era multifamily buildings with ground floor retail or restaurant use, early 20th century, approximately 20-foot-high masonry garage buildings typically still in use for automotive repair, and one- and two-story mid- to late-20th century commercial buildings of non-distinctive architectural character, and more recently constructed contemporary mixed-use buildings with residential uses above ground floor commercial uses.

Valencia Street's pedestrian continuity is interrupted occasionally by curb cuts that serve vehicles within private residences or automotive repair facilities, and by a handful of large corner parcels in existing or former service station use. The Mission Police Station complex is located at the southwest intersection of Valencia and 17th Streets.

In addition to its core neighborhood services, this area includes several performing arts theaters, social services, educational institutions, and local, independent retail uses that serve visitors from other parts of the city and Bay Area as a whole.

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.	☒	☐

San Francisco Planning Code

The San Francisco *Planning Code* ("*Planning Code*" or "Code"), which incorporates by reference the City's Zoning Maps, governs permitted uses, densities, and the configuration of buildings within San Francisco.

proposed project, at 52-1/3 feet in height, would comply with the height and bulk requirements, subject to the Planning Director's authorization to allow a 2-1/3-foot height increase per *Planning Code* Section 175.6(e)(1)(B). Amended *Planning Code* Section 145.1(c)(3)(C) requires the proposed project to provide a 14-foot floor-to-floor ground floor height. With a 2-1/3-foot height increase, the project would be able to comply with *Planning Code* Section 145.1(c)(3)(C).

The proposed project is subject to new Article 1.5 provisions regarding parking requirements. Under Table 151.1, no off-street parking is required for the residential or retail uses in the Valencia NCT district. Up to one space per two dwelling units is principally permitted and up to 0.75 spaces per dwelling unit is permitted subject to conditional use authorization. The proposed project's 14 residential off-street spaces, or 0.75 spaces per unit, would, therefore, require conditional use authorization. Non-residential uses in the Valencia NCT district are permitted to have up to one parking space per 1,500 square feet of occupied floor area. The proposed project would have four off-street spaces for the retail use, well within the number allowed for a project with 7,100 sq ft of retail space.

Planning Code Section 121.1 requires a conditional use authorization for development of a lot in any neighborhood commercial district that exceeds 10,000 sq ft. The property has a lot area of approximately 10,925 sq ft, and thus is subject to the conditional use requirement. Additionally, *Planning Code* Section 121.2 requires a conditional use authorization for any individual non-residential use that exceeds 3,000 sq ft in the Valencia NCT District. The proposed project includes three non-residential retail spaces on the ground level, one of which is approximately 3,800 sq ft, therefore requiring a conditional use authorization.

The new Article 1.2 requirements address the applicability of *Planning Code* Section 135 open space requirements. The Valencia NCT District requires a minimum of 80 sq ft of private open space or 106.4 sq ft of common open space for each residential unit. The proposed project would construct 12 units, each having at least 80 sq ft of private open space and six units with common open space in the form of an approximately 750 sq ft common second floor open space, which would meet *Planning Code* Section 726.93 and Table 135 requirements for open space within the Valencia NCT District.

Planning Code Section 134 requirements for rear yard are subject to the existing Valencia NCT District, wherein a rear yard equivalent to 25 percent of total lot depth is required at all residential levels. The proposed project would provide a partial approximately 34-foot setback for the first residential level (on the building's second story). Because *Planning Code* Section 134 requires a rear yard setback of approximately 26 feet for the entire width of the property, the project applicant is requesting a modification of the rear yard requirement by the Zoning Administrator pursuant to *Planning Code* Section 134(e) due to the property's corner lot configuration.

Below Market Rate Housing Requirement

The proposed development would be required to contribute to the city's supply of affordable, or below-market rate ("BMR"), housing. Under *Planning Code* Section 315.4(a)(2), the requirement applies to projects having five or more units. Because the proposed project's first application was filed with the Department prior to July 18, 2006, it is subject to the provisions of *Planning Code* Section 315.3(b)(2), which require that the proposed project dedicate either 12 percent of its on-site units to be BMR or build the equivalent of 17 percent of BMR units off site. To date, the project applicant has not committed to a choice

an EIR on the updated Housing Element. Therefore this Initial Study refers to relevant policies of both the 2004 Housing Element and the 1990 Residence Element (the next most recent version).

The 2004 Housing Element of the *General Plan* "sets forth objectives, policies, and implementing programs to address the critical housing needs" of the City. The 2004 Element addresses the City's goals "of achieving decent, suitable, and affordable housing for current and future San Franciscans." The City intends to address the issues of housing production and affordability in part through a Citywide Action Plan (CAP), which "explores comprehensively the issue of how to meet the need for housing and jobs in ways that capitalize upon and enhance the best qualities of San Francisco as a place." CAP initiatives include (among others) the Better Neighborhoods Program and planning for the Downtown Neighborhoods; these initiatives do not include the project site.

The objectives of the 2004 Housing Element address new housing supply, housing retention, housing conditions, affordability, housing choice, homelessness, density/design/quality of life, and State and regional needs. With regard to housing production, Policy 1.1 of the 2004 Housing Element encourages higher residential density in areas adjacent to downtown and locating housing in areas well served by transit. This policy is similar to Policy 1.1 in the 1990 Residence Element; the 2004 Housing Element also calls for allowable densities in established residential areas to be set at levels that will promote compatibility with prevailing neighborhood scale and character.

Relevant housing affordability policies in the 2004 Housing Element include Policy 4.2, which calls for affordable units in larger housing projects. This policy is the same as Policy 7.2 in the 1990 Residence Element. Density/design/quality of life policies in the 2004 Housing Element include Policy 11.1, a new policy which calls for using new housing as a means to enhance neighborhood vitality and diversity, and Policy 11.5, which promotes well-designed housing that enhances existing neighborhood character. The corresponding policy in the 1990 Residence Element calls for housing that conserves existing neighborhood character.

The proposed project would contribute about 18 units to the City's housing supply, thereby helping to meet City and regional housing needs. In addition, the proposed project would comply with the City's Residential Inclusionary Affordable Housing Program requirements (City *Planning Code* Section 315, et seq.) by including two below-market-rate (BMR) units on-site, by making an in-lieu payment, or by constructing three units off-site. Several Muni lines serve the project site. The project would include ground-floor retail/commercial uses that could enhance the streetscape along Valencia Street. The project would increase the density of the project site and vicinity, and the proposed buildings would be taller than the existing uses on the project site.

The proposed project would conform to Objectives 1, 3, and 4 of the Urban Design Element. The proposed five-story structure would meet the existing height controls on the project site, would be compatible with nearby height districts, and would not obstruct any public scenic views or vistas.

mapped, and what types of zoning controls can best accomplish those goals. The Draft Environmental Impact Report (EIR) was released on June 30, 2007 and certified by the Planning Commission on August 7, 2008. On December 19, 2008, the mayor adopted the Eastern Neighborhoods Area Plans and signed into law the Planning Code and Zoning Map amendments proposed as part of the area plans. The EIR for the Eastern Neighborhoods analyzed three rezoning options. Option A would preserve the greatest amount of existing industrially-zoned land and Option C would preserve the least amount of industrially-zoned land and create more mixed-use and housing zones in the Eastern Neighborhoods. Zoning Option B is in between Options A and C, in terms of the amount of existing industrial land preserved and the amount of land converted to mixed-use and housing.

Regional Plans and Policies

The five principal regional planning agencies and their coordinated policy plans to guide planning in the nine-county Bay Area include (1) the Association for Bay Area Governments' *A Land Use Policy Framework* and *Projections 2005*, (2) the Bay Area Air Quality Management District's (BAAQMD's) *Clean Air Plan (CAP)* and *Bay Area 2005 Ozone Strategy*, (3) the Metropolitan Transportation Commission's *Regional Transportation Plan (RTP) -- Transportation 2030*, (4) the San Francisco Regional Water Quality Control Board's (RWQCB's) *San Francisco Basin Plan*, and (5) the San Francisco Bay Conservation and Development Commission's *San Francisco Bay Plan*. Due to the limited size and location of the proposed project, there would be no potential conflicts with regional plans.

REQUIRED APPROVALS

As described previously in the Planning Code discussion contained in Section C above, the proposed project would require a conditional use authorization or a determination from the Zoning Administrator for approval of a permanent change of use from the former service station use to a residential use pursuant to *Planning Code* Sections 228.2 and 228.3. The project sponsor filed an application for a conditional use authorization on August 11, 2005. Such authorization would be considered upon conclusion of the environmental review process and issuance of the appropriate CEQA (California Environmental Quality Act) documents detailing findings surrounding the proposed project and any associated potential environmental effects identified by the Planning Department. Additional required modifications and conditional use authorizations to permit the project as proposed for items such as off-street parking, development of a parcel exceeding 10,000 sq ft, for non-residential use in excess of 3,000 sq ft, and for modification of the rear yard requirement are detailed above within the Planning Code discussion contained in Section C. The project also requires the Planning Commission to find that the shadow cast by the project on the Mission Playground, discussed in detail in Section 8, is insignificant. The Recreation and Park Commission held a public hearing on September 20, 2007, and adopted Resolution No. 0709-021 recommending to the Planning Commission that the shading or shadowing from the project would not be significant or adverse to the Mission Playground.

Based on the *Planning Code's* existing land use controls, required approvals for the proposed project would include, but would not be limited to the additional following approvals from agencies other than

available within the Department, such as the Department's *Transportation Impact Analysis Guidelines for Environmental Review*, or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Game. For each checklist item, the evaluation has considered the impacts of the project both individually and cumulatively.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
1. LAND USE AND LAND USE PLANNING— Would the project:					
a) Physically divide an established community?	☐	☐	☒	☐	☐
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐	☐
c) Have a substantial impact upon the existing character of the vicinity?	☐	☐	☒	☐	☐

Impact LU-1: The proposed project would not substantially conflict with or physically divide an established community. (Less than Significant)

The project site is within San Francisco's Mission District. The approximately 10,925-sq ft project site previously operated as an automotive service station, as defined in Section 790.14 of the *Planning* Code, until ceasing operation in October 2004. The project site is presently in use as a temporary surface parking lot. The proposed project would include the demolition of the existing service station complex, including the associated one-story garage building, which is approximately 1,800 sq ft, and three associated pump structures. In its place, the proposed project would construct a five-story building-over-basement with 18 three-bedroom residential units, approximately 7,100 sq ft of ground floor retail space, and 18 parking spaces (14 residential parking spaces and four retail spaces).

Land use impacts are considered to be significant if the proposed project would physically divide an established community. The proposed project would be incorporated within the established street plan and would not create an impediment to the passage of persons or vehicles. Accordingly, the proposed project would not disrupt or divide the physical arrangement of the neighborhood and would have a less-than-significant impact in this regard.

Impact LU-4: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would result in less-than-significant cumulative impacts to land use. (Less than Significant).

Currently, there are several proposed projects along the Valencia Street corridor in close proximity to the project site. Specifically, the Planning Department is reviewing, or has recently completed review, of the following projects:

- 411 Valencia Street, Case File No. 2005. 0888E – construction of a six-story mixed-use building, with 24 residential units, 1,330 square feet of residential space, and 16 off-street parking spaces;
- 700 Valencia Street, Case File No. 2005.0351E – construction of a five-story building over basement with 9 residential units, 1,740 sq ft of ground floor commercial space and nine parking spaces;
- 736 Valencia Street, Case File No. 2005.0937E – construction of a five-story building with 8 residential units, approximately 750 sq ft of retail space and 8 parking spaces;
- 1050 Valencia Street, Case File No. 2007.1457E – construction of a five-story building with 16 residential units above an approximately 3,000-sq ft ground-floor restaurant; and
- 3500 19th Street, Case File No. 2005.0490E – construction of a five-story building with 17 residential units, approximately 2,800 square feet of retail space and 17 parking spaces.

