



SAN FRANCISCO PLANNING DEPARTMENT

Notice of Availability of and Intent to Adopt a Mitigated Negative Declaration

Date: November 9, 2011
Case No.: 2004.0976E
Project Title: 376 Castro Street
Zoning: Upper Market Neighborhood Commercial District
65-B Height and Bulk District
Block/Lot: 2623/006
Lot Size: 9,748 square feet
Project Sponsor: David Silverman, Reuben and Junius, LLP
(415) 567-9000
Staff Contact: Don Lewis – (415) 575-9095
don.lewis@sfgov.org

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

To Whom It May Concern:

This notice is to inform you of the availability of the environmental review document concerning the proposed project as described below. The document is a Preliminary Mitigated Negative Declaration, containing information about the possible environmental effects of the proposed project. The Preliminary Mitigated Negative Declaration documents the determination of the Planning Department that the proposed project could not have a significant adverse effect on the environment. Preparation of a Mitigated Negative Declaration does not indicate a decision by the City to carry out or not to carry out the proposed project.

Project Description: The project site is located on the northwest corner of the intersection of Castro and Market Streets, on the block bounded by States Street to the north, Castro Street to the east, Market and 17th Streets to the south, and Douglas Street to the west, in the Corona Heights/Castro neighborhood. The proposed project would involve the demolition of the existing automotive gasoline and service station that includes a one-story, approximately 1,100-square-foot, service building, the canopies and gasoline pumps, and the removal of three underground storage tanks, and the construction of a six-story, approximately 65-foot-tall, 43,070-square-foot, mixed-use building with 24 residential units, approximately 2,990 square feet of ground-floor commercial space and a 14-space underground parking garage with ingress and egress from Castro Street. The residential use (19 two-bedroom units and 5 one-bedroom units) would be approximately 27,000 square feet in size. The project would require conditional use authorization for conversion/change of use of a gasoline service station.

If you would like a copy of the Preliminary Mitigated Negative Declaration or have questions concerning environmental review of the proposed project, contact the Planning Department staff contact listed above.

Within 20 calendar days following publication of the Preliminary Mitigated Negative Declaration (i.e., by close of business on **December 2, 2011**), any person may:

- 1) Review the Preliminary Mitigated Negative Declaration as an informational item and take no action.

2) Make recommendations for amending the text of the document. The text of the Preliminary Mitigated Negative Declaration may be amended to clarify or correct statements and/or expanded to include additional relevant issues or cover issues in greater depth. One may recommend amending the text without the appeal described below. -OR-

3) Appeal the determination of no significant effect on the environment to the Planning Commission in a letter which specifies the grounds for such appeal, accompanied by a check for \$500 payable to the San Francisco Planning Department.¹ An appeal requires the Planning Commission to determine whether or not an Environmental Impact Report must be prepared based upon whether or not the proposed project could cause a substantial adverse change in the environment. Send the appeal letter to the Planning Department, Attention: Bill Wycko, 1650 Mission Street, Suite 400, San Francisco, CA 94103. **The letter must be accompanied by a check in the amount of \$500.00 payable to the San Francisco Planning Department, and must be received by 5:00 p.m. on December 2, 2011.** The appeal letter and check may also be presented in person at the Planning Information Counter on the first floor at 1660 Mission Street, San Francisco.

In the absence of an appeal, the Mitigated Negative Declaration shall be made final, subject to necessary modifications, after 20 days from the date of publication of the Preliminary Mitigated Negative Declaration.

¹ Upon review by the Planning Department, the appeal fee may be reimbursed for neighborhood organizations that have been in existence for a minimum of 24 months.



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Mitigated Negative Declaration

Date: November 9, 2011
Case No.: 2004.0976E
Project Title: 376 Castro Street
Zoning: Upper Market Neighborhood Commercial District
65-B Height and Bulk District
Block/Lot: 2623/006
Lot Size: 9,748 square feet
Project Sponsor: David Silverman, Reuben and Junius, LLP
(415) 567-9000
Staff Contact: Don Lewis, (415) 575-9095
don.lewis@sfgov.org

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION:

The project site is located on the northwest corner of the intersection of Castro and Market Streets, on the block bounded by States Street to the north, Castro Street to the east, Market and 17th Streets to the south, and Douglas Street to the west, in the Corona Heights/Castro neighborhood. The proposed project would involve the demolition of the existing automotive gasoline and service station that includes a one-story, approximately 1,100-square-foot, service building, the canopies and gasoline pumps, and the removal of three underground storage tanks, and the construction of a six-story, approximately 65-foot-tall, 43,070-square-foot, mixed-use building with 24 residential units, approximately 2,990 square feet of ground-floor commercial space and a 14-space underground parking garage with ingress and egress from Castro Street. The residential use (19 two-bedroom units and 5 one-bedroom units) would be approximately 27,000 square feet in size. The project would require conditional use authorization for conversion/change of use of a gasoline service station.

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 pages 101-106.

cc: David Silverman, Project Sponsor; Supervisor Scott Wiener, District 8; Virna Byrd, M.D.F.

THIS PAGE INTENTIONALLY LEFT BLANK

TABLE OF CONTENTS

A.	Project Description	1
B.	Project Setting.....	11
C.	Compatibility with Existing Zoning and Plans	12
D.	Summary of Environmental Effects	17
E.	Evaluation of Environmental Effects	17
1.	Land Use and Land Use Planning	18
2.	Aesthetics	21
3.	Population and Housing	26
4.	Cultural and Paleontological Resources	29
5.	Transportation and Circulation.....	35
6.	Noise	44
7.	Air Quality	49
8.	Greenhouse Gas Emissions.....	59
9.	Wind and Shadow.....	68
10.	Recreation.....	70
11.	Utilities and Service System	72
12.	Public Services	76
13.	Biological Resources	79
14.	Geology and Soils	81
15.	Hydrology and Water Quality	86
16.	Hazards and Hazardous Materials.....	90
17.	Mineral and Energy Resources.....	99
18.	Agricultural Resources.....	100
19.	Mandatory Findings of Significance.....	101
F.	Mitigation Measures and Improvement Measures	103
G.	Public Notice and Comment	109
H.	Determination	110

LIST OF FIGURES

Figure 1.	Project Location	3
Figure 2.	Proposed Site Plan	4
Figure 3.	Proposed Basement and Retail Plan	5
Figure 4.	Proposed Ground Floor and Residential Parking Plan.....	6
Figure 5.	Proposed Levels 1 to 3.....	7
Figure 6.	Proposed Level 4.....	8
Figure 7.	Proposed Level 5.....	9
Figure 8.	Proposed Elevations	10

LIST OF TABLES

Table 1.	Summary of Screening Level Health Risk Analysis	54
Table 2.	Summary of Construction Health Risk Analysis	55
Table 3.	GHG Reductions from the AB 32 Scoping Plan Sectors	60
Table 4.	Regulations Applicable to the Proposed Project.....	63

INITIAL STUDY
Case Number 2004.0976E — 376 Castro Street

A. PROJECT DESCRIPTION

PROJECT LOCATION AND SITE CHARACTERISTICS

The project site is located at 376 Castro Street, on the northwest corner of Castro and Market Streets, on the block bounded by States Street to the north, Castro Street to the east, Market and 17th Streets to the south, and Douglas Street to the west, in San Francisco's Corona Heights/Castro neighborhood (see Figure 1, Project Location Map, p. 3). The 9,748-square-foot project site (Assessor's Block 2623, Lot 006) contains an approximately 1,100-square-foot, single-story, automotive gas and service station, constructed in 1963, and includes one enclosed retail/service building with two automotive service bays, two gasoline pump islands/canopies with six fuel dispensers, and three underground fuel storage tanks. Ingress and egress to the gas station is from wide curb-cuts along both Castro and Market Streets. The site fronts on both Castro and Market Street, is in the Upper Market Neighborhood Commercial (Upper Market NCD) zoning district, a 65-B height and bulk district, and is one of the parcels included in the Upper Market Community Design Plan, which occurred in fall of 2007.

The project site is adjacent to the Castro Street Muni rail station, with a Muni entrance located directly to the west on Market Street. Muni rail lines K-Ingleside, T-Third Street, L-Taraval, and M-Ocean View run below Market Street and the F-Market/Wharves streetcar runs on the surface of Market Street. Muni bus routes in the project vicinity include 24-Divisadero, 35-Eureka, and 37-Corbett. The site is relatively flat, but is on the down-sloping side of a southeast-facing hill and has existing retaining walls along the north and northwest property lines. Adjacent properties to the north and northwest are therefore at a higher elevation than the project parcel (up to 25 feet higher).

PROPOSED PROJECT

The proposed project would involve the demolition of the existing automotive gasoline and service station that includes a one-story, approximately 1,100-square-foot, service building, the canopies and gasoline pumps, and the removal of three underground storage tanks, and the construction of a six-story, approximately 65-foot-tall, 43,070-square-foot, mixed-use building with 24 residential units, approximately 2,990 square feet of ground-floor commercial space and a 14-space underground parking garage with ingress and egress from Castro Street (See Figures 2–8). The residential use (19 two-bedroom units and 5 one-bedroom units) would be approximately 27,000 square feet in size. In addition to the proposed commercial space, the ground floor level would also contain the residential lobby, with both entrances from Castro Street. The project would include twelve bicycle spaces in the parking garage. The proposed project would reduce the amount of curb-cuts along the project site from four driveways, two along both Castro and Market Streets, to one driveway on Castro Street. Existing street trees along Market Street would be retained and new street trees, approximately four, would be added along Castro Street. The four palm trees on the adjacent property to the north along the retaining wall would be retained.