The above-described projects as well as the proposed project are all located in the Valencia NCT zoning district and within a 55-X height and bulk district. Additionally, the proposed projects are all within the parameters of the type of development permitted and encouraged by the zoning controls for the Valencia NCT (Section 726.1 of the *Planning Code*).

As noted in Section 726.1 of the *Planning Code,* the Valencia-NCT has a pattern of large lots and businesses as well as a sizable number of upper-story residential units. The zoning controls are intended to permit moderate-scale buildings and uses, protecting rear yards above the ground story and at residential levels. Additional neighborhood-serving commercial development is encouraged at the ground story and residential development is encouraged above the ground floor level. The 899 Valencia Street project, as with the proposed projects described above, is consistent with the type of development permitted and encouraged under the Valencia-NCT zoning controls.

The proposed project, combined with other proposed projects, would result in a physical change to the surrounding area in terms of increasing the number of residential units and adding population density. The proposed project, combined with other proposed projects, would result in a physical change to the surrounding area in terms of increasing the number of residential units and adding population density. However, although the proposed project and other potential development would result in a noticeable physical change to the vicinity, such change would not result in a significant cumulative land use impact because the uses are consistent with surrounding development and with zoning controls. Moreover, such

The project vicinity's dominant visual feature is the contrast between the flat terrain of the Mission District neighborhood and the topography of the surrounding neighborhoods, most notably Dolores Heights and Twin Peaks to the west, and Bernal Heights to the south. The proposed project would not substantially modify or eliminate a scenic view or vista now observed from any public space in proximity to the project site and would not have a substantial impact on public view corridors. Physical environmental effects associated with the proposed building height are discussed in the applicable sections of this document.

Since the project site is currently occupied by a smaller one-story building, private views from some nearby residential buildings on the block, namely dwellings on the south side of 20th Street opposite the project site, could be affected by the proposed project. From these private residences, the proposed project would modify views of the project site and could partially block views of Dolores Heights or Twin Peaks. Such changes for some nearby residents would be an unavoidable result of the proposed project and could be undesirable for those individuals affected by the proposed building. Although some reduced private views would be an unavoidable consequence of the proposed project, any change in views would not exceed that commonly accepted in an urban setting. While this loss or change of views might be of concern to those property owners or tenants, it would not affect a substantial number of people and would not rise to a level considered to be a significant impact on the environment.

Impact AE-2: The proposed project would not substantially damage any scenic resources. (No Impact)

There are no scenic resources present on the project site. There are no scenic resources in the area that would be affected by the project.

Impact AE-3: The proposed project would result in a change to the existing character of the project site, but this change would not degrade the visual character or quality of the site and its surroundings. (Less than Significant)

The proposed size, scale, and density of the new building would be generally compatible with the existing development in the area, which is composed of two- to three-story buildings with residential use above ground-floor retail dating from the late 1800s to the first half of the 20th century. Although of contemporary design, the proposed project would not have a substantial, demonstrable negative aesthetic

expected to have a substantial, demonstrable negative aesthetic impact. Based on the above analysis, the project would not have a significant impact on aesthetics.

Impact AE-5: The proposed project, in combination with past, present, and reasonably foreseeable future development in the site vicinity, would result in less-than-significant impacts to aesthetic resources. (Less than Significant)

As described more fully above on p. 25, several projects in the project site vicinity have been submitted to the Planning Department for review. If all these projects were built, they would collectively increase the scale and intensity of the existing built environment along Valencia Street and the project area, with the introduction of larger residential buildings into the immediate area. The projects would change the pattern of Valencia Street, with the newer buildings of contemporary character becoming more visible along the street frontage. This change, although noticeable, would be consistent with the mixed-use nature and dense urban context of the project area. Thus, cumulative development would not be expected to substantially degrade views, damage scenic resources, or degrade the existing visual character of the area. While the 899 Valencia Street project and other potential nearby projects could generate additional nighttime illumination, any such future projects would comply with City regulations regarding light and glare and cumulatively would not result in obtrusive light and glare in amounts unusual for a developed urban area. For the reasons discussed above, the proposed project's impacts related to aesthetics would not be cumulatively considerable. In closing, the proposed project's impacts related to aesthetics, both individually and cumulatively, would be less than significant.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
3. POPULATION AND HOUSING— Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐	☐
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	☐	☐	☒	☐	☐
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	☐

less-than-significant population impact. Additionally, the proposed project would not displace existing housing units and therefore, would not result in the need for replacement housing. Also, employees of the proposed retail spaces would likely be San Francisco residents and therefore would not create a demand for housing.

In conclusion, the proposed project would result in less-than-significant population impacts because it would not induce substantial population growth and would not displace a substantial number of people or housing units.

Impact PH-3: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would have a less-than-significant impact on population and housing. (Less than Significant)

As described above, the proposed project would add an estimated 41 new residents to the project area. The five projects proposed within the project area detailed above on p. 25, would add approximately 74 residents to the neighborhood. Thus, the 899 Valencia Street project, combined with the five cumulative projects could be expected to add about 115 residents to the area.

This growth rate would be consistent with the Association of Bay Area Government's projections for citywide growth. This population growth would not be substantial in light of the zoning controls set forth in the Eastern Neighborhoods Plan. As such, cumulative population and housing impacts would be less than significant. Thus, for the reasons discussed above, the proposed project's impacts, combined with other nearby proposed projects, related to population and housing would not be cumulatively considerable.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
4. CULTURAL RESOURCES—Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco *Planning Code*?	☐	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	☐	☒	☐	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐	☐

historic resources (such as adjacent historic properties and surrounding historic districts) and concluded that the proposed building's design is compatible with the neighborhood context and would not have an adverse effect on off-site historic resources or historic districts. The HRER, drawing on the conclusions presented by a historic preservation consultant, [11] indicates that the many of the immediate area's notable architectural characteristics would be present on the proposed building, including a high-ceilinged ground floor and a recessed ground-floor corner treatment featuring a pillar that supports an upper-story rectilinear bay.[12] Thus, the contemporary architecture of the proposed building would be a compatible and updated interpretation of the surrounding area's architectural character and massing, and the HRER concluded that the proposed building would not have an adverse impact on off-site historic resources. Furthermore, the Historic Preservation Commission, at its November 17, 2010 meeting, found that the proposed building would not impact or change the integrity of any surrounding historic resource or historic district.[13] Therefore, the proposed project would not have an individual or cumulatively significant effect on historic resources.

The building on the project site was determined to be ineligible for inclusion in the California Register of Historic Places, determined not to be a historic resource or a contributor to an adopted or potential historic district, and the proposed building was determined not to have an impact on off-site historic resources. Therefore the proposed project would have a less than significant impact on any known or potential historic resources.

Impact CP-2: The proposed project would result in damage to, or destruction of, as-yet unknown archeological or human remains, should such remains exist beneath the project site. (Less than Significant with Mitigation)

When determining the potential for encountering archeological resources, relevant factors include the location, depth, and the aerial extent of excavation proposed, as well as any recorded information on known resources in the area. A geotechnical report prepared for the proposed project indicated that construction of a below-grade parking garage would require excavation to approximately 11 to 15 feet below ground surface (bgs).[14] Deeper soils disturbance may be required depending on the type of support used, including soils grouting.

The project site is located within an archeologically-sensitive area in which prehistoric, Spanish-Mexican

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11 *RE:899 Valencia Street*, email from Brad Brewster, ESA, to Tina Tam, Planning Department, November 15, 2010. This document is on file and is available for public review at the Planning Department 1650 Mission Street, San Francisco, as part of Case File No. 2004.0891E.

12 Supra note 10.

13 Supra note 8.

14 Soil and Foundation Investigation, 899 Valencia Street, San Francisco, CA, September 2005, by Frank Lee, P.E., Frank Lee & Associates This document is available for available for public review at 1650 Mission Street, Suite 400, San Francisco, CA as part of Case File No. 2004.0891E.

purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or

B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

Archeological Monitoring Program. If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a

Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

Impact with Mitigation Incorporation: Less than Significant.

Impact CP-3: The proposed project would result in a less-than-significant impact to paleontological resources. (Less than Significant)

No unique geologic features exist on the project site or within the vicinity; therefore the proposed project would not impact a unique geologic feature. Paleontological resources include fossilized remains or traces of animals, plants and invertebrates, including their imprints, from a previous geological period. Collecting localities and the geologic formations containing those localities are also considered paleontological resources; they represent a limited, nonrenewable, and impact-sensitive scientific and educational resource. To assess the site's soils composition and make recommendations for the building's foundation, the geotechnical consulting firm of Frank Lee and Associates was retained, resulting in the preparation of a soil and foundation investigation (geotechnical report) for the proposed project.16 The effort included two test borings at the project site drilled to a depth of approximately 25½ feet bgs.17 The borings revealed brown silty medium sand. This sand, mixed with gravel, was present to the full depth of the boring. Ground water was encountered at approximately 19 to 20 feet bgs. Bedrock was not encountered. As described above, the proposed project would require excavation to approximately 11 to 15 feet bgs to accommodate construction of a below-grade parking garage. Therefore, the project would encounter sandy soil below ground, which does not typically contain paleontological resources. Therefore, the proposed project would have no impact on paleontological resources.

16 Supra note 14.
17 *Ibid.*

would result in an increased building envelope with a height exceeding 55 feet, or an increased building envelope with a height 10 feet greater than an adjacent building constructed prior to 1963 shall be forwarded to the Historic Preservation Commission (HPC) for review and comment during a regularly scheduled hearing. The project site is flanked to the north (at 877 Valencia Street) and east (at 3578 20th Street) by buildings that would trigger the interim procedures. As such, the proposed project was presented to the HPC for review and comment on November 17, 2010, with a finding that the project as proposed is generally compatible with the existing neighborhood character.[18]

The project site may be a location for both below-ground historic and prehistoric archeological features and deposits. However, as with the proposed project, other proposed or future projects in the project vicinity would be subject to guidelines similar to **Mitigation Measure M-CP-2** detailed above and within Section F. Implementation of **Mitigation Measure M-CP-2,** would reduce potential project-related impacts to archeological resources, individually and cumulatively, to a level less than significant.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
5. TRANSPORTATION AND CIRCULATION— Would the project:					
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐	☐
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	☐	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	☐	☐	☒	☐	☐

18 Supra note 3.

the transportation system." To determine whether the proposed project would conflict with a transportation- or circulation-related plan, ordinance or policy, this section analyzes the proposed project's effects on intersection operations, transit demand, impacts on pedestrian and bicycle circulation, parking and freight loading, as well as construction impacts.

Trip Generation

As set forth in the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002 (*Transportation Guidelines*), the Planning Department evaluates traffic conditions for the weekday PM peak period to determine the significance of an adverse environmental impact. Weekday PM peak hour conditions (between the hours of 4 PM to 6PM) typically represent the worst-case conditions for the local transportation network. Using the *Transportation Guidelines*, the proposed project at 899 Valencia Street is anticipated to generate approximately 1,245 daily person trips and a total of 413 daily vehicle trips.[22] Table 1, below, shows the project's calculated daily and PM peak hour trip generation by mode split.