The project would provide approximately 2,600 square feet of common open space in the form of a roof deck, an approximately 292-square-foot private deck, and an approximately 2,100-square-foot common ground-floor deck.

The proposed building would include a sloped design element at the corner of Castro and Market Streets that would extend approximately 9½ feet above the roof.

The project would include the closure of the existing automotive gas and service station, which would not be relocated elsewhere in the City.

The project would require excavation to a depth of 10 feet below ground surface for the below grade parking garage. Construction of the proposed project is anticipated to last 15 months, starting in approximately spring of 2012. The project sponsor is Reuben and Junius, LLP and the architect is Sternberg Benjamin Architects.

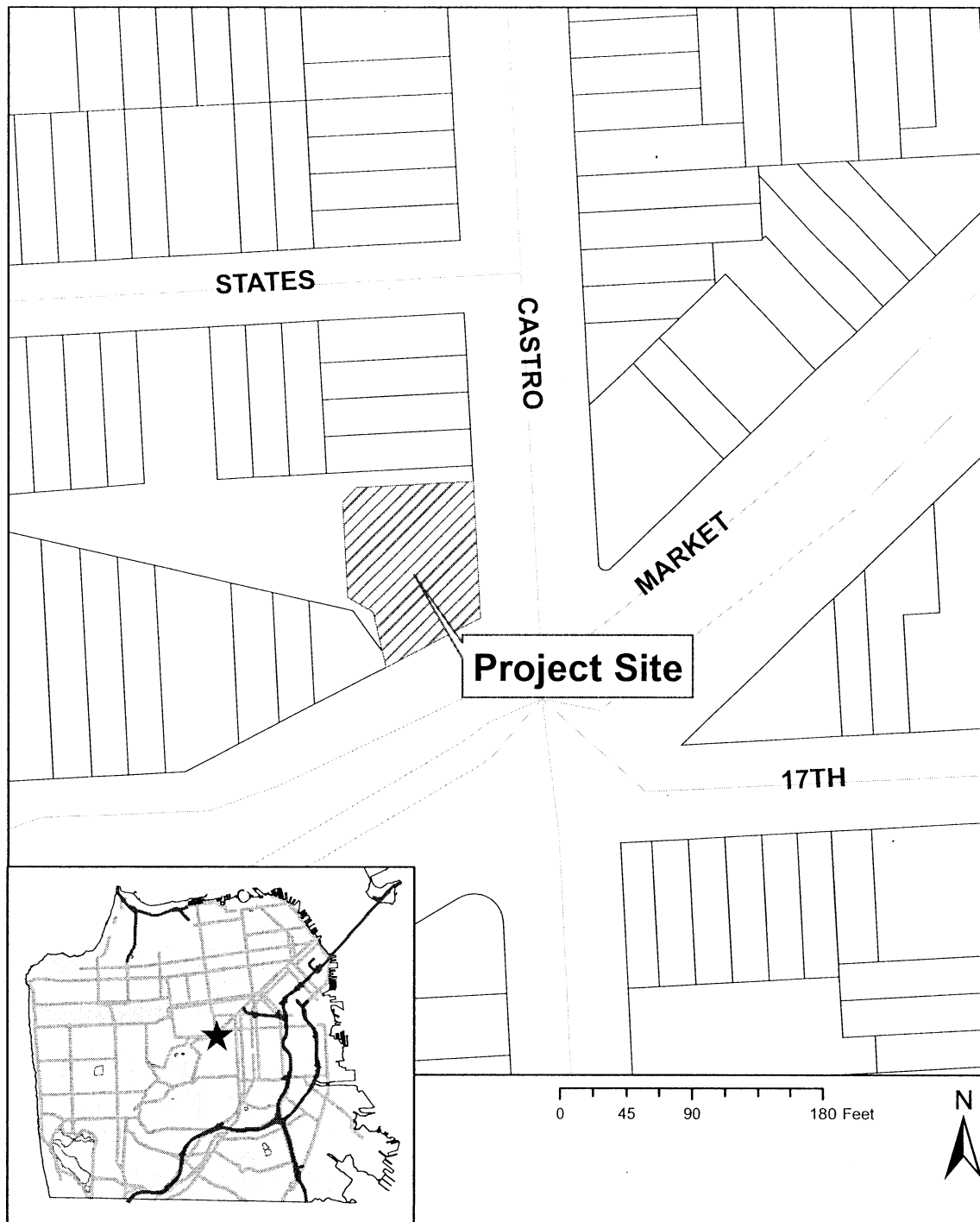


Figure 1 – Project Location
 Source: Planning Department, July 2011
 (not to scale)

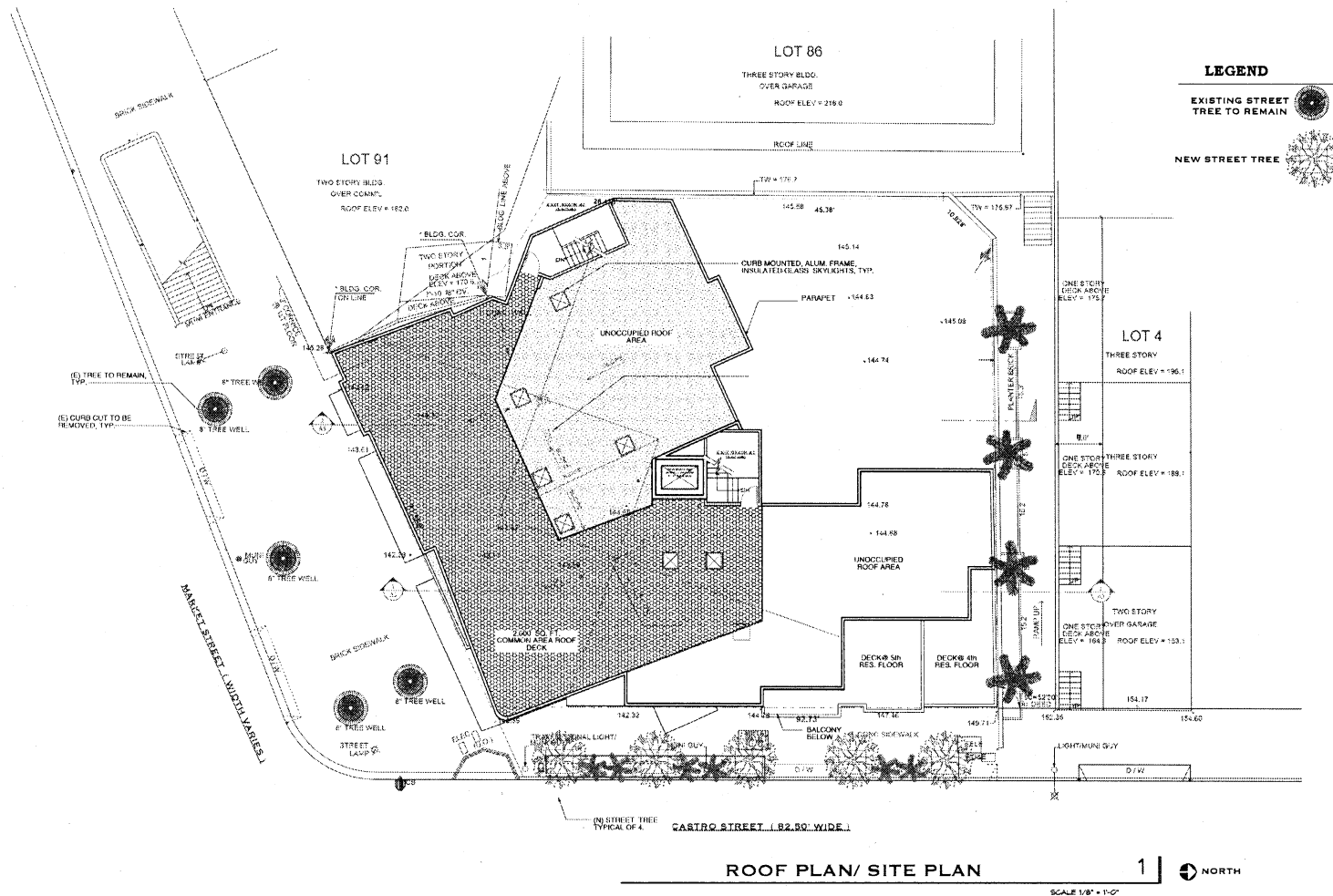


Figure 2 – Proposed Roof Plan/Site Plan
Source: Sternberg Benjamin, January 2011
(not to scale)

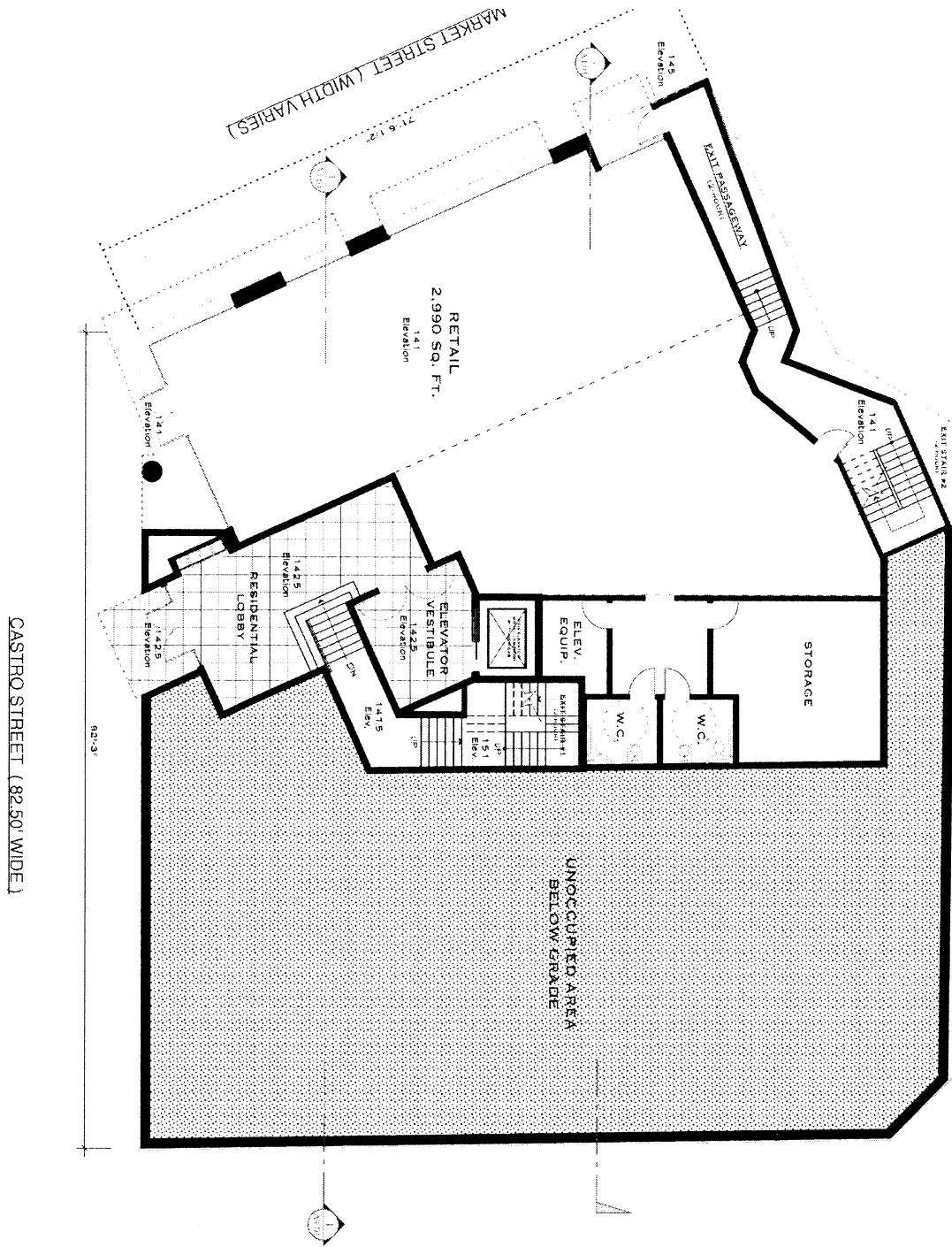
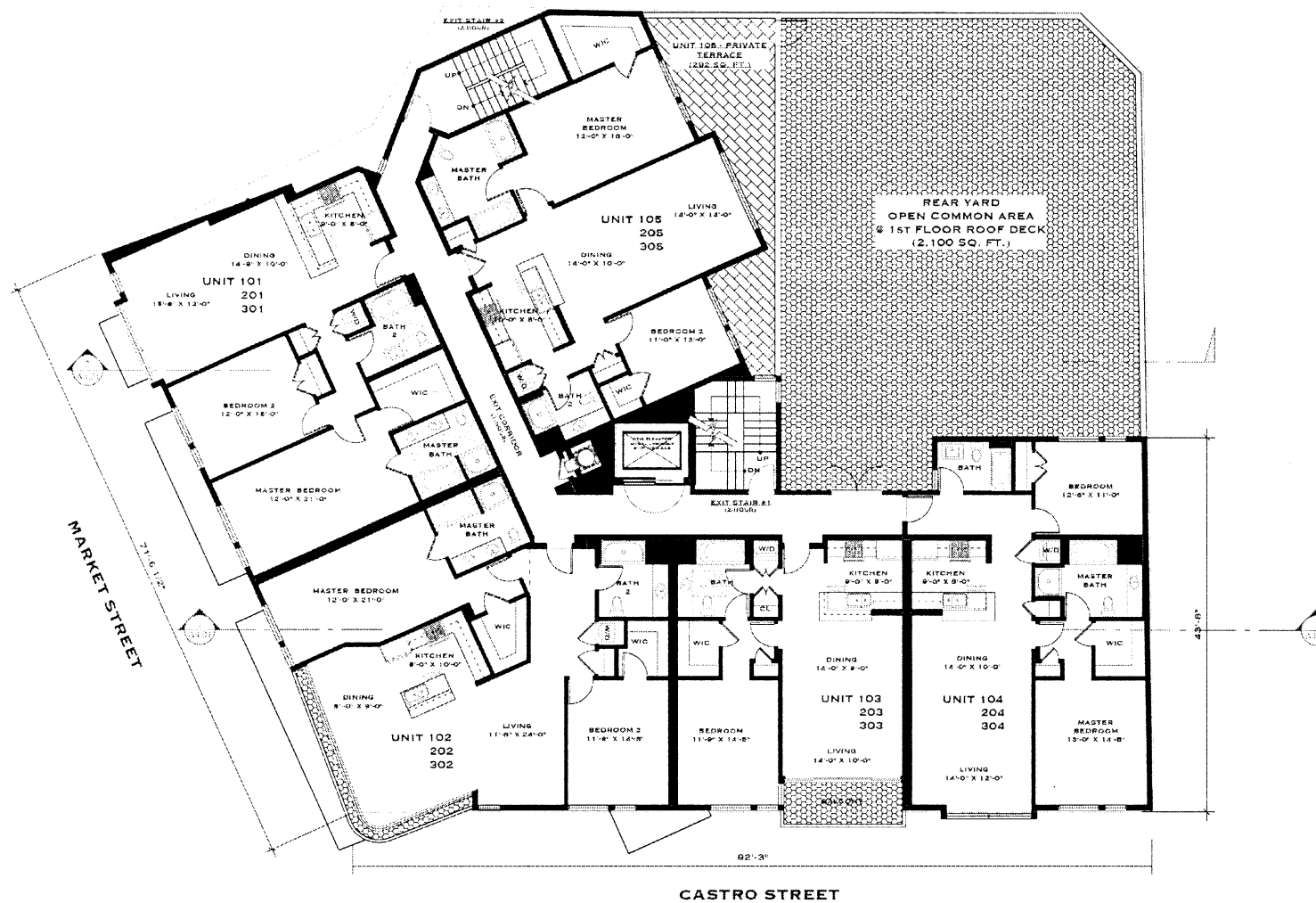


Figure 3 –Proposed Basement/Retail Plan
 Source: Sternberg Benjamin, January 2011
 (not to scale)



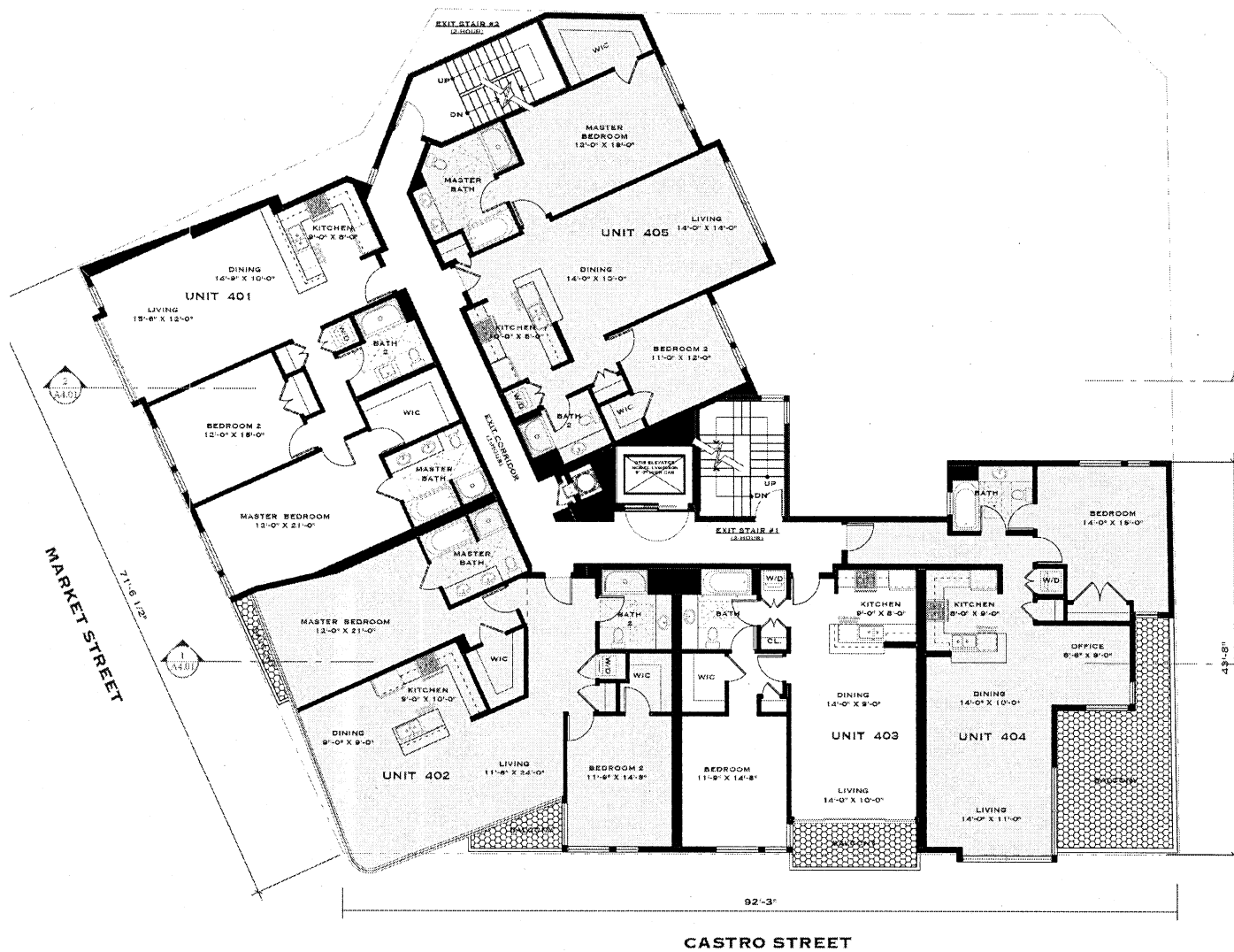


Figure 6 – Proposed Level 4
 Source: Sternberg Benjamin, January 2011
 (not to scale)