As shown in Table 1, total PM peak hour person trips are estimated to be approximately 128. These trips would be distributed among various modes of transportation, including private automobile, carpools, public transit, walking, and other modes. Of the 127 PM peak-hour person-trips, 71 would be vehicle person-trips, 28 would be transit trips, 24 would be walking trips and 5 would be trips made via other modes of transportation such as bicycling, taxi, or motorcycle.

Table 1. Daily and PM Peak Hour Trip Generation

Trip Generation Mode Split	**Daily Trips**	**PM Peak Hour Trips**
Auto	740	71
Transit	221	28
Walk	247	24
Other	36	5
Total	**1244**	**128**
Vehicle Trips	413	41
Parking Demand	**Short Term**	**Long Term**
Parking Spaces	31	39
Loading Demand	**Average Hour**	**Peak Hour**
Loading Spaces	0.11	0.14
Source: *Transportation Impact Analysis Guidelines,*		

22 *Transportation Impact Analysis Guidelines, Transportation Calculations.* This document is available for public review as part of Case File No. 2004.0891E at 1650 Mission Street, Suite 400, San Francisco, CA 94103.

intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or walking) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Section 16.102, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." As discussed below, the project site is well served by numerous MUNI and transit lines. There is also ample paid parking within walking distance with no fewer than eight public parking garages or lots within a three-block radius.

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for parking spaces in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. Moreover, the secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area. Hence, any secondary environmental impacts which may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, reasonably addresses potential secondary effects.

Loading

Using the Planning Department's *Transportation Guidelines for Environmental Review*, the proposed project would generate an average daily and peak hour demand of less than one loading trip. Planning Code Section 152 does not require off-street loading spaces for residential development less than 100,000 square feet and commercial development less than 10,000 square feet. Therefore, pursuant to the Planning Code, no loading space would be required for the proposed project and none is proposed. Based on the project's proposed uses, service calls and deliveries would on average be relatively low and the effect on traffic would not be significant.

Construction Impacts

During the estimated 18-month construction period, temporary and intermittent traffic, parking, and transit impacts in the vicinity would result from truck movements to and from the project site. Trucks would deliver and remove materials to and from the site during working hours, and construction workers would likely drive to and from the site. It is expected that the construction schedule would be approximately 7:00 a.m. to 5:00 p.m. Monday through Friday, and Saturdays from 8:30 a.m. to 4:30 p.m. Truck movements during periods of peak traffic flow would have a greater potential to create conflicts than during non-peak hours because of the greater numbers of vehicles on the streets during the peak hour that would have to maneuver around queued trucks.

Vehicular access to the site would be provided at one access point located on 20th Street, and would eliminate an existing vehicular access point along Valencia Street. A second pedestrian building access point would also be on 20th Streets. The three commercial units would have access from both 20th Street and Valencia Street. The proposed project would not interfere with existing traffic circulation or cause major traffic hazards, nor have a significant effect on traffic-related hazards. The 20th Street and Valencia Street access points provide adequate access from public streets. The proposed project would not be expected to affect emergency response times or access to other sites. Emergency vehicles would be able to reach the project site from four locations along the city streets. Therefore, the project would have a less than significant impact with regard to a roadway or project-related design feature.

Impact TR-3: The proposed project would not result in inadequate emergency access. (Less than Significant)

As described previously within this topic of the Initial Study, access to the project site would be via 20th Street and/or Valencia Street. Similarly, emergency access to the project site would be via 20th Street and/or Valencia Street The proposed project would not interfere with emergency access to the project site or in the vicinity of the project site. The proposed project would not be expected to affect emergency response times or access to other sites. Emergency vehicles would be able to reach the project site from four locations along the city streets. Proposed buildings are required to meet the standards contained in the Building and Fire Codes and the San Francisco Building and Fire Departments would review the final building plans to ensure sufficient access and safety. Therefore, the project would have a less than significant impact on emergency access to the project site or any surrounding sites.

Impact TR-4: The proposed project would not conflict with adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such features. (Less than Significant)

Transit Conditions

The project site is well served by public transit. The MUNI 14 (Mission) and 49 (Mission-Van Ness) stop one block east of the project site on Mission Street. These routes link the neighborhood to the Van Ness Avenue corridor and the South of Market neighborhood and Ferry Building at The Embarcadero. The 16th Street and 24th Street BART (Bay Area Rapid Transit) stations are equidistant from the project site or approximately one-half mile away. It's estimated that the proposed project would generate approximately 221 daily and 28 PM peak-hour transit trips, which would be distributed among the various MUNI transit routes or BART. The increase in transit demand associated with the proposed project would not result in a significant adverse impact on transit service or operations in the project area.

Project construction activities, in combination with other development in the project area, would incrementally increase the demands on the City's transportation network, but not beyond levels anticipated and planned for by local transportation and transit agencies. Construction schedules of both projects could overlap, resulting in a temporary increase of construction workers and delivery trucks to the area. However, construction work is temporary by nature, and therefore all impacts related to it would be temporary. Thus, project-related impacts to transportation and circulation would not be cumulatively considerable.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
6. NOISE—Would the project:					
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐	☐
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	☐
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	☐
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	☐
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	☐	☐	☐	☐	☒
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☐	☒
g) Be substantially affected by existing noise levels?	☐	☐	☒	☐	☐

The project site is not located within an airport land use plan area, within two miles of a public airport or in the vicinity of a private airstrip. Therefore, significance criteria 6e and 6f are not applicable.

Impact NO-1: Although the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity, it would expose persons to noise levels in excess of

Muni buses, and emergency vehicles and surrounding land use activities, such as commercial or light industrial uses. Valencia Street, along the project's western façade, is a moderately traveled street, with lower traffic speeds than Guerrero Street one block to the west, and without the transit routes present on Mission Street one block to the east. Field observation indicates that surrounding land uses do not noticeably conduct noisy operations, although the immediate area along Valencia Street includes several late-night, noise-generating establishments. Based on recent noise modeling conducted by the Department of Public Health (DPH), average traffic noise levels in the project area are generally at 70 Ldn or less.[26] [27]

To satisfy requirements set forth by the Eastern Neighborhoods Area Plan (which covers the Mission District neighborhood in which the project site is located) intended to reduce potential conflicts between existing noise-generating uses and new sensitive receptors, a 24-hour ambient noise study at the project site was conducted.[28] The completed noise study fully satisfies the conditions prescribed within Eastern Neighborhoods Mitigation Measure F-4,[29] which appears below as Mitigation Measure **M-NO-1a** and within Section F., p. 110.

Mitigation Measure M-NO-1a: Siting of Noise-Sensitive Uses

> To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

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26 City and County of San Francisco, Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final EIR, June 30, 2007, Figure 17 – Traffic Noise Levels* and *Figure 18 – Street Noise Levels.* Available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA, as part of Case File No. 2007.1457E.

27 Ldn is the abbreviation for the Day-Night Average Sound Level, which is the average noise level over a 24 hour period. The noise between the hours of 10 pm and 7am is artificially increased by 10 dB (decibels). This noise is weighted to take into account the decrease in community background noise of 10 dB during this period. A decibel is a unit of measurement for the sound loudness (amplitude). A dBA is the symbol for decibels using the A-weighted scale, which is a logarithmic scale that approximates the sensitivity of the human ear.

28 *899 Valencia Street Environmental Noise Assessment* by Cristina L. Miyar, Charles M. Saltyer Associates, Inc., April 28, 2010. This document presents findings of 24-hour noise measurements conducted adjacent to the project site on December 1,2, , and 3, 2008. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA, as part of Case File No. 2004.0891E.

29 SF DPH Review of *899 Valencia Street Environmental Noise Assessment* by Tom Rivard, SF DPH, to Jeremy Battis, Planning Department, October 12, 2010. This document presents findings of 24-hour noise measurements conducted adjacent to the project site on December 1, 2, , and 3, 2008. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA, as part of Case File No. 2004.0891E.

incorporation of noise insulation and compliance with Title 24, the proposed project would not be substantially affected by existing noise levels.

Project-Generated Noise. In order for increased traffic volumes to result in a perceptible increase in noise levels, traffic volumes would need to approximately double. The proposed 18-unit building would not cause a doubling of traffic volumes, and would therefore not cause a noticeable increase in the ambient noise level in the project vicinity related to traffic.

Operational Noise. Noise generated by residential uses is common and generally accepted in this urban location. The proposed project would include mechanical equipment, such as cooling and ventilation systems, that could produce operational noise. All operations would be subject to the San Francisco Noise Ordinance, Article 29 of the San Francisco Police Code, which establishes noise limits for fixed noise sources. As amended in November 2008, this section establishes a noise limit from mechanical sources, such as building equipment, specified as a certain noise level in excess of the ambient noise level at the property line: for noise generated by residential uses, the limit is 5 dBA in excess of the ambient. Compliance with Article 29, Section 2909, would minimize noise from building operations. Based on the above, the noise effects related to building operation would not be significant, nor would the building contribute a considerable increment to any cumulative noise impacts from mechanical equipment.

Noise Compatibility and Exposure of Persons to Ambient Noise. Based on modeling of traffic noise volumes conducted by the San Francisco Department of Public Health (DPH),[33] the average traffic noise levels in the project area vicinity are generally between 65 and 70 Ldn. However, as noted above, noise measurements conducted over a 24-hour period in the project vicinity indicate that the overall maximum noise levels—including traffic and all other sources—are typically well above 70 Ldn. Therefore, the proposed project would locate new residential units—considered to be "sensitive receptors"—in an environment with noise levels above those considered normally acceptable for residential uses. As such, the proposed project would be required to incorporate noise insulation features to ensure that indoor noise levels would be reduced by approximately 30 decibels, thereby resulting in indoor noise levels that would not exceed 45 decibels (Ldn), the prescribed maximum level for residential uses. DBI would review project plans for compliance with Title 24 noise standards and would not issue building permits until compliance is achieved. Thus, the proposed project would comply with the prescribed maximum interior noise level of 45 dBA (Ldn).

While the General Plan, within its Environmental Protection Element, Policy 11.1, discourages siting new sensitive noise receptors in areas above 65 dBA,[34] the proposed residential use would be considered an infill development that is in keeping with the existing surrounding uses and pattern of development and

33 Traffic noise map presented on DPH website: http://www.sfdph.org/dph/EH/Noise/default.asp. Accessed on September 7, 2010.
34 Supra note 21.

noise generated would be influenced by equipment type and duration of use, distance between noise source and listener, and presence or absence of barriers (including subsurface barriers). There would be times when noise and vibration could interfere with indoor activities in nearby residences and other businesses near the project site. Construction noise and vibration impacts would be temporary in nature and limited to the period of construction. The geotechnical report prepared for the proposed project suggests a mat foundation, and therefore pile-driving (typically the noisiest construction activity) would not be required. Considering this, the noisiest construction activities associated with the project would likely be exterior finishing, which can generate noise levels up to 89 dBA (see Table 9, below). The closest sensitive receptors would be those nearby residences on Valencia and 22nd Streets. Noise generally attenuates (decreases) at a rate of 6 to 7.5 dBA per doubling of distance. Therefore, the exterior noise level at the sensitive receptors identified above would be less than 89 dBA during the noisiest construction activities.

TABLE 1
TYPICAL COMMERCIAL CONSTRUCTION NOISE LEVELS (DBA)35

Phase	$(L_{eq})^a$
Ground Clearing	84
Excavation	89
Foundations	78
Erection	85
Exterior Finishing	89
Pile Driving	90-105

[a] Estimates correspond to a distance of 50 feet from the noisiest piece of equipment associated with a given phase and 200 feet from the other equipment associated with that phase.

SOURCE: U.S. Environmental Protection Agency, Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances, December 1971.

All construction activities would be required to comply with the San Francisco Noise Ordinance, as discussed above. The Department of Building Inspection (DBI) is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 AM to 5:00 PM). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. The Noise Ordinance requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 decibels (dBA) at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Directors of the Department of Public Works (DPW) or DBI to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the property line of the site by five dBA, the work must not be conducted between 8:00 PM and 7:00 AM, unless the Director of DPW or DBI authorizes a special permit for conducting the

35 U.S. Environmental Protection Agency, *Noise from Construction Equipment and Building Operations, Building Equipment, and Home Appliances*, December 1971.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
7. AIR QUALITY					
Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐	☐

The Bay Area Air Quality Management District (BAAQMD) is the regional agency with jurisdiction over the nine-county Bay Area Air Basin. BAAQMD is responsible for attaining and maintaining air quality in the Air Basin within federal and State air quality standards. Specifically, BAAQMD has the responsibility to monitor ambient air pollutant levels throughout the Air Basin and to develop and implement strategies to attain the applicable federal and State standards.

Impact AQ-1: Construction of the proposed project would result in fugitive dust emissions. (Less than Significant)

Project-related excavation and grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. Although there are federal standards for air pollutants and implementation of state and regional air quality control plans, air pollutants continue to have impacts on human health throughout the country. California has found that particulate matter exposure can cause health effects at lower levels than national standards. The current health burden of particulate matter demands that, where possible, public agencies take feasible available actions to reduce sources of particulate matter exposure. According to the California Air Resources Board, reducing ambient particulate matter from 1998–2000 levels to natural background concentrations in San Francisco would prevent over 200 premature deaths.

Dust can be an irritant causing watering eyes or irritation to the lungs, nose, and throat. Excavation, grading, and other construction activities can cause wind-blown dust to add to particulate matter in the local atmosphere. Depending on exposure, adverse health effects can occur due to this particulate matter in general and also due to specific contaminants such as lead or asbestos that may be constituents of soil.

- Replant vegetation in disturbed areas as quickly as possible;
- Install wheel washers for all exiting trucks, or wash off the tires of all trucks and equipment prior to leaving the site;
- Install wind breaks, or plant trees/vegetative wind breaks at windward side(s) of construction areas;
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph; and
- Limit the area subject to excavation, grading, and other construction activity at any one time.

The Dust Control Ordinance incorporated BAAQMD's recommended best management practices. Therefore, compliance with the Dust Control Ordinance would reduce the project's fugitive dust impacts to less than significant.

Impact AQ-2: Construction of the proposed project would not violate an air quality standard or contribute to an existing or projected air quality violation. (Less than Significant)

The 2010 Air Quality Guidelines state that the first step in determining the significance of criteria air pollutants and ozone precursors related to construction or operation of a proposed project is to compare the attributes of the proposed project with the applicable screening criteria provided in the Air Quality Guidelines.[37] The purpose of this comparison is to provide a conservative indication of whether construction or operation of the proposed project would result in the generation of criteria air pollutants or ozone precursors that exceed BAAQMD's thresholds of significance. If all of the screening criteria are met by a proposed project, then the lead agency or applicant does not need to perform a detailed air quality assessment of the project's air pollutant emissions, and construction or operation of the proposed project would result in a less than significant criteria air pollutant impact. If the proposed project does not meet all the screening criteria, then project emissions need to be quantified and compared against the thresholds of significance.[38]

The Air Quality Guidelines note that the screening levels are generally representative of new development on greenfield sites without any form of mitigation measures taken into consideration. In addition, the screening criteria do not account for project design features, attributes, or local development requirements that could also result in lower emissions. For projects that are mixed-use, infill, and/or proximate to transit service and local services, emissions would be less than the greenfield type project that the screening criteria are based upon.

Vehicle exhaust resulting from on- and off-road construction equipment may emit criteria air pollutants. Based on a review of the Air Quality Guidelines' screening tables, the proposed project would be well

37 Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, June 2010, at page 3-2 to 3-3..

38 *Ibid*, p. 3-1.

The San Francisco Department of Public Health (DPH) has issued guidance for the identification and assessment of potential air quality hazards and methods for assessing the associated health risks.[41] Consistent with CARB guidance, DPH has identified that a potential public health hazard for sensitive land uses exists when such uses are located within a 150-meter (approximately 500-foot) radius of any boundary of a project site that experiences 100,000 vehicles per day. To this end, San Francisco added Article 38 of the San Francisco Health Code, approved November 25, 2008, which requires that, for new residential projects of 10 or more units located in proximity to high-traffic roadways, as mapped by DPH, an Air Quality Assessment be prepared to determine whether residents would be exposed to potentially unhealthful levels of $PM_{2.5}$. Through air quality modeling, an assessment is conducted to determine if the annual average concentration of $PM_{2.5}$ from the roadway sources would exceed a concentration of 0.2 micrograms per cubic meter (annual average).[42] If this standard is exceeded, the project sponsor must design the project to reduce $PM_{2.5}$ exposure to the residential units. Reduced exposure to $PM_{2.5}$ may be accomplished through the location of air intakes or by installation of a filtered air supply system, with high-efficiency filters, designed to remove at least 80 percent of ambient $PM_{2.5}$ from habitable areas of residential units.

The project site is not located within the Potential Roadway Exposure Zone, as mapped by DPH. Thus, the proposed project would not be expected to result in a significant impact from exposure of sensitive receptors to high concentrations of roadway-related pollutants.

Thus, cumulative and project level impacts involving exposure of sensitive receptors to substantial pollutant concentrations would be less than significant.

Impact AQ-6: The proposed project would not create objectionable odors affecting a substantial number of people. (Less than Significant)

The project would not result in a perceptible increase or change in noxious odors on the project site or in the vicinity of the project, as it would not include uses prone to generation of noxious odors. Observation indicates that surrounding land uses are not sources of noticeable odors, and therefore, would not adversely affect project vicinity residents.

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41 San Francisco Department of Public Health, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 6, 2008, http://www.sfphes.org/publications/Mitigating_Roadway_AQLU_Conflicts.pdf, accessed June 21, 2010.

42 According to DPH, this threshold, or action level, of 0.2 micrograms per cubic meter represents about 8–10 percent of the range of ambient PM2.5 concentrations in San Francisco based on monitoring data, and is based on epidemiological research that indicates that such a concentration can result in an approximately 0.28 percent increase in non-injury mortality, or an increased mortality at a rate of approximately 20 "excess deaths" per year per one million population in San Francisco. "Excess deaths" (also referred to as premature mortality) refer to deaths that occur sooner than otherwise expected, absent the specific condition under evaluation; in this case, exposure to PM2.5. (San Francisco Department of Public Health, Occupational and Environmental Health Section, Program on Health, Equity, and Sustainability, "Assessment and Mitigation of Air Pollutant Health Effects from Intra-urban Roadways: Guidance for Land Use Planning and Environmental Review, May 6, 2008. Twenty excess deaths per million based on San Francisco's non-injury, non-homicide, non-suicide mortality rate of approximately 714 per 100,000. Although San Francisco's population is less than one million, the presentation of excess deaths is commonly given as a rate per million population.)

source of 38 percent of the State's GHG emissions, followed by electricity generation (both in-state and out-of-state) at 22 percent and industrial sources at 20 percent. Commercial and residential fuel use (primarily for heating) accounted for 9 percent of GHG emissions.[46] In the Bay Area, fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) and the industrial and commercial sectors are the two largest sources of GHG emissions, each accounting for approximately 36% of the Bay Area's 95.8 $MMTCO_2E$ emitted in 2007.[47] Electricity generation accounts for approximately 16% of the Bay Area's GHG emissions followed by residential fuel usage at 7%, off-road equipment at 3% and agriculture at 1%.[48]

REGULATORY SETTING

In 2006, the California legislature passed Assembly Bill No. 32 (California Health and Safety Code Division 25.5, Sections 38500, et seq., or AB 32), also known as the Global Warming Solutions Act. AB 32 requires ARB to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25 percent reduction in emissions).

Pursuant to AB 32, ARB adopted a Scoping Plan in December 2008, outlining measures to meet the 2020 GHG reduction limits. In order to meet these goals, California must reduce its GHG emissions by 30 percent below projected 2020 business as usual emissions levels, or about 15 percent from today's levels.49 The Scoping Plan estimates a reduction of 174 million metric tons of CO_2E ($MMTCO_2E$) (about 191 million U.S. tons) from the transportation, energy, agriculture, forestry, and high global warming potential sectors, see Table 2, below. ARB has identified an implementation timeline for the GHG reduction strategies in the Scoping Plan.50 Some measures may require new legislation to implement, some will require subsidies, some have already been developed, and some will require additional effort to evaluate and quantify. Additionally, some emissions reductions strategies may require their own environmental review under CEQA or the National Environmental Policy Act (NEPA).

Table 2. GHG Reductions from the AB 32 Scoping Plan Sectors[51]

GHG Reduction Measures By Sector	GHG Reductions (MMT CO_2E)
Transportation Sector	62.3
Electricity and Natural Gas	49.7

2010.

46 *Ibid.*

47 Bay Area Air Quality Management District, Source Inventory of Bay Area Greenhouse Gas Emissions: Base Year 2007, Updated: February 2010. Available online at: http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/Emission%20Inventory/regionalinventory2007_2_10.ashx. Accessed March 2, 2010.

48 Ibid.

49 California Air Resources Board, California's Climate Plan: Fact Sheet. Available online at: http://www.arb.ca.gov/cc/facts/scoping_plan_fs.pdf. Accessed March 4, 2010.

50 California Air Resources Board. AB 32 Scoping Plan. Available Online at: http://www.arb.ca.gov/cc/scopingplan/sp_measures_implementation_timeline.pdf. Accessed March 2, 2010.

51 Ibid.

Senate Bill 97 (SB 97) required the Office of Planning and Research (OPR) to amend the state CEQA guidelines to address the feasible mitigation of GHG emissions or the effects of GHGs. In response, OPR amended the CEQA guidelines to provide guidance for analyzing GHG emissions. Among other changes to the CEQA Guidelines, the amendments add a new section to the CEQA Checklist (CEQA Guidelines Appendix G) to address questions regarding the project's potential to emit GHGs.

The Bay Area Air Quality Management District (BAAQMD) is the primary agency responsible for air quality regulation in the nine county San Francisco Bay Area Air Basin (SFBAAB). As part of their role in air quality regulation, BAAQMD has prepared the CEQA air quality guidelines to assist lead agencies in evaluating air quality impacts of projects and plans proposed in the SFBAAB. The guidelines provide procedures for evaluating potential air quality impacts during the environmental review process consistent with CEQA requirements. On June 2, 2010, the BAAQMD adopted new and revised CEQA air quality thresholds of significance and issued revised guidelines that supersede the 1999 air quality guidelines. The *2010 CEQA Air Quality Guidelines* provide for the first time CEQA thresholds of significance for greenhouse gas emissions. OPR's amendments to the CEQA Guidelines as well as BAAQMD's *2010 CEQA Air Quality Guidelines* and thresholds of significance have been incorporated into this analysis accordingly.