Figure 7 – Proposed Level 5
 Source: Sternberg Benjamin, January 2011
 (not to scale)

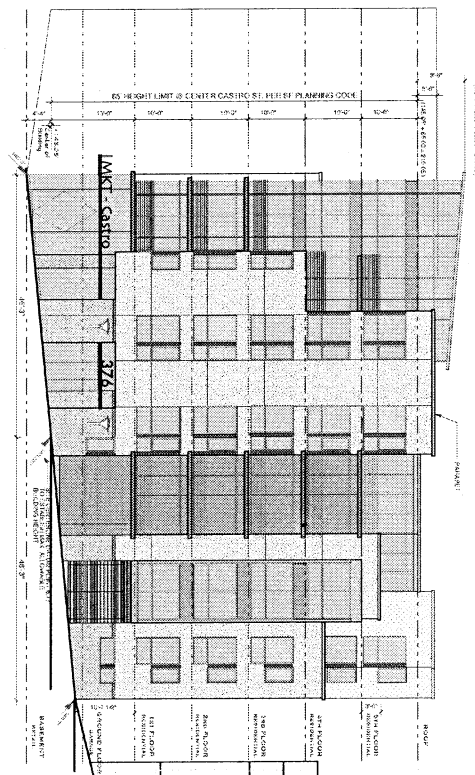
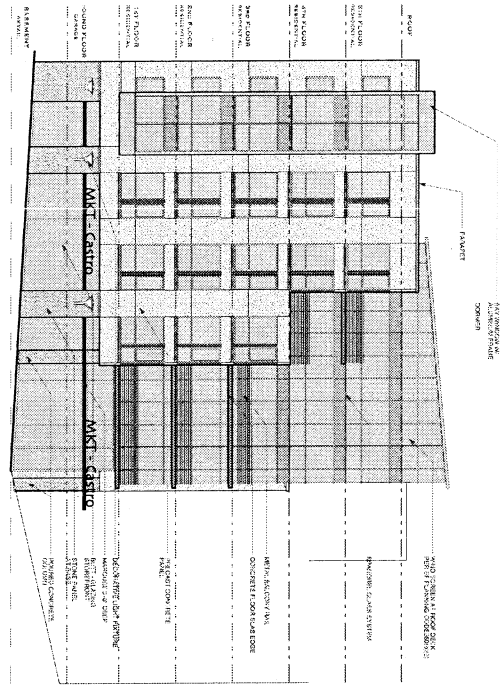


Figure 8 – Proposed Elevations
Source: Sternberg Benjamin, January 2011
(not to scale)

B. PROJECT SETTING

The project site is located at 376 Castro Street, on the northwest corner of Castro and Market Streets, on the block bounded by States Street to the north, Castro Street to the east, Market and 17th Streets to the south, and Douglas Street to the west, in San Francisco's Corona Heights/Castro neighborhood. Land uses in the surrounding neighborhood are mixed, and include residential, commercial (primarily retail), small office and some automotive service facilities. The parcels immediately adjacent to the site include a three-story, six-unit residential building to the north, a four-story, 34-unit residential building to the northwest, and a three-story mixed-use building with ground floor retail (KD Liquor store) to the west. Other uses on the project block include two- to three-story residential and some mixed-use buildings, including ground-floor commercial uses such as a dry cleaning business and a professional office.

Development across Market and Castro Streets includes a one-story retail (Pottery Barn) building across Castro Street, another automotive service and gas station (Chevron) across the intersection of Market and 17th Streets to the southeast, two- to four-story mixed-use residential/commercial buildings on the corner of Castro and 17th Streets, and a one-story retail (Diesel Jeans and Workwear) building across Market Street to the south. The land use pattern in the area is a mix of two- to four-story, multi-unit, residential buildings, some with ground-floor commercial businesses, mixed with transportation facilities, professional offices, and some remaining automotive service facilities. Sidewalks along Market Street in the project vicinity are wider and include Muni subway entries, and across Market Street is Harvey Milk Plaza.

The project site, similar to parcels along Market Street, is zoned Upper Market Neighborhood Commercial District (Upper Market NCD). The Upper Market NCD is a multi-purpose commercial district that provides limited convenience goods to adjacent neighborhoods, but also serves as a shopping street for a broader trade area. Beyond these commercial zones is a mixture of residential and residential mixed-use zones such as RM-1 (Residential, Mixed District, Low Density), RH-3 (Residential House District, Three-Family), and RH-2 (Residential House District, Two-Family) districts. In relation to height regulations, surrounding parcels are also within the 65-B height and bulk district, with areas transitioning to 40-X and 50-X districts in residential areas.

C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

	<i>Applicable</i>	<i>Not Applicable</i>
Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SAN FRANCISCO PLANNING CODE

The *San Francisco Planning Code (Planning Code)*, which incorporates by reference the City's Zoning Maps, governs permitted uses, densities, and configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless the proposed project conforms to the *Planning Code*, an exception is granted pursuant to provisions of the *Planning Code*, or a reclassification of the site occurs.

The proposed project includes a residential development with ground-floor commercial space, which are both permitted uses in the Upper Market NCD zoning district. The Upper Market NCD district allows a dwelling unit density of one dwelling unit for each 400 square feet of lot area. The project lot, at 9,748 square feet, would allow the 24 dwelling units proposed, and would not exceed the dwelling unit density limit. The Upper Market NCD district is intended as a "multi-purpose commercial district" with both neighborhood-serving and broader area commercial use, housing is encouraged above the second story, and business and professional offices are also located along Market Street in this zone. The future tenants of the proposed ground floor commercial space are not known at this time.

The site is in a 65-B height and bulk district, which would permit construction to a height of 65 feet with additional "B" bulk requirements, which limit the building dimensions above 50 feet in height. Adjacent residential development (uphill) is located within a 40-X height and bulk district, while properties across adjacent streets (Castro and Market Streets) are within the 65-B height and bulk district. The proposed project height of 65 feet is consistent with the 65 feet height limit and the portions of the building above 50 feet would comply with the "B" bulk requirements. The proposed building includes a corner architectural feature that extends an

additional 9½ feet above the roofline. The proposed new structure would be in conformance with the 65-B height and bulk district.

Section 151 of the Planning Code would permit up to one off-street parking space for each two dwelling units in the Upper Market NCD, would allow by conditional use authorization up to 0.75 parking spaces per dwelling units and would generally permit up to 1 commercial parking space per 1,500 square feet of occupied floor area. As principally permitted, the project, with 24 dwelling units and approximately 2,990 square feet of retail space, proposes 12 residential parking spaces and 2 commercial parking spaces.

Section 155.5 of the Planning Code requires that residential projects of 50 dwelling units or less provide one bicycle space for every two dwelling units. The project proposes 24 dwelling units and thus would be required to provide 12 bicycle parking spaces. Twelve bicycle parking spaces would be provided in the parking garage.

Pursuant to Section 135 of the Planning Code, approximately 60 square feet of private open space or 80 square feet of common open space per dwelling unit, or some equivalent combination of private and common open space is required. The proposed project would provide about 4,700 square feet of common open space in the form of 2nd floor and rooftop decks and about 292 square feet of private rooftop deck area. The project would provide more open space than the required amount.

Under Section 134(e)(2) of the Planning Code, a rear yard area equivalent to 25% of the lot size, approximately 2,400 square feet, is required and may be provided elsewhere on the lot or development to satisfy the residential rear yard requirement. The proposed project would provide approximately 2,100 square feet in 2nd floor common deck area and would seek an allowable exception for rear yard requirements for corner lots pursuant to Planning Code Section 134(e)(2).

The proposed project would require a Conditional Use authorization for the conversion/change of use of a gasoline station (Planning Code Sections 228.2 and 228.3).

Section 415 of the Planning Code sets forth the requirements and procedures for the Residential Inclusionary Affordable Housing Program. Since this project was submitted prior to 2006, the off-

site requirement would be 17% (two affordable units) and the on-site requirement would be 12% (three affordable units).

The proposed project would require building permit(s) from the Department of Building Inspection (DBI). Any curb or street modifications would require approval by the Department of Parking and Traffic within the Municipal Transportation Agency and from the Department of Public Works. Protection and addition of street trees would require approval from the Department of Public Works (DPW). Prior to disturbing soils on the project site, the San Francisco Department of Public Health shall approve a Site Mitigation Plan (SMP) for the removal and closure of the existing underground storage tanks.

PLANS AND POLICIES

San Francisco General Plan Priority Planning Policies

The *San Francisco General Plan (General Plan)*, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. The compatibility of the project with *General Plan* policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project and any potential conflicts identified as part of that process would not alter the physical environmental effects of the proposed project.