Impact GG-1: The proposed project would generate greenhouse gas emissions, but not at levels that would result in a significant impact on the environment or conflict with any policy, plan, or regulation adopted for the purpose of reducing greenhouse gas emissions. (Less than Significant)

The most common GHGs resulting from human activity are CO_2, CH_4, and N_2O.[52] State law defines GHGs to also include hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. These latter GHG compounds are usually emitted in industrial processes, and therefore not applicable to the proposed project. Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations.

The proposed project would increase the activity on site by demolition of an existing automotive service station building and construction of a new mixed-use building which would result in additional vehicle trips and an increase in energy use. The expansion could also result in an increase in overall water usage which generates indirect emissions from the energy required to pump, treat and convey water. The expansion could also result in an increase in discarded landfill materials. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile

52 Governor's Office of Planning and Research. *Technical Advisory- CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review.* June 19, 2008. Available at the Office of Planning and Research's website at: http://www.opr.ca.gov/ceqa/pdfs/june08-ceqa.pdf. Accessed March 3, 2010.

The BAAQMD reviewed San Francisco's *Strategies to Address Greenhouse Gas Emissions* and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in BAAQMD's CEQA Guidelines (2010) and stated that San Francisco's "aggressive GHG reduction targets and comprehensive strategies help the Bay Area move toward reaching the State's AB 32 goals, and also serve as a model from which other communities can learn."[54]

Based on the BAAQMD's 2010 *CEQA Air Quality Guidelines*, projects that are consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions* would result in a less than significant impact with respect to GHG emissions. Furthermore, because San Francisco's strategy is consistent with AB 32 goals, projects that are consistent with San Francisco's strategy would also not conflict with the State's plan for reducing GHG emissions. As discussed in San Francisco's *Strategies to Address Greenhouse Gas Emissions*, new development and renovations/alterations for private projects and municipal projects are required to comply with San Francisco's ordinances that reduce greenhouse gas emissions. Applicable requirements are shown below in Table 3 on the following pages.

54 Letter from Jean Roggenkamp, BAAQMD, to Bill Wycko, San Francisco Planning Department. October 28, 2010. This letter is available online at: http://www.sfplanning.org/index.aspx?page=1570. Accessed November 12, 2010.

Regulation	Requirements	Project Compliance	Discussion
	50.		requirements.
Energy Efficiency Sector			
San Francisco Green Building Requirements for Energy Efficiency (SF Building Code, Chapter 13C)	Commercial buildings greater than 5,000 sf will be required to be at a minimum 14% more energy efficient than Title 24 energy efficiency requirements. By 2008 large commercial buildings will be required to have their energy systems commissioned, and by 2010, these large buildings will be required to provide enhanced commissioning in compliance with LEED® Energy and Atmosphere Credit 3. Mid-sized commercial buildings will be required to have their systems commissioned by 2009, with enhanced commissioning by 2011.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project, with 7,100 square feet of retail space at the ground floor, would be required to comply with the Green Building Ordinance, which would increase energy efficiency by a minimum of 15% beyond the 2005 Title 24 energy efficiency requirements.
San Francisco Green Building Requirements for Energy Efficiency (SF Building Code, Chapter 13C)	Under the Green Point Rated system and in compliance with the Green Building Ordinance, all new residential buildings will be required to be at a minimum 15% more energy efficient than Title 24 energy efficiency requirements.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	See discussion above. The proposed project would be required to comply with the Green Building Ordinance, which would increase energy efficiency by a minimum of 15% beyond the 2005 Title 24 energy efficiency requirements.
San Francisco Green Building Requirements for Stormwater Management (SF Building Code, Chapter 13C) Or San Francisco Stormwater	Requires all new development or redevelopment disturbing more than 5,000 square feet of ground surface to manage stormwater on-site using low impact design. Projects subject to the Green Building Ordinance Requirements must comply with either LEED® Sustainable Sites Credits 6.1 and 6.2, or with the City's Stormwater	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would disturb over 5,000 square feet of soil, which would therefore mandate compliance with the SFPUC's stormwater design guidelines, which emphasize low impact development using a variety of Best Management Practices for managing stormwater runoff and reducing impervious surfaces, thereby reducing

Regulation	Requirements	Project Compliance	Discussion
	existing buildings, compliance must be completed through the Department of Building Inspection, for which a discretionary permit (subject to CEQA) would be issued.		
Renewable Energy Sector			
San Francisco Green Building Requirements for renewable energy (SF Building Code, Chapter 13C)	By 2012, all new commercial buildings will be required to provide on-site renewable energy or purchase renewable energy credits pursuant to LEED® Energy and Atmosphere Credits 2 or 6. Credit 2 requires providing at least 2.5% of the buildings energy use from on-site renewable sources. Credit 6 requires providing at least 35% of the building's electricity from renewable energy contracts.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project is the construction of a mixed-use building, which would be required to comply with the San Francisco Green Building Code for the retail-occupied portion of the proposed building.
Waste Reduction Sector			
San Francisco Green Building Requirements for solid waste (SF Building Code, Chapter 13C)	Pursuant to Section 1304C.0.4 of the Green Building Ordinance, all new construction, renovation and alterations subject to the ordinance are required to provide recycling, composting and trash storage, collection, and loading that is convenient for all users of the building.	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project is the construction of a mixed-use building which would be required to comply with the San Francisco Green Building Code requirements for solid waste.
Mandatory Recycling and Composting Ordinance (Environment Code, Chapter 19)	The mandatory recycling and composting ordinance requires all persons in San Francisco to separate their refuse into recyclables, compostables and trash, and place each type of refuse in a separate container designated for disposal of that	X Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project is the construction of a mixed-use building which would be required to comply with the Mandatory Recycling and Composting Ordinance.

current and probable future state and local greenhouse gas reduction measures will continue to reduce a project's contribution to climate change; and (5) San Francisco's *Strategies to Address Greenhouse Gas Emissions* meet BAAQMD's requirements for a Qualified GHG Reduction Strategy, projects that are consistent with San Francisco's regulations would not contribute significantly to global climate change. The proposed project would be required to comply with these requirements, and was determined to be consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions.*[55] As such, the proposed project would result in a less than significant impact with respect to GHG emissions.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
9. WIND AND SHADOW—Would the project:					
a) Alter wind in a manner that substantially affects public areas?	☐	☐	☒	☐	☐
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	☐	☐	☒	☐	☐

Impact WS-1: The proposed project would not alter wind in a matter that substantially affects public areas. (Less than Significant)

Wind impacts are generally caused by large building masses extending substantially above their surroundings, and by buildings oriented such that a large wall catches a prevailing wind, particularly if such a wall includes little or no articulation. The nature of development in the project vicinity is generally small-scale and the project would not result in adverse effects on ground-level winds. The proposed project's building height would be 52-1/3 feet. Since the proposed project would not be substantially taller than nearby buildings, the project would not result in adverse effects on ground-level winds. Accordingly, the proposed project would have the potential to result in a less-than-significant wind impact.

Impact WS-2: The proposed project would not create new shadow in a manner that could substantially affect outdoor recreation facilities or other public areas. (Less than Significant)

Section 295 of the Planning Code was adopted in response to Proposition K (passed in November 1984) in order to protect public open spaces under the jurisdiction of the Recreation and Park Commission from

55 Greenhouse Gas Analysis: Compliance Checklist. November 12, 2010. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400.

shadow on the park, particularly in the late afternoon. However, because of the size of Mission Playground and the lack of very tall buildings nearby, most of Mission Playground is in sunlight during the middle of the day throughout the year. There is a theoretical potential of approximately 327.8 million sq ft-hours[58] of sunlight available year-round on the Mission Playground.[59] Existing shadow on the Mission Playground is approximately 93,159,000 shadow-foot-hours,[60] or about 28 percent of the potential sunlight. Therefore, the Mission Playground would fall into the category of larger parks (two or more acres) with between 20 and 40 percent existing shadow, and the 1989 guidelines would suggest that 0.1 percent additional shadow could be permitted.

The proposed project would cast new shadows on Mission Playground between mid-October and early March. The shadow analysis found that the proposed project would result in an increase in shading of Mission Playground by about 184,600 shadow-foot-hours, which is approximately 0.06 percent of the total potential sunlight, or 60 percent of the 0.1 percent new shadow limit recommended by the 1989 guidelines. The net new shadow would fall on Mission Playground during times when the existing trees substantially shade the square grassy area along Valencia Street. Total shadow cast upon the Mission Playground including the proposed project would be 93,343,700 shadow-foot-hours. This shadow would only occur in the early morning. Therefore, because the shadow would occur in the early morning, it would affect 0.06 percent of potential sunlight on the Mission Playground during a limited period of the year, well below the 0.1 percent shadow impact. Thus, the project would not be expected to adversely affect use or enjoyment of this public park, and the proposed project would have a less-than-significant impact on shading of this public recreation area. The shadow analysis noted that this impact represents both the individual project and the cumulative impacts, because no other existing structures were observed through site visits that would create additional shadow. Therefore, the proposed project would not contribute to any cumulative substantial increase in shadow on the Mission Playground during the hours subject to Section 295.

The proposed project would add new shade to portions of the project site as well as to surrounding properties. However, because of the height of the proposed building and the configuration of existing buildings in the vicinity, the net new shading which would result from the project's construction would be limited in scope, and would not increase the total amount of shading above levels which are common and generally accepted in urban areas. Although residents may regard the increase in shadow during any time of the year an inconvenience, the limited amount of increase in shading would not be considered a significant or adverse impact under CEQA.

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[58] A square foot-hour of sunlight is one hour of sunlight on one square foot of ground.

[59] This amount is based on the park's area of approximately 88,080 sq ft and 3,721.4 Proposition K hours per year, assuming no structures are shading the park.

[60] A shadow-foot-hour is measured as one hour of shade on one square foot of ground.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☒	☐	☐
c) Physically degrade existing recreational resources?	☐	☐	☒	☐	☐

Impact RE-1: The proposed project would increase the use of existing neighborhood parks or other recreational facilities, but not to an extent that substantial physical deterioration of the facilities would occur or be accelerated. (Less than Significant)

Recreation facilities in the project vicinity include the Mission Pool and Recreation Center, approximately one half-block to the northwest of the project site; Dolores Park, two blocks to the west of the project site at the northwest corner of 20th Street and Dolores Street; Alioto Mini Park at the corner of 20th and Capp Streets, one block east of the project site; Kid Power Park, about four blocks north of the project site near 16th and Valencia Streets. Also within walking distance from the project site is the Mission Community Recreation Center, located on Harrison Street between 20th and 21st Street, less than a half mile east of the project site; the Jose Coronado Playground; located at Folsom and 21st Streets, less than a half mile from the project site; and Garfield Square at the southwest corner of Harrison and 25th Streets, also less than a half mile from the project site. Accordingly, project residents would have convenient access to private and public open space and recreational facilities. The proposed project is expected to result in 41 new residents.61 These new residents would not be expected to increase the use of existing neighborhood parks and recreational facilities to such extent that these facilities would be physically degraded or their substantial physical deterioration would be accelerated. The incremental residential growth that would result from the proposed project would not require the construction of new recreational facilities or the expansion of existing facilities. The impact on recreational facilities would, therefore, be less than significant.

Impact RE-2: The proposed project would include some limited outdoor recreational facilities. No expansion of recreational facilities would be required as a result of the project. (Less than Significant)

The proposed project would provide on-site open space, for passive recreational use, for project residents and retail customers through a combination of a common rear yards, private balconies and private roof decks.

61 Supra note 6.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	☐
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	☐	☐	☒	☐	☐
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐	☐

Impact UT-1: Implementation of the proposed project would result in a less-than-significant impact on wastewater collection and treatment facilities and would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities. (Less than Significant)

The project site is located within an area that is served by existing utilities and service systems including solid waste disposal, wastewater, and stormwater collection and treatment, power, water and communication facilities. The proposed project would add new residential uses to the site that would incrementally increase the demand for utilities and service systems, but not in excess of amounts expected and provided for in the project area.

The proposed project would not require new wastewater or stormwater collection and treatment facilities. Project related wastewater and stormwater would continue to flow into the City's combined stormwater and sewer system and would be treated to the standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant, prior to discharge into the San Francisco Bay. The project site is about 90 percent covered with impervious surfaces. The proposed project would cover the entire site with impervious surface. The increase in impervious surface would not substantially affect the amount of stormwater discharged from the project site. Additionally, as new construction, the proposed project would be required to meet the standards for stormwater management identified in the San Francisco Green Building Ordinance (SFGBO), adopted May 6, 2008. The SFGBO would require that the project meet the performance

Solid waste from the project site would be collected by Golden Gate Disposal Company and hauled to the Norcal transfer station near Candlestick Point, and recycled as feasible, with non-recyclables being disposed of at the Altamont Landfill in Alameda County. The Altamont Landfill has a permitted maximum disposal of 6,000 tons per day and received about 1.29 million tons of waste in 2007 (the most recent year reported by the State). The total permitted capacity of the landfill is more than 124 million cubic yards; with this capacity, the landfill can operate until 2025.[64] However, the amount of solid waste that San Francisco can deposit at Altamont Landfill is governed by the City's agreement with the landfill operator, and the City is anticipated to reach its current limit between 2013 and 2015. The City is currently reviewing alternatives for longer-term disposal capacity, which may or may not involve continuing disposal at Altamont Landfill. The Department of the Environment anticipates having a new agreement in place during 2010.[65] Although the proposed project would incrementally increase total waste generation from the City, the increasing rate of diversion through recycling and other methods would result in a decreasing share of total waste that requires deposition into the landfill. Given this, and given the long-term capacity available at the Altamont Landfill, the solid waste generated by project construction and operation would not result in the landfill exceeding its permitted capacity, and the project would result in a less-than-significant solid waste generation impact. The proposed project would be subject to the City's Mandatory Recycling and Composting Ordinance, which requires all San Francisco residents and commercial landlords to separate their refuse into recyclables, compostables, and trash, thereby minimizing solid waste disposal and maximizing recycling. The project would also be subject to the City's Construction and Demolition Debris Recovery Ordinance, which requires all construction and demolition debris to be transported to a registered facility that can divert a minimum of 65 percent of the material from landfills. Therefore, the project's impact on existing landfill capacity would be less than significant.

Impact UT-4: The construction and operation of the proposed project would be required to follow all applicable statutes and regulations related to solid waste. (Less than Significant)

The California Integrated Waste Management Act of 1989 (AB 939) requires municipalities to adopt an Integrated Waste Management Plan (IWMP) to establish objectives, policies, and programs relative to waste disposal, management, source reduction, and recycling. Reports filed by the San Francisco Department of the Environment showed the City generated 1.88 million tons of waste material in 2002. Approximately 63 percent (1.18 million tons) was diverted through recycling, composting, reuse, and

64 California Integrated Waste Management Board, Active Landfill Profiles, Altamont Landfill, http://www.calrecycle.ca.gov/Profiles/Facility/Landfill/LFProfile2.asp?COID=3&FACID=01-AA-0009, accessed May 27, 2010.
65 San Francisco Department of the Environment, "Timeline and Analysis: Disposal Alternatives for San Francisco," January 25, 2008. Available on the internet at: http://www.sfenvironment.org/downloads/library/1_salalternativesjanuary2008.pdf. Accessed October 21, 2010.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
12. PUBLIC SERVICES— Would the project:					
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	☐	☐	☒	☐	☐

As an urban infill development project, the project site is already served by existing public services including police and fire protection, schools, and parks. The location of the project site to these services is described below.

Impact PS-1: The proposed project would increase demand for police protection, but not to an extent that would result substantial adverse impacts associated with the provision of such service. (Less than Significant)

The project site currently receives police protection services from the San Francisco Police Department (SFPD). The proposed project would create additional demand for police service in the area by adding 18 new residential and three commercial units, serving approximately 41 new residents and 20 retail employees. The police station serving the project site is located at 630 Valencia Street, less than one half-mile north of the project site. Also, the police station at 850 Bryant Street is less than two miles northeast of the project site.

Although the proposed project could increase the number of service calls received as a result of the increase in population on the site, the increase would not be substantial in light of the existing demand for police protection services in the area and would not exceed amounts anticipated and provided for in the area. Therefore, the proposed project would result in a less than significant impact to police protection service.

Impact PS-2: The proposed project would increase demand for fire protection, but not to an extent that would result substantial adverse impacts associated with the provision of such service. (Less than Significant)

The project site currently receives fire protection service from the San Francisco Fire Department (SFFD). The proposed project would create additional demand for fire suppression service in the area by adding

the corner of 20th and Capp Streets, one block east of the project site; Kid Power Park, about four blocks north of the project site near 16th and Valencia Streets. Also within convenient walking distance from the project site is the Mission Community Recreation Center, located on Harrison Street between 20th and 21st Street, less than a half mile east of the project site; the Jose Coronado Playground; located at Folsom and 21st Streets, less than a half mile from the project site; and Garfield Square at the southwest corner of Harrison and 25th Streets, also less than a half mile from the project site. Combined, these facilities provide a range of facilities for recreational and passive uses. As described above within Topics 10.a. and b., the proposed project would not result in substantial adverse physical impacts from the incremental increase in the use of park facilities.

Impact PS-5: The proposed project would increase demand for government services, but not to the extent that would result in significant physical impacts. (Less than Significant)

The incremental population increase that would result from the proposed residential building would not necessitate the need for new or physically altered government facilities and therefore any related impact would be less than significant.

Impact PS-6: The proposed project, combined with past, present, and reasonably foreseeable future projects in the vicinity, would result in less-than-significant cumulative impacts to public services. (Less than Significant)

Cumulative development in the project area, including the proposed project and nearby future development, would incrementally increase demand for public services, but not beyond levels anticipated and planned for by public service providers. Thus, project-related impacts to public services would not be cumulatively considerable.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
13. BIOLOGICAL RESOURCES— Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	☐

visual quality, or other contribution to the City's character and has been found worthy of Landmark status after public hearings at both the Urban Forestry Council and the Board of Supervisors. A significant tree is either on property under the jurisdiction of the DPW, or on privately owned land within ten feet of the public right-of-way which satisfies certain criteria. Removal of a landmark, significant, or a street tree requires a permit from DPW. The project does not include any significant trees or propose removal of any trees.[69]

DPW requires adjacent trees to be protected during construction and additional trees to be added as feasible along certain streets. The project would plant one street tree for every 20 feet of project site frontage. The final number and placement of such street trees would be subject to review and approval by DPW. The project would therefore not conflict with San Francisco's local tree preservation ordinance. In light of the above, the proposed project's conflict, if any, with local policies protecting biological resources such as trees would be an impact that is less than significant.

Impact BI-2: The proposed project, combined with past, present, and reasonably foreseeable future projects in the vicinity, would make no contribution to cumulative biological impacts. (No Impact)

As described above, the project site does not contain any significant biological resources or habitat and the proposed project would have no significant biological impacts. Therefore, cumulative development in the project vicinity would not combine with the proposed project to adversely affect biological resources. Thus, the proposed project and other cumulative projects in the area would not have a significant cumulative impact on biological resources.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
14. GEOLOGY AND SOILS— Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					

69 *Affidavit for Tree Disclosure, 899 Valencia Street*, completed by Tuija Catalano, authorized project agent, November 30, 2010. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA, as part of Case File No. 2004.0891E.

possibility exists for future faulting in areas where no faults previously existed. The closest active faults are the San Andreas Fault, located approximately six miles southwest of the project site, and the Hayward Fault, about 14 miles east of the project site.

The San Francisco General Plan Community Safety Element contains maps that show areas of the City subject to geologic hazards. General Plan, Community Safety Element, Map 4 identifies areas of liquefaction potential.[71] The project site is not within an area of liquefaction potential and the project site is identified by the US Geological Survey as an area that is not characterized by artificial fill. Within San Francisco these seismic hazard zones are generally lands that are essentially in that manmade in that they underwent a process of overlaying fill material onto estuarine areas. Although not within any seismic hazard zone identified by the US Geological Survey, the project site is in proximity to such zones. Nearby seismic hazard zones come to within a block to the north and south and a half block to the east of the project site.[72]

To ensure compliance with San Francisco Building Code provisions pertaining to structural safety, DBI reviews geotechnical reports and building plans for proposed projects in order to determine any necessary engineering and design features to be incorporated that would reduce potential damage to structures from ground-shaking. In reviewing building plans, the DBI refers to a variety of information sources to determine existing hazards and assess requirements for building design and construction. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspector's working knowledge of areas of special geologic concern.

As previously discussed, the geotechnical report for the proposed project indicated that two sample borings were drilled to a depth of 25½ feet. The geotechnical investigation encountered brown silty medium sand beneath the existing concrete slab. This silty sand mixed with gravel was generally moist and dense and extended the entire 25½ foot boring depth. Groundwater, encountered at a depth of approximately 19 to 20 feet bgs, is not expected to be a concern for the foundation assembly or overall structural integrity.[73] In part because the proposed building would require excavation to approximately 11 to 15 feet bgs for new footing, foundation, and below-grade parking garage, the geotechnical report for the proposed project determined the project site to be suitable for development providing that prescribed recommendations be incorporated into the design and construction of the proposed development. The project sponsor has agreed to implement the recommendations of the geotechnical report, including but

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Zones in California Alquist Priolo Earthquake Zoning Act, Special Publication 42, Interim Revision 2007.

71 California Geological Survey Seismic Hazards Map available at http://gmw.consrv.ca.gov/shmp/html/pdf_maps_no.html and San Francisco *General Plan*, Community Safety Element, Map 4 available at http://www.sf-planning.org/ftp/General_Plan/I8_Community_Safety.htm Accessed September 22, 2010.

72 *Ibid.*

73 Supra note 14.

Geology impacts are generally site-specific and do not have cumulative effects with other projects. Cumulative development, including the proposed project and nearby surrounding proposed development, would be subject to the same design review and safety measures as the proposed project. These measures would render the geologic effects of cumulative projects to less-than-significant levels. Thus, the project would not have a significant impact on geological or soil resources, nor would the project contribute to any significant cumulative effects on geology or soils.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
15. HYDROLOGY AND WATER QUALITY— Would the project:					
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion of siltation on- or off-site?	☐	☐	☒	☐	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☒	☐	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	☐	☐	☒	☐	☐
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☒	☐	☐

to implement measures to reduce potential erosion impacts. During project operation, all wastewater from the proposed project building, and storm water runoff from the project site, would be treated at the Southeast Water Pollution Control Plant. Treatment would be provided pursuant to the effluent discharge standards contained in the City's NPDES permit for the plant. During operation and construction, the proposed project would be required to comply with all local wastewater discharge and water quality requirements. Therefore, the proposed project would not substantially degrade water quality.