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the City's *Planning Code* to establish eight Priority Policies. These policies, and the sections of this Environmental Evaluation addressing the environmental issues associated with the policies, are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character (Question 1c, Land Use); (3) preservation and enhancement of affordable housing (Question 3b, Population and Housing, with regard to housing supply and displacement issues); (4) discouragement of commuter automobiles (Questions 5a, b, f, and g, Transportation and Circulation); (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Question 1c, Land Use); (6) maximization of earthquake preparedness (Questions 13 a-d, Geology, Soils, and Seismicity); (7) landmark and historic building preservation (Question 4a, Cultural Resources); and (8) protection of open space

(Questions 8 a and b, Wind and Shadow, and Questions 9a and c, Recreation and Public Space). Prior to issuing a permit for any project which requires an Initial Study under the California Environmental Quality Act (CEQA), and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action which requires a finding of consistency with the *General Plan*, the City is required to find that the proposed project or legislation is consistent with the Priority Policies. As noted above, the consistency of the proposed project with the environmental topics associated with the Priority Policies is discussed in the Evaluation of Environmental Effects.

Other Plans and Policies

Environmental plans and policies are those, like the Bay Area Air Quality Plan, that directly address environmental issues and/or contain targets or standards, which must be met in order to preserve or improve characteristics of the City's physical environment. The proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy.

The Market and Octavia Neighborhood Plan originally covered an area within a short walking distance of Market Street between the Van Ness Avenue and Church Street and ending approximately at the Noe and Market Streets intersection one block northeast of the project site. The Plan includes a proposed transit-oriented neighborhood commercial land use along Market Street and particularly around transit hubs, such as the Church Street station, and encourages mixed-use developments with ground-floor retail and housing above, among other policies.

In 2011, the Board of Supervisors adopted an Ordinance that extended the boundaries of the Market and Octavia Plan in order to place Market and Octavia controls on nearby parcels zoned Upper Market NCD, including 376 Castro Street.¹ The Ordinance ensured that residential and commercial development in the Upper Market NCD would be consistent with existing development patterns and to provide relief from parking requirements and encourage more transit-oriented development in the Upper Market NCD. In 2010, Planning prepared an Addendum to the Market and Octavia Neighborhood Plan EIR which analyzed the actions

¹ Board of Supervisors. *Planning Code Amendment of Upper Market Neighborhood Commercial District; Extension of Market and Octavia Community Infrastructure Fee Area*. Board File No. 101464, Ordinance No. 0025-11. February 8, 2011. This document is available for review at <http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances11/o0025-11.pdf>

contemplated in the Ordinance.² The Addendum found that the Ordinance would not result in any conditions that would call for the preparation of subsequent environmental review.

The project site is located within a special design area, the Upper Market Workshop. The Upper Market Workshop was a community visioning process that created the Upper Market Community Design Plan to guide the future of the Upper Market corridor, which is generally defined as Market Street between Castro and Octavia Streets. The workshop, which was held in the fall of 2007, included the review of design of nine properties, including the proposed project. The plan encourages attractive public spaces and new development that integrates with and contributes to the area's charm and diversity. The overarching community design principles derived from the workshop are the following: vibrant pedestrian realm; active, street-engaging buildings; well-designed, affordable, and flexible buildings; strong local character and identity; network of open spaces; series of community servicing uses; and sustainable environments.

² San Francisco Planning Department. *Market and Octavia Neighborhood Plan, EIR Addendum*, October 27, 2010. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No 2003.0347E.

D. SUMMARY OF ENVIRONMENTAL EFFECTS

The proposed project could potentially affect the environmental factor(s) checked below. The topic areas that are checked are those in which impacts that could potentially be significant unless mitigated are identified in Section E, Evaluation of Environmental Effects. The following pages present a more detailed checklist and discussion of each environmental factor.

- | | | |
|---|--|--|
| <input type="checkbox"/> Land Use | <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources |
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Geology and Soils |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Wind and Shadow | <input type="checkbox"/> Hydrology and Water Quality |
| <input checked="" type="checkbox"/> Cultural and Paleo. Resources | <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Hazards/Hazardous Materials |
| <input type="checkbox"/> Transportation and Circulation | <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Mineral/Energy Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Public Services | <input type="checkbox"/> Agricultural and Forest Resources |
| | | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

E. EVALUATION OF ENVIRONMENTAL EFFECTS

All items on the Initial Study Checklist that have been checked "Less Than Significant Impact," "No Impact," or "Not Applicable" indicate that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect relating to that issue. For items that have been checked "Less Than Significant with Mitigation Incorporated," staff has determined that the proposed project would not have a significant adverse environmental effect provided that the project sponsor implements mitigation measures presented in Section G of this document. A discussion is included for most issues checked "Less Than Significant with Mitigation Incorporated," "Less Than Significant Impact," "No Impact," or "Not Applicable." For all of the items without discussion, the conclusions regarding potential significant adverse environmental effects are based upon field observation, staff experience and expertise on similar projects, and/or standard reference material 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.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
1. LAND USE AND LAND USE PLANNING— Would the project:					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact LU-1: The proposed project would not physically divide an existing community. (Less than Significant)

The proposed project would include the demolition of the existing one-story, approximately 1,100-square-foot, automotive gasoline and service station and bays, related pump canopies, and removal of underground fuel storage tanks, and the construction of a six-story, approximately 56-foot-tall, mixed-use building with 24 dwelling units and 2,990 square feet of ground-floor retail.

Land use impacts are considered significant if they disrupt or divide the physical arrangement of an established community, or if they have a substantial impact on the existing character of the vicinity. While the proposed project would create a new use on the subject property, the project would not cause a significant land use impact. The proposed project is located within a mixed-use area and the new building would be constructed within existing lot configuration. Surrounding uses would be expected to continue in operation and to relate to each other as they do presently, without disruption from the proposed project. The proposed mixed-use residential building would be incorporated within the established street network and it would not disrupt or divide the physical arrangement of existing uses on or adjacent to the project site or impede the passage of persons or vehicles. The surrounding uses and activities would remain and they would interrelate with each others as they do at present. They would not be affected substantially by the proposed project.

Impact LU-2: The proposed project would be consistent with applicable land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect. (Less than Significant)

Land use impacts are considered to be significant if the proposed project would conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Environmental plans and policies are those, like the Bay Area Air Quality Management Plan, which directly address environmental issues and/or contain targets or standards, which must be met in order to preserve or improve characteristics of the City's physical environment. The proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy. Furthermore, the proposed project would not conflict with the San Francisco General Plan policies that relate to physical environmental issues. Therefore, the proposed project would have a less-than-significant impact with regard to consistency with existing plans, policies, and regulations.

Impact LU-3: The proposed project would not have a substantial impact upon the existing character of the project's vicinity. (Less than Significant)

Land uses in the vicinity of the site are dominated by multi-unit residential and commercial (primarily retail) uses. The proposed project would demolish the existing gasoline and service station and construct a new mixed-use building with 24 dwelling units and approximately 2,990 square feet of commercial use. The proposed project would be compatible with surrounding uses.

Although the project site would be converted from a gasoline station to a mixed-use residential building, the project would not be substantially or demonstrably incompatible with the existing commercial and residential uses in the project area.

Land use impacts are considered to be significant if the proposed project would have a substantial impact upon the existing character of the vicinity. The change in land use on the site would not be considered a significant impact because the site is within the Upper Market NCD zoning district, where the proposed uses are permitted and would be compatible with existing uses on adjacent and surrounding properties. Although the proposed project would result in a different land use than what now exists on the site, it would not introduce a new or incompatible land use to the area. As discussed in the Project Setting section, the project site is surrounded by a mixed-use character that includes residential, commercial (primarily retail), small office, and

some automotive service facilities. While the proposed project would be a larger development at this site compared to existing development and some buildings in the vicinity, it would not be out of character with the two- to four-story buildings that are typically found in this area. The proposed project would be at a density allowed under the Upper Market NCD, would be developed within the existing allowable height and bulk limits of the area, and would include land uses principally permitted and already existing within the district.

Because the proposed project's density would be physically compatible with the existing character of the area—a mix of large multi-family residential buildings, mixed-use residential-over-commercial buildings, duplex and single-family residential buildings, and buildings hosting heavy commercial and light industrial uses – impacts on the existing community would be less than significant.

Therefore, the proposed project's impact on the existing character of the project's vicinity would be less than significant.

Impact C-LU: The proposed project, in combination with past, present and reasonably foreseeable future projects in the vicinity of the site, would not have a substantial adverse cumulative impact to land use. (Less than Significant)

Approximately 200 feet to the east of the project site, is a proposed project at 2367-2375 Market Street, which includes the construction of a three-story structure at the rear of the parcel and the addition at the 2nd floor of an existing two-story building to comply with handicap accessible requirements.³ Approximately 600 feet to the east of the project site, is a proposed project at 2301 Market Street, which includes the construction of a three-story addition to the existing two-story commercial building to provide 14 dwelling units and a health club.⁴ Approximately one-half mile from the project site is the 2175 Market Street project, which proposes to demolish the existing gasoline station and construct a five-story, mixed-use building containing 85 residential units and 7,935 square feet of commercial use.⁵ There are no other known future/pipeline development projects within one-quarter mile of the project site.

Given the nature of these projects and the distance from the project site, it is unlikely that they would have land use impacts that could combine with the impacts of the proposed project. Further, even if these projects did have land use impacts, the proposed project would not

³ Planning Department Case No. 2007.0072E.

⁴ Planning Department Case No. 2011.0423U.

⁵ Planning Department Case No. 2006.1060E.

contribute in a cumulatively considerable way to divide an established community; conflict with plans, policies, and regulations; or change neighborhood character. Therefore, the project would not result in any significant cumulative land use impacts.

For the reasons described above, land use impacts, both project-specific and cumulative, would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
2. AESTHETICS—Would the project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and other features of the built or natural environment which contribute to a scenic public setting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

A visual quality/aesthetics analysis is somewhat subjective and considers the project design in relation to the surrounding visual character, heights and building types of surrounding uses, its potential to obstruct scenic views or vistas, and its potential for light and glare. The proposed project's specific building design would be considered to have a significant adverse environmental effect on visual quality only if it would cause a substantial and demonstrable negative change.