Impact HY-2: The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. (Less than Significant)

Groundwater is not used as a drinking water supply in the City and County of San Francisco. As described previously, a geotechnical report was prepared for the proposed project and documents that groundwater was encountered at a depth of approximately 19 to 20 feet bgs.[77] The proposed development would necessitate excavation to a depth of about 11 to 15 feet bgs. Hence, it is unlikely that dewatering would be necessary at the project site to accommodate the proposed development. In the event that groundwater were to be encountered at the site during the construction of the proposed project (for instance due to seasonal variation, following rain, or following irrigation in the vicinity of the project site), the project would be subject to the requirements of the City's Industrial Waste Ordinance (Ordinance Number 199-77), requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system. The Bureau of Environmental Regulation and Management of the San Francisco Public Utilities Commission must be notified of projects necessitating dewatering, and may require water analysis before discharge.

Impact HY-3: The proposed project would not result in altered drainage patterns that would cause substantial erosion or flooding or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. (Less than Significant)

Because the proposed project would not significantly change the amount of impervious surface area at the site, there would be little change to the quantity and rate of stormwater runoff from the site that flows to the city's combined sewer system. The proposed project would alter drainage on site, but site runoff would continue to drain to the city's combined storm and sanitary sewer system. Therefore, the project would not substantially alter drainage on site. The foundation and portions of the building below grade would be water tight to avoid the need to permanently pump and discharge water. Because stormwater

77 Supra note 14

particular projects that are granted variances by the local jurisdiction may be deemed ineligible for federally-backed flood insurance by FEMA.

Once the Board of Supervisors adopts the Floodplain Management Ordinance, the Department of Public Works will publish flood maps for the City, and applicable City departments and agencies may begin implementation for new construction and substantial improvements in areas shown on the Interim Floodplain Map. According to the preliminary flood map, the project site is not located within a potential flood zone.[79] Therefore, the project would result in less than significant impacts related to development within a 100-year flood zone.

Impact HY-5: The proposed project would not expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow. (No Impact)

As discussed in the section pertaining to geology and soils, above, the project site is not in an area subject to tsunami run-up, or reservoir inundation hazards (Maps 6, and 7 in the General Plan Community Safety Element). Therefore, the project is not expected to expose people or structures to risk from inundation by seiche, tsunami or mudflow

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Impact HY-6: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would result in less-than-significant cumulative impacts to hydrology and water quality. (Less than Significant)

Given the discussion above, the proposed project would not have a significant impact on water quality standards, groundwater, drainage, or runoff and thus would not contribute considerably to cumulative impacts in these areas. Flood and inundation hazards are site-specific; thus, the proposed project would not have considerable cumulative impacts. However, other proposed developments in the project area, in combination with the proposed project, could result in intensified uses and a cumulative increase in wastewater generation. The SFPUC, which provides wastewater treatment in the city, has accounted for such growth in its service projections. Thus, the project's contribution to any cumulative impacts on hydrology or water quality would be less-than-significant. In light of the above, effects related to water resources would not be significant, either individually or cumulatively.

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79 Federal Emergency Management Agency, Preliminary Flood Insurance Rate Map, City and County of San Francisco, California, Panels 92A, 94A, 110A, 111A, 112A, 120A, 130A, 140A, 210A, 235A, and 255A, September 21, 2007, available at http://sfgsa.org/index.aspx?page=828, accessed May 25, 2010.

related to on-site or nearby chemical use, storage, handling, spillage, or on-site disposal, with particular focus on potential degradation of soil or groundwater quality. The Phase II also typically recounts the land use history of the project site and operating practices at or near the project site in order to identify potential hazards from reported chemical releases on nearby properties and the potential migration of chemicals, contaminants, and toxics onto the project site that could contaminate soil or groundwater. The proposed project's Phase II investigation, which collected four soil borings at the project site, is discussed further below within this section of the Initial Study.

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 proposed project would involve the development of a building with residential and commercial uses, the operation of which may involve relatively small quantities of hazardous materials for routine purposes. The development would likely handle consumer-grade hazardous materials such as cleaners, disinfectants, and chemical agents required to maintain the sanitation of the residential and garage areas. These products are labeled to inform users of potential risks and to instruct them in appropriate handling procedures.

Impact HZ-2: The proposed residential and commercial use project would not 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. (Less than Significant)

The proposed residential and commercial use project would not be expected to engage in activities associated with hazardous materials or their release into the environment. Therefore, the proposed project's uses would result in no impact with regard to the foreseeable release of hazardous materials into the environment.

The demolition phase of the project, in which an existing commercial building would be dismantled and taken off site, would disturb some common ambient materials within the existing building considered hazardous. Although such disturbance is routine and addressed by applicable ordinances, and would result in a less than significant impact to the environment, the hazardous materials are summarized below for informational purposes.

Hazardous Building Materials. Although asbestos or lead-based paint surveys were not conducted as part of the Phase II report, due to the age of the building, constructed in 1970, there is a presumption that these materials may be present on the project site. Although unlikely to pose a potentially significant

March 26, 2004. This document is available for public review at 1650 Mission Street, Suite 400, San Francisco, CA 94103, as part of Case File No. 2004.0891E.

would be required to comply with Section 3423 of the San Francisco Building Code, which requires specific notification and work standards, and identifies prohibited work methods and penalties.

Section 3423 typically only applies to the exterior of all buildings or steel structures on which original construction was completed prior to 1979 (which are assumed to have lead-based paint on their surfaces, unless demonstrated otherwise through laboratory analysis), and to the interior of residential buildings, hotels, and childcare centers. The ordinance contains performance standards, including establishment of containment barriers, at least as effective at protecting human health and the environment as those in the federal Department of Housing and Urban Development (HUD) Guidelines (the most recent Guidelines for Evaluation and Control of Lead-Based Paint Hazards) and identifies prohibited practices that may not be used in disturbances or removal of lead-based paint. Any person performing work subject to the ordinance shall, to the maximum extent possible, protect the ground from contamination during exterior work; protect floors and other horizontal surfaces from work debris during interior work; and make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work. Clean-up standards require the removal of visible work debris, including the use of a High Efficiency Particulate Air Filter (HEPA) vacuum following interior work.

The ordinance also includes notification requirements and requirements for signs. Prior to the commencement of work, the responsible party must provide written notice to the Director of the Department of Building Inspection (DBI), of the address and location of the project; the scope of work, including specific location; methods and tools to be used; the approximate age of the structure; anticipated job start and completion dates for the work; whether the building is residential or nonresidential, owner-occupied or rental property; the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. (Further notice requirements include signs when containment of lead paint contaminants is required; requirements for signage when containment is required; notice to occupants; availability of pamphlets related to protection from lead in the home; and notice of Early Commencement of Work, where applicable. The ordinance contains provisions regarding inspection and sampling for compliance by DBI, and DBI enforcement. In addition, the ordinance describes penalties for non-compliance with the requirements of the ordinance.

These regulations and procedures in the San Francisco Building Code would ensure that potential impacts of lead-based paint due to demolition would be reduced to a less-than-significant level.

Impact HZ-3: The proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substance, or waste within one-quarter mile of an existing or proposed school. (Less than Significant)

station have been removed, the permit history for these USTs was not available for review from the SF DPH Environmental Health Management database.[83] It is therefore not known whether the USTs removed in 2004 date to the initial development of the property. DPH was able to confirm the removal of one additional 550 gallon waste oil UST in April 1987; therefore, it is probable that the 500 gallon waste oil UST removed in 2004 dated to 1987.[84] Because of the incomplete history surrounding the site's association with USTs and because the site has not been issued a Notice of Completion (UST removal certificate) from the DPH, there is a potential for the presence of additional USTs on the property, particularly smaller USTs that in the mid-20th century were routinely placed under sidewalks within the public right of way.[85]

The property owner is pursuing a Remedial Action Completion Certification (aka "certificate of closure" or "case closure") from the DPH Local Oversight Program (LOP). Therefore, the project sponsor is continuing investigations of possible contaminants left behind by the USTs associated with the project site, and has been directed by the DPH to conduct additional soil borings and soils analysis.[86] If additional USTs are discovered on the project site, the property owner would be required to notify the DPH's Hazardous Material Unified Program Agency (HMUPA) and would be required to obtain a UST removal permit prior to any UST removal activities. The property owner would also be required to obtain all applicable permits from the Fire Department (SFFD), and DPW (Streets and Mapping) prior to removal and disposal of any remaining USTs associated with the former service station.

The project site is listed as "active" on the San Francisco Bay Regional Water Quality Control Board's Leaking Underground Storage Tank (LUST) site register and is therefore considered a hazardous materials site by the California Department of Toxic Substances Control (DTSC) pursuant to *California Government Code* Section 65962.5 (commonly called the "Cortese List").[87]

As described above, a Phase II was commissioned for the project site to assess conditions surrounding the former USTs at the project site and associated soil contamination. The consulting firm Cambria, in March 2004, drilled four soil borings. Two borings were made in the vicinity of the fuel dispensers (consumer-operated fueling stations or "gas pumps"), a third boring was made near the gasoline USTs, and the fourth boring was located near the waste oil UST. Total petroleum hydrocarbons such as gasoline (TPHg) were detected in three of the soil samples.

Benzene-toluene-ethylbenzene-xylene (BTEX) and methyl tertiary butyl ether (MBTE) were detected in all four borings; tertiary butyl alcohol (TBA) was detected in borings 2 and 3. Groundwater was encountered in all four borings at depths of 20½ to 21 bgs. All four groundwater samples indicated the presence of BTEX. TPHg and total petroleum hydrocarbons such as diesel (TPHd), MTBE, volatile organic

[83] Telephone call to clarify conclusions of SF DPH on 899 Valencia Street. Jeremy Battis, Planning Department, to Stephanie Cushing SF DPH Local Oversight Program, April 23, 2009.

[84] *Ibid.*

[85] *Ibid.*

[86] *Conditional Work Plan Approval for Site Investigation Work Plan, 899 Valencia Street, San Francisco, CA,* January 22, 2007, from Albert Lee, Senior Health Inspector, SFDPH LOP, to Carol Campagna, Shell Oil. This document is available for available for public review at 1650 Mission Street, Suite 400, San Francisco, CA as part of Case File No. 2004.0891E.

[87] https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0607571586 accessed November 30, 2010.

The project sponsor shall submit the report on the soil testing for lead and a fee of $501 in the form of a check payable to the San Francisco Department of Public Health (DPH), to the Hazardous Waste Program, Department of Public Health, 1390 Market Street, Suite 210, San Francisco, California 94102. The fee of $501 shall cover three hours of soil testing report review and administrative handling. If additional review is necessary, DPH shall bill the project sponsor for each additional hour of review over the first three hours, at a rate of $167 per hour. These fees shall be charged pursuant to Section 31.47(c) of the San Francisco Administrative Code. DHP shall review the soil testing program to determine whether soils on the project site are contaminated with lead or petroleum hydrocarbons at or above potentially hazardous levels.

Step 2: Preparation of Site Mitigation Plan. Prior to beginning demolition and construction work, the project sponsor shall prepare a Site Mitigation Plan (SMP). The SMP shall include a discussion of the level of lead 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. The SMP shall be submitted to the Department of Public Health (DPH) for review and approval. A copy of the SMP shall be submitted to the Planning Department to become part of the case file. Additionally, the DPH may require confirmatory samples for the project site.

Step 3: Handling, Hauling, and Disposal Contaminated Soils.