Impact AE-1: The proposed project would not have a substantial adverse effect on scenic views and vistas. (Less than Significant)

A project would have a significant effect on scenic vistas if it would substantially degrade important public view corridors and obstruct scenic views from public areas viewable by a substantial number of people. View corridors are defined by physical elements such as buildings and structures that direct lines of sight and control view directions available to the public. Scenic

views and vistas are limited in the project vicinity due to surrounding urban development and intervening buildings.

There are no public scenic vistas in the area that would be substantially affected by the proposed project. Views from surrounding sidewalks and street corridors consist primarily of surrounding taller urban development. The proposed building would be built to the lot lines and would block views of portions of both Castro and Market Streets that are currently available in the project vicinity. However, this impact would not be substantial since these views are not considered to be scenic. The proposed project would therefore not degrade or obstruct any publicly accessible scenic views.

The public open spaces located near the project site are the Corona Heights and Eureka Valley playgrounds, located two blocks northwest and two blocks southwest of the site. The project site is not visible from these public spaces due to intervening development and trees. Accordingly, the proposed project would not degrade or obstruct any scenic views or vistas now observed from a public area.

The proposed building, which would be larger in scale than some buildings in the vicinity and located on a prominent corner, would be readily apparent in short- and mid-range views of the site; however, the proposed building would be indistinguishable in long-range views and would tend to blend into the urban mix of residential and commercial land uses and surrounding elevated and taller development in the area. The proposed residential building would therefore, not block or degrade a public scenic view or vista.

Since the project proposes a new six-story building, private views from some nearby buildings, including adjacent residential buildings, on the block could be affected by the project. 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 project. 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.

The proposed project would not substantially impact any existing public views or view corridors in the area, and the adverse effect upon private views would not be considered a significant impact on the environment, pursuant to CEQA.

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

The project would not result in the removal of existing trees, and there are no scenic resources present on the project site or in the area that would be affected by the project.

Impact AE-3: The proposed project would not degrade the visual character or quality of the site and its surroundings. (Less than Significant)

The visual character of the project site and vicinity is urban with a diversity of building types, sizes, and ages. Land uses in the surrounding neighborhood are mixed, and include residential, commercial (primarily retail), small office, and some auto service facilities. The proposed six-story, mixed-use building would be approximately two- to three-stories taller than adjacent development. Development in the area generally ranges from one- to four-stories in height, with a mix of one-story retail and automotive service buildings and two- to four-story residential and mixed-use residential/commercial buildings. As currently proposed, the Market and Castro Streets corner of the building would include a taller architectural element that extends about nine feet above the roofline to emphasize the corner. The Castro Street façade would step down a level towards the rear of the property.

A new larger development and visual element on the project site would not, in and of itself, constitute a significant impact. The proposed building would be within the allowable height and bulk district in which it would be located (65-B), and within the allowable density/scale established in the Planning Code. In terms of visual character and existing resources, the proposed project would be architecturally consistent with the mixed-use, multi-unit residential, and commercial neighborhood of one- to four-story buildings and would not have a significant impact on the visual character of the area. The proposed building would also be compatible with the building heights on neighboring blocks, which range from two to seven stories. While the proposed project would be visible to neighboring residents and workers, it would be visually

similar to existing development in the project vicinity in terms of its building materials, massing, and height.

The proposed project would intensify the use of the site but would not change nor be inconsistent with the mixed-use visual character of surrounding development. The proposed project would be in-fill development that is located in a densely developed urban area within surrounding buildings of comparable height and bulk. It would not appear out of scale with other existing buildings.

The project would be visible from public sidewalks and streets surrounding the project site. Street-level views from Market and Castro Streets would change. However, since these views would be consistent with the surrounding urban feel of the project vicinity, the project would not contribute to any substantial visual degradation of existing conditions or obstruction of views.

The proposed project would be visible from some residential and commercial buildings within the project site vicinity. Some reduced views on private property would be an unavoidable consequence of the proposed project and would be an undesirable change for those individuals affected. Nonetheless, the change in views would not exceed that commonly expected in an urban setting, and the loss of those views would not constitute a significant impact under CEQA. In cases where views would be altered and where the amount of natural light may be diminished, the resulting views and lighting conditions would be comparable to those that are available elsewhere in the neighborhood, where existing buildings built to the property line define the urban viewsapes. In a developed urban area such as the project neighborhood, the loss of some existing private views is not generally considered a significant adverse effect on the environment, as limited views are commonplace and normally an accepted part of the urban fabric. Therefore, this effect would be less than significant.

The proposed project's final architectural design and articulation would undergo evaluation by the Planning Department through the building permit process, a process separate from the environmental review. The proposed project's final design would be available at that time.

Design and aesthetics are by definition subjective and open to interpretation by decision-makers and members of the public. A proposed project would have a significant adverse effect on visual quality under CEQA only if it would cause a substantial and demonstrable negative change. The

proposed project would not have such a change, and its visual quality impact would be less than significant.

For all of the above reasons, the proposed project would not be expected to cause a substantial and demonstrable negative change, or disrupt the existing visual character of the project vicinity.

Impact AE-4: The proposed project would create a new source of light and glare, but not to an extent that would adversely affect day or nighttime views in the area or which would substantially impact other people or properties. (Less than Significant)

The proposed project would comply with Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass. The proposed project would include outdoor lighting typical of other surrounding building uses in the project vicinity. The nighttime lighting generated by the proposed project would be typical of some other similar structures in the area. Because the proposed project would comply with Planning Commission Resolution 9212, light and glare impacts would not be expected to have a substantial, demonstrable negative aesthetic impact. Based on the above analysis, the project would not have a significant impact associated with light and glare.

Impact C-AE: The proposed project, in combination with past, present, and reasonably foreseeable future development in the vicinity, would not have a substantial adverse cumulative impact on aesthetic resources. (Less than Significant)

Cumulative projects are discussed on page 20. The proposed projects at 2367-2375 Market Street and 2301 Market Street are contemporary in architectural design and surrounded by a mixed scale and mixed historic structures and would be generally consistent to the buildings in the area. The proposed project at 2175 Market Street is three blocks away from the proposed project. Given the nature of these projects and the distance from the project site, it is unlikely that they would have aesthetic impacts that could combine with the impacts of the proposed project. Further, even if these projects did have impacts related to aesthetics, the proposed project would not contribute in a cumulatively considerable way to substantially degrade views, damage scenic resources, or degrade the existing visual character of the area.

While the Market and Octavia Neighborhood Plan would result in visual changes within the Plan Area, these aesthetic changes are intended to improve the overall visual quality. Future uses and building designs would be developed pursuant to the guidelines imposed by the Market and Octavia Neighborhood Plan. These measures would minimize potential adverse visual impacts in the project area, and therefore, the FEIR concluded that visual impacts would be less than significant.

For the reasons discussed above, the proposed project's impacts related to aesthetics, both individually and cumulatively, would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact PH-1: The proposed project would not induce substantial population growth in San Francisco, either directly or indirectly. (Less than Significant)

San Francisco consistently ranks as one of the most expensive housing markets in the United States. San Francisco is the central city in an attractive region known for its agreeable climate, open space and recreational opportunities, cultural amenities, strong and diverse economy, and prominent educational institutions. As a regional employment center, San Francisco attracts people who want to live close to where they work. These factors continue to support strong housing demands in the City. New housing to relieve the market pressure created by the strong demand is particularly difficult to provide in San Francisco because the

amount of land available for residential use is limited, and because land and development costs are relatively high.

During the period of 1990-2000, the citywide annual average of new housing units completed was about 1,130 units.⁶ In June 2008, the Association of Bay Area Governments (ABAG) released their Housing Needs Plan for years 2007-2014.⁷ The projected housing need of the City through 2014 is 31,193 net new dwelling units, or an average yearly need of 4,456 new dwelling units. The proposed project would add up to 24 dwelling units to the City's housing stock toward meeting this need. The proposed project would thus, help address the City's broader need for additional housing in a citywide context in which job growth and in-migration outpace the provision of new housing.

Currently there are no residential units on the project site. Based on the 24 dwelling units proposed and the average household size of 1.69 for Census Tract 170 (U.S. Census Bureau, Census 2000), the proposed project could attract an estimated 41 net new residents. This would represent a one percent increase in the population of Census Tract 170. While potentially noticeable to immediately adjacent neighbors, the increase in population on the project site would not substantially increase the existing area-wide population (directly or indirectly), and the resulting density would not exceed levels that are common and accepted in high-density urban areas such as San Francisco.

The site is currently used as an RC gasoline and automobile service center with approximately three employees. The proposed project, based on approximately 2,990 square feet of retail space, would employ approximately nine employees, or add about six net new employees to the site.⁸ Thirteen net new employees on-site would not substantially increase the existing demand for housing in the project vicinity or other portions of the City.

In view of the above, the proposed project would not induce substantial growth or displace substantial numbers of people or housing units and would therefore not have a significant adverse effect on population and housing.

⁶ City and County of San Francisco Planning Department, Housing Element of the *General Plan*, February 2003.

⁷ Association of Bay Area Governments, *San Francisco Bay Area Housing Needs Plan 2007-2014*, June 2008.

⁸ Based on a standard multiplier of 350 gross square feet per general retail employee, per San Francisco Planning Department *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002, and communication with Project Sponsor, May 2006, indicating that there are three employees at the existing gas station.

Impact PH-2: The proposed project would not displace substantial numbers of people or existing housing units or create demand for additional housing, necessitating the construction of replacement housing. (No Impact)

As noted above, the project site exists as an automotive gasoline and service station with approximately three employees and includes no dwelling units. Hence, there would be no residents displaced as a result of the proposed project. Overall, the proposed project would result in less-than-significant impacts related to displacement. The project site does not currently include residential uses, therefore the proposed project would have no impact with respect to displacement of existing housing or displacement of people that necessitates the construction of replacement housing elsewhere. The potential for the proposed project to induce population growth is addressed above.

Impact C-PH: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would not have a substantial adverse cumulative impact on population and housing. (Less than Significant)

Cumulative projects within the vicinity include 2301 Market Street, 2367-2375 Market Street, and 2175 Market Street as described on page 20. Given the nature of these projects and the distance from the project site, it is unlikely that they would have population and housing impacts that could combine with the impacts of the proposed project. Further, even if these projects did have population and housing impacts, the proposed project would not contribute in a cumulatively considerable way to substantial population growth or a substantial increase in housing demand. Therefore, the proposed project would not contribute to any cumulative impacts to population and housing, and impacts to population and housing, both project-specific and cumulative, would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
4. CULTURAL AND PALEONTOLOGICAL 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 <i>Planning Code</i> ?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact CP-1: The proposed project would not result in a substantial adverse change in the significance of historic architectural resources. (No Significant Impact)

Historical resources are those properties that meet the terms of the definitions in Section 21084.1 of the CEQA Statute and Section 15064.5 of the CEQA Guidelines. "Historical Resources" include properties listed in, or formally determined eligible for listing in, the California Register of Historical Resources, or listed in an adopted local historic register. The term "local historic register" or "local register of historical resources" refers to a list of resources that are officially designated or recognized as historically significant by a local government pursuant to resolution or ordinance. Historical resources also include resources identified as significant in an historical resource survey meeting certain criteria. Additionally, properties, which are not listed but are otherwise determined to be historically significant, based on substantial evidence, would also be considered a historical resource.

The automotive gasoline and service station facilities on the project site were constructed in about 1963 and are not considered historic resources. The property is not designated a City landmark or listed on the National Register of Historic Places, does not possess a historical rating nor is it included in any historic resource survey. It is therefore, not subject to the provisions of Article 10 or 11 of the *Planning Code*. Between 1974 and 1976, the City of San Francisco conducted a citywide survey of potential architecturally significant buildings, resulting in an inventory that assessed the architectural significance of 10,000 surveyed structures from the standpoint of

overall design and particular design features. Both contemporary and older buildings were included and factors considered included architectural significance and urban design context. The existing building on the project site was not rated in this survey. Nearby buildings were included in this survey such as the 400-418 Castro Street (Bank of Italy Building built in 1922), also listed as eligible for the National Register of Historic Places, located across Market Street, and the Castro Theater, at 429 Castro, approximately ½ block across Market Street, which has been designated as a City Landmark (#100) in Article 10 of the *Planning Code*. Given that the project vicinity includes predominantly two- to four-story commercial and residential buildings, the proposed project would not have a substantial impact upon the existing character of the vicinity; therefore it would not impact these nearby historical resources. The proposed project would therefore, not have an adverse effect on either on-site or adjacent, off-site, historic resources.

Given all of the above, the proposed project would have no significant impact on on-site or off-site historic resources.

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

Factors considered in determining the potential for encountering archeological resources include the location, depth, and amount of excavation proposed, as well as any existing information about known resources in the area. Development of the proposed project would require excavation of approximately ten feet below ground surface (bgs), about 4,600 cubic yards of soil, for the below-grade parking garage. According to the preliminary archeological evaluation conducted by Planning Department staff, no prehistoric sites have yet been discovered on or near the project site.⁹ A portion of the project site was historically occupied by residential structures specifically from about 1886 to 1899. The southwest corner of the project site was occupied by the rear of a single family dwelling and accessory structure and a second dwelling was constructed sometime between 1899 and 1913. Therefore, there is a possibility for artifact-filled features (privy, well, trash pit) associated with these residences on the project site. It is possible such

⁹ *Preliminary Archeological Evaluation of 376 Castro Street* by Randall Dean, San Francisco Planning Department, July 26, 2006. This document is on file and is available for public review at the Planning Department 1650 Mission Street, Suite 400, San Francisco, CA as part of Case File No. 2006.0976E.

resources were destroyed in the excavation of the existing building pad or installation of underground storage tanks.

Nonetheless, the evaluation of the project site indicates that the proposed excavation has the potential to adversely affect subsurface archaeological resources. Therefore, in order to reduce the impact to any CEQA-significant archeological resources resulting from soils disturbance from the proposed project to a level that is less than significant, the project sponsor has agreed to implement **Mitigation Measure M-CP-2**, detailed below and within Section F., p. 101 at the end of this Initial Study. With implementation of **Mitigation Measure M-CP-2**, which addresses the accidental discovery of archeological resources, the proposed project would result in a less-than-significant impact to archeological resources.

The following mitigation measure has been agreed to by the project sponsor and is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a)(c).

Mitigation Measure M-CP-1: Archeology (Accidental Discovery). The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a)(c). The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO in consultation with the California State Lands Commission (CSLC) determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a qualified archeological consultant. The archeological consultant shall advise the ERO and the CSLC as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is

warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include: preservation in situ of the archeological resource; an archeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the requirements of the ERO and the CSLC. Any required archeological investigation or data recovery plan shall conform to the requirements of State law for a salvage/excavation permit involving a submerged archeological site (Pub. Res. Code §. 6313 (d), (e), and (f)). The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO and CSLC that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological 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.

Copies of the Draft FARR shall be sent to the ERO and the CSLC for review and approval. Once approved by the ERO and the CSLC, 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 and the CSLC shall receive two copies 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 or interpretive value, the ERO and the CSLC may require a different final report content, format, and distribution than that presented above.

Impact CP-3: The proposed project would not indirectly destroy a unique paleontological resource or site or unique geologic feature. (Less than Significant)

Paleontology is a multidisciplinary science that combines elements of geology, biology, chemistry, and physics in an effort to understand the history of life on earth. Paleontological resources, or fossils, are the remains, imprints, or traces of once-living organisms preserved in rocks and sediments. Paleontological resources include vertebrate, invertebrate, and plant fossils or the trace or imprint of such fossils. The fossil record is the only evidence that life on earth has existed for more than 3.6 billion years. Fossils are considered nonrenewable resources because the organisms from which they derive no longer exist. Thus, once destroyed, a fossil can never be

replaced. Paleontological resources are lithologically dependent; that is, deposition and preservation of paleontological resources are related to the lithologic unit in which they occur. If the rock types representing a deposition environment conducive to deposition and preservation of fossils are not favorable, fossils will not be present. Lithological units which may be fossiliferous include sedimentary and volcanic formations.

The project site is generally blanketed by natural sandy and clayey soils. The proposed excavation is not deep enough to reach geologic formations containing lithological units containing fossils. Therefore, the proposed project would have less-than-significant impacts on paleontological resources or geological features.

Although no known human remains have been recorded at the project site, Mitigation Measure M-CP-2, discussed above, would reduce any potentially significant disturbance, damage, or loss of human remains to a less-than-significant level.

Impact CP-4: The proposed project may disturb human remains. (Less than Significant with Mitigation)

Impacts on Native American burials are considered under Public Resources Code (PRC) Section 15064.5(d)(1). When an Initial Study identifies the existence of, or the probable likelihood of, Native American human remains within the project site, the CEQA lead agency is required to work with the appropriate tribal entity, as identified by the California Native American Heritage Commission (NAHC). The CEQA lead agency may develop an agreement with the appropriate tribal entity for testing or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials. By implementing such an agreement, the project becomes exempt from the general prohibition on disinterring, disturbing, or removing human remains from any location other than the dedicated cemetery (Health and Safety Code Section 7050.5) and the requirements of CEQA pertaining to Native American human remains. The project's treatment of human remains and of associated or unassociated funerary objects discovered during any soils-disturbing activity would comply with applicable state laws, including immediate notification of the City and County of San Francisco (CCSF) Coroner. If the Coroner were to determine that the remains are Native American, the NAHC would be notified and would appoint a Most Likely Descendant (PRC Section 5097.98).

The Planning Department's 2006 archeological sensitivity analysis¹⁰ did not identify the project site as a site of potential Native American burials. As such the project is not anticipated to disturb any human remains, including Native American burials. Nonetheless, Mitigation Measure M-CP-2, specified above, contains language to ensure the sound handling of any encountered human remains.

Impact CP-C: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would not result in cumulative impacts to cultural resources. (Less than Significant)

Historic resource surveys were conducted for the Market and Octavia Plan Area subsequent to the adoption of the Market and Octavia Neighborhood Plan EIR, with interim controls for evaluation and protection of historic resources during the survey period. On December 17, 2008, the Landmarks Preservation Advisory Board adopted the Market and Octavia Area Plan Survey.

The automotive gasoline and service station facilities on the project site were constructed in about 1963 and are not considered historic resources. Cumulative projects within the vicinity include 2301 Market Street, 2367-2375 Market Street, and 2175 Market Street. Neither of these projects would involve demolition or significant alternation of a historic building, nor would they have a significant impact on a historic district or off-site historical resource.

Given the above, it is unlikely that 2301 Market Street, 2367-2375 Market Street, and 2175 Market Street projects would have historic impacts that could combine with the impacts of the proposed project. Further, even if these projects did have impacts related to historic resources, the proposed project would not contribute in a cumulatively considerable way to any substantial adverse effect to historical resources. The proposed project would not affect on- or off-site historic resources. Therefore impacts to historic architectural resources are less than significant and the proposed project would not result in cumulative impacts to historic architectural resources.