(a) specific work practices: The construction contractor shall be alert for the presence of contaminated 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, slate, and federal regulations, including OSHA work practices) when such soils are encountered 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 lead-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

based substances. **Mitigation Measure M-HZ-4c** would require surveys for PCBs and other hazards, and would reduce the risk from PCBs to a less-than-significant level. Because it is also foreseeable that some hazardous materials may still be stored within the automobile repair garage, **Mitigation Measure M-HZ-4c** would also ensure that any waste drums discovered on the site would be stored within secondary containment in order to prevent leaks or releases to the ground from the drums. **Mitigation Measure M-HZ-4c** would also require testing of any potential waste drums that may be present on the site for the presence of hazardous materials and identifies appropriate disposal methods if they are tested positive for hazardous materials, thereby reducing the risk of the identified potential hazards on the site to a less-than-significant level.

Mitigation Measure M-HZ-4c: Hazardous Materials (PCBs and Mercury)

The project sponsor shall ensure that building and site surveys for PCB- or mercury-containing equipment, hydraulic oils, waste oil collection drums, and fluorescent lights are performed prior to the start of demolition. Any hazardous materials so discovered would be abated according to federal, state, and local laws and regulations.

Impact with Mitigation Incorporation: Less than Significant.

Mitigation Measure M-HZ-4d: Hazardous Materials (Underground Fuel Storage Tanks (USTs))

Permits from the San Francisco DPH Hazardous Materials Unified Program Agency (HMUPA), Fire Department (SFFD), and MTA (Streets and Sidewalk) shall be obtained for removal of any undiscovered or remaining underground storage tanks (USTs) (and related piping). HMUPA, SFFD (and possibly MTA) will make inspections prior to removal and only upon approval of the inspector may the USTs and related piping be removed from the ground. Appropriate soil and, if necessary, groundwater samples shall be taken at the direction of the HMUPA inspector and analyzed. Appropriate transportation and disposal of the UST shall be arranged.

Because the project site is under the regulatory authority of the SFDPH-Environmental Health-Local Oversight Program (LOP) for the investigation and clean up of leaking underground storage tanks, all analytical data will be forwarded to the LOP. A "Notice of Completion" will not be issued for any area of the project site where soils contamination is documented. Rather, a "Remedial Action Completion Certification" (aka "certificate of closure" or "case closure") will be issued upon the site being remediated to the satisfaction of the LOP with the concurrence of the Regional Water Quality Control Board. If the HMUPA inspector requires that an Unauthorized Release (Leak) Report submitted to LOP due to holes in previously undiscovered USTs or because of evident odor or visual contamination, or if analytical results indicate there are elevated levels of contamination, then site remediation may involve additional investigation and cleanup of the soil and groundwater as directed by the LOP. In order to receive a case closure for this site from the Local Oversight Program, all pertinent investigation and remediation must be completed to the satisfaction of the LOP that any residual petroleum hydrocarbon contamination in the soil and/or groundwater will not pose a threat to the public health and safety, environmental including the groundwater as determined by the LOP and the Regional Water Quality Control Board. In addition for future site development, the site may be required to meet residential land use Environmental Screening Levels (ESLs) for soil and groundwater (Regional Water Quality Control Board, Region 2), and may require vapor sampling to ensure that

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
17. MINERAL AND ENERGY RESOURCES—Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☐	☒
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	☐	☐	☒	☐	☐

All land in San Francisco, including the project site, is designated Mineral Resource Zone 4 (MRZ-4) by the California Division of Mines and Geology (CDMG) under the Surface Mining and Reclamation Act of 1975 (CDMG, Open File Report 96-03 and Special Report 146 Parts I and II). This designation indicates that there is inadequate information available for assignment to any other MRZ and thus the site is not a designated area of significant mineral deposits. Since the project site is already developed, future evaluation or designation of the site would not affect or be affected by the proposed project. There are no operational mineral resource recovery sites in the project area whose operations or accessibility would be affected by the construction or operation of the proposed project. Accordingly, this topic is not applicable to the proposed project.

Impact ME-1: Implementation of the proposed project would not encourage activities which would result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner. (Less than Significant)

New buildings in San Francisco are required to conform to energy conservation standards specified by the San Francisco Green Building Ordinance (SFGBO), which would require the project to meet various conservation standards. Specifically, the project would be required to achieve 25 GreenPoints, including meeting an energy standard of 15 percent more energy efficiency than that required by Title 24, of the California Building Code. Documentation showing compliance with the SFGBO standards is submitted with the application for the building permit. The SFGBO and Title 24 are enforced by the Department of

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
18. AGRICULTURE RESOURCES In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.					
Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	☐	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	☐	☐	☐	☐	☒

Impact AF-1: The proposed project would not result in the conversion of farmland or forest land to non-farm or non-forest use, nor would it conflict with existing agricultural or forest use or zoning. (Not Applicable)

The project site is located within an urban area in the City and County of San Francisco. The California Department of Conservation's Farmland Mapping and Monitoring Program identifies the site as *Urban and Built-Up Land*, which is defined as "... land [that] is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes." Because the project site does not contain agricultural uses and is not zoned for such uses, the proposed project would not convert any prime farmland, unique farmland or Farmland of Statewide Importance to non-agricultural use, and it would not conflict with existing zoning for agricultural land use or a Williamson contract, nor would it involve any changes to the environment that could result in the conversion of farmland or conversion of forest land to non-forest use. Therefore, the proposed project would have no impacts to agricultural resources.

Although the proposed project would result in a minor net loss of PDR space, that PDR space has been out of continued use for more than four years. Thus, the former use, an automotive service and fueling station, which is not permitted within the Valencia Street NCT, per Section 726 of the Planning Code, would not be permitted to resume operations; a new stand-alone automotive repair use would require a conditional use authorization. Therefore, the proposed project would not result in a cumulatively considerable loss of PDR space within the Eastern Neighborhoods. The proposed project's resulting loss of an 1,800-square foot PDR-space building and conversion of the 10,925-square foot site would be less than significant.

c. The proposed project, as discussed in Section C (Compatibility with Existing Zoning and Plans) and Topic E.1 (Land Use and Land Use Planning), would be generally consistent with local land use and zoning requirements. **Mitigation Measures M-HZ-4a, -4b, -4c, and -4d,** described in full within Section F. of this Initial Study, have been incorporated into the proposed project to address elevated levels of lead in the soil and the potential presence of mercury- and PCB-containing materials and underground storage fuel tanks (USTs) on site in order to reduce these impacts to a less-than-significant level. Also, as discussed in Topic E.6 above and detailed in full within Section F. are **Mitigation Measures M-NO-1a, and -1b**, incorporated into the proposed project to address elevated levels of ambient outdoor noise that may be present on site in order to reduce these impacts to a less-than-significant level.

Neighborhood Notice

A "Notification of Project Receiving Environmental Review" was sent out on April 28, 2005 and again on January 23, 2009 to the owners and occupants of properties surrounding the project site and interested parties. The Planning Department received responses ranging from support to opposition of the proposed project. Environmental concerns regarding the proposed project primarily concern the effects of the proposed building height on the neighborhood character, aesthetics, and shadow.

Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated into the Initial Study as appropriate for CEQA analysis. Comments regarding the merits of the project and those that expressed support for or opposition to the project are not relevant to CEQA analysis but may be taken into account by the Planning Commission and other decision-makers as part of the project approval process. While local concerns or other planning considerations may be grounds for modification or denial of the proposal, in the independent judgment of the Planning Department, no significant, unmitigable impacts have been identified.

Archeological Monitoring Program. If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities_and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

Archeological Data Recovery Program. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

Mitigation Measure M-NO-1a: Siting of Noise-Sensitive Uses

To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

Mitigation Measure M-NO-1b: Open Space in Noisy Environments

To minimize effects on development in noisy areas, for new development including noise-sensitive uses, the Planning Department shall, through its building permit review process, in conjunction with noise analysis required pursuant to Mitigation Measure F-4 as detailed in the Eastern Neighborhoods EIR, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.

Mitigation Measure M-HZ-4a: Hazardous Materials (Testing for and Handling, Hauling, and Disposal of Contaminated Soils)

Step 1: Soil Testing. Prior to approval of a building permit for the project, the project sponsor shall hire a consultant to collect soil samples (borings) from areas on the site in which soil would be disturbed and test the soil samples for total lead and petroleum hydrocarbons. The consultant shall analyze the soil borings as discrete, not composite samples. The consultant shall prepare a report on the soil testing for lead and petroleum hydrocarbons that includes the results of the soil testing and a map that shows the locations of stockpiled soils from which the consultant collected the soil samples.

The project sponsor shall submit the report on the soil testing for lead and a fee of $501 in the form of a check payable to the San Francisco Department of Public Health (DPH), to the Hazardous Waste Program, Department of Public Health, 1390 Market Street, Suite 210, San Francisco, California 94102. The fee of $501 shall cover three hours of soil testing report review and administrative handling. If additional review is necessary, DPH shall bill the project sponsor for each additional hour of review over the first three hours, at a rate of $167 per hour. These fees shall be charged pursuant to Section 31.47(c) of the San Francisco Administrative Code. DHP

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-4b: Hazardous Materials (Decontamination of Vehicles)

If the San Francisco Department of Public Health (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.

Mitigation Measure M-HZ-4c: Hazardous Materials (PCBs and Mercury)

The project sponsor shall ensure that building and site surveys for PCB- or mercury-containing equipment, hydraulic oils, waste oil collection drums, and fluorescent lights are performed prior to the start of demolition. Any hazardous materials so discovered would be abated according to federal, state, and local laws and regulations.

Mitigation Measure M-HZ-4d: Hazardous Materials (Underground Fuel Storage Tanks (USTs))

Permits from the San Francisco DPH Hazardous Materials Unified Program Agency (HMUPA), Fire Department (SFFD), and MTA (Streets and Sidewalk) shall be obtained for removal of any undiscovered or remaining underground storage tanks (USTs) (and related piping). HMUPA, SFFD (and possibly MTA) will make inspections prior to removal and only upon approval of the inspector may the USTs and related piping be removed from the ground. Appropriate soil and, if necessary, groundwater samples shall be taken at the direction of the HMUPA inspector and analyzed. Appropriate transportation and disposal of the UST shall be arranged.

Because the project site is under the regulatory authority of the SFDPH-Environmental Health-Local Oversight Program (LOP) for the investigation and clean up of leaking underground storage tanks, all analytical data will be forwarded to the LOP. A "Notice of Completion" will not be issued for any area of the project site where soils contamination is documented. Rather, a "Remedial Action Completion Certification" (aka "certificate of closure" or "case closure") will be issued upon the site being remediated to the satisfaction of the LOP with the concurrence of the Regional Water Quality Control Board. If the HMUPA inspector requires that an Unauthorized Release (Leak) Report submitted to LOP due to holes in previously undiscovered USTs or because of evident odor or visual contamination, or if analytical results indicate there are elevated levels of contamination, then site remediation may involve additional investigation and cleanup of the soil and groundwater as directed by the LOP. In order to receive a case closure for this site from the Local Oversight Program, all pertinent investigation and remediation must be completed to the satisfaction of the LOP that any residual petroleum hydrocarbon contamination in the soil and/or groundwater will not pose a threat to the public health and safety, environmental including the groundwater as determined by the LOP and the Regional Water Quality Control Board. In addition for future site development, the site may be required to meet residential land use Environmental Screening Levels (ESLs) for soil and groundwater (Regional Water Quality Control Board, Region 2), and may require vapor sampling to ensure that residences will not be exposed to elevated vapor levels as to be determined by the LOP. The

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