Demolition and excavation activities on the project site, has the potential to affect archeological resources. However, impacts to archeological resources are reduced to a less-than-significant level with implementation of Mitigation Measures M-CP-2, as discussed above. Any future projects in the project vicinity would also be subject to guidelines similar to Mitigation Measures

¹⁰ *Ibid*

M-CP-2. Implementation of Mitigation Measures M-CP-2, would reduce potential project-related impacts to archeological resources, individually and cumulatively, to less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not located within an airport land use plan area or in the vicinity of a private airstrip. The proposed project would not interfere with air traffic patterns. Therefore, checklist item 5c is not applicable.

Setting

The project site is located in the Corona Heights/Castro neighborhood, on the northwest corner of the block bounded by Castro Street to the east, Douglass Street to the west, States Street to the north and Market and 17th Streets to the south. Castro and Market Streets, both adjacent to the project site, are designated as major arterials, while 17th Street, just west of the project site, is designated as a secondary arterial in the Congestion Management Program (CMP) Network and

part of the Metropolitan Transportation System (MTS) Network.¹¹ Castro Street, in this location, is an approximate 82-foot-wide, two-way street with two travel lanes and restricted parking in each direction. Market Street has varying widths near the project site due to the intersection with 17th Street, but generally has two travel lanes in each direction and no parking due to Muni entries on and across from the project block. Farther east along Market Street, metered parking is available. Seventeenth Street along the project block from Market Street to approximately Eureka Street to the west is an approximate 64-foot wide, one-way street with one travel lane and restricted parking on both sides of the street. Market Street is designated in the General Plan as a Transit Center Street in this location, Castro Street as a Secondary Transit Street, and 17th Street east of the intersection to Dolores Street as a Transit Oriented Street.¹² The Castro Street Muni light rail station is located at this intersection. The Castro Muni metro rail station provides service to four rail lines (K-Ingleside, L-Taraval, M-Ocean View, T-Third Street) as well as the F-Market/Wharves street car line that runs along Market Street. Muni bus routes in the project vicinity include the 37-Corbett, 24-Divisadero, and 35-Eureka lines. There are no bus stops directly adjacent to the project site, the nearest stops being approximately ½ block to the west along 17th Street, ½ block to the south along Market, Castro, and 17th Streets, and two blocks to the north on Castro Street. Additionally, within a short walking distance (two blocks) along 18th Street is Muni line 33-Stanyan. There are several designated bicycle routes near the project site, including Market and 17th Streets, and the project site is within bicycling distance of downtown San Francisco.¹³ Market Street includes dedicated bike lanes in each direction, and on 17th Street, vehicles and bicyclists share the same roadway.

Impact TR-1: The proposed project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, nor would the proposed project conflict with an applicable congestion management program. (Less than Significant)

Policy 10.4 of the Transportation Element of the San Francisco General Plan states that the City will “Consider the transportation system performance measurements in all decisions for projects that affect 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

¹¹ San Francisco General Plan, Transportation Element- Map 6, Adopted July 1995.

¹² San Francisco General Plan, Transportation Element- Map 9, Adopted July 1995.

¹³ San Francisco General Plan, Transportation Element- Map 13, Adopted July 1995.

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)*¹⁴, 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. Based on the *Transportation Guidelines*, the proposed project is anticipated to generate approximately 641 daily person trips and a total of 268 daily vehicle trips.¹⁵

The total PM peak hour person trips are estimated to be approximately 74. Of these person trips, about 46 would be by auto, 14 trips by transit, 11 pedestrian trips, and 3 trips by "other" modes (including bicycles, motorcycles, and taxis). The trip generation calculations conducted for the proposed project estimates PM peak hour vehicle trips at 33.

Although the proposed project is calculated to generate approximately 74 PM peak hour person trips, with approximately 46 PM peak hour vehicle trips, these vehicle trips are not anticipated to substantially change the level of service at the intersections in the project vicinity, and would not be considered a substantial traffic increase relative to the existing capacity of the local street system. Therefore, the proposed project's impact on existing vehicular traffic is considered less than significant.

Parking

The parking demand for the new uses associated with the proposed project was determined based on the methodology presented in the *Transportation Guidelines*. Based on the methodology, on an average weekday, the demand for parking would be 47 spaces. The proposed project would include 14 off-street parking spaces. Thus, the project would have an unmet parking demand of 33 spaces. While the proposed off-street parking spaces would be less than the

¹⁴ This document can be located at <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=6753>.

¹⁵ Don Lewis, San Francisco Planning Department, *Transportation Calculations*, June 13, 2011. These calculations are available for review as part of Case File No. 2004.0976E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

anticipated parking demand, the resulting parking deficit is not considered to be a significant impact under CEQA, regardless of the availability of on-street parking under existing conditions.

San Francisco does not consider parking supply as part of the permanent physical environment. Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact. (CEQA Guidelines § 15131(a).) The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at 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 travel by foot) 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 above, the project area is well-served by local public transit (Muni lines 24, 35, and 37) and bike lanes (40 and 50), which provide alternatives to auto travel.

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space 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

Based on the SF Guidelines, the proposed project would generate an average loading demand of 0.08 truck-trips per hour. Planning Code Section 152.1 does not require off-street loading for residential development less than 100,000 square feet and for retail use less than 10,000 square feet. Therefore, off-street loading spaces are not required for the proposed project, which would include 28,805 square feet of residential use and 2,990 square feet of retail use. The proposed project would avoid the potential for impacts to adjacent roadways due to loading activities by limiting all long-term and construction loading/staging operations to the below-grade parking garage and the existing on-street parking area along Castro Street. Vehicles performing move in/move out activities would be able to obtain temporary parking permits for loading and unloading operations on Castro Street and Market Street. In addition, the parking area on the ground floor could also be used for loading activity.

Since the proposed project would contain less than 100,000 square feet of non-retail uses, the project would not require any off-street loading facilities per Planning Code Section 152.

Trash and recycling facilities for the proposed project would be located at the below-grade garage level accessed from Castro Street. Trash trucks would be able to collect trash and recycling, and would only briefly disrupt traffic along Castro Street.

Overall, the loading demand generated by the proposed project would be accommodated within the street frontage of Castro and Market Street and also within the existing parking garage, and therefore the proposed project's loading impacts would be less than significant.

Construction Impacts

During the projected 15-month construction period, temporary and intermittent traffic and transit impacts would result from truck movements to and from the project site. Truck movements during periods of peak traffic flow would have 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. Construction activities associated with the proposed project are not anticipated to result in substantial impacts on the City's transportation network. However, as required, the project sponsor and construction contractors would meet with the City's Transportation Advisory Staff Committee (TASC) to determine feasible measures to reduce traffic congestion, including effects on the transit system and pedestrian circulation impacts during construction of the proposed project. TASC consists of representatives from the Traffic Engineering Division of the Department of Parking and Traffic (DPT), the Fire Department, MUNI, and the Planning Department. Thus, impacts related to an applicable transportation circulation system plan or policy would be less than significant, and the project would not conflict with any applicable congestion management program

Impact TR-2: The proposed project would not substantially increase hazards due to a design feature or incompatible uses. (Less than Significant)

The project site exists within a developed block of San Francisco. The proposed building would be built to the edge of the street-facing lot line along Castro and Market Streets. The proposed project would remove the two existing curb cuts on Market Street and would retain one of the two curb cuts on Castro Street. There are no project features that would substantially increase traffic-related hazards. In addition, as discussed in Section F.1, Land Use and Land Use Planning, the project does not include incompatible uses. Therefore, transportation hazard impacts due to a design feature or resulting from incompatible uses would be less than significant.

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

Emergency access would remain unchanged from existing conditions. Emergency vehicles would continue to access the site from Castro and Market Streets. The proposed project would not inhibit emergency access to the project site. The proposed project would not be expected to affect emergency response times or access to other sites. 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 proposed project would generate an estimated 14 PM peak-hour transit person-trips, most of which would use the Muni metro rail Castro Street Station and nearby bus stops on Market, Castro and 17th Streets. Some of these rail and bus trips would likely connect to regional transit systems, including nearby BART (Bay Area Rapid Transit) stations at 16th Street and Civic Center. The BART regional rail lines link downtown San Francisco to Daly City, East Bay locations, the San Francisco Airport, and southern areas of San Francisco. There are no bus stops in the vicinity of the proposed driveway location on Castro Street (the nearest bus stops on Castro Street being ½ block to the south, across Market Street, or two blocks to the north at 16th Street). Since the estimated 14 PM peak-hour transit trips would be distributed among a number of lines, each with several transit vehicles per hour, the increase in transit demand associated with the proposed development would not noticeably affect transit service levels in the project area or substantially affect transit operations. Similarly, the proposed project would not significantly contribute to the 2020 cumulative transit conditions. The proposed project would not conflict with adopted policies, plans or programs supporting alternative transportation. For all of the above reasons, no significant impacts related to transit would result from the proposed project.

As discussed above, the project site is well served by transit and the proposed project would generate approximately 14 PM peak-hour transit trips, which would be accommodated by the existing transit system. A substantial number of transit riders would choose to take the Muni metro rail Castro Street Station and nearby bus stops on Market, Castro and 17th Streets. Some of these rail and bus trips would likely connect to regional transit systems, including nearby BART (Bay Area Rapid Transit) stations at 16th Street/Mission Street and Civic Center. The BART regional rail lines link downtown San Francisco to Daly City, East Bay locations, the San Francisco Airport, and southern areas of San Francisco. There are no bus stops in the vicinity of the proposed driveway location on Castro Street (the nearest bus stops on Castro Street being ½ block to the south, across Market Street, or two blocks to the north at 16th Street). The project would not include new curb cuts or off-street parking that would conflict with bus operations on Castro or Market Streets; therefore, no impacts to bus circulation were identified.

It should be noted that transit-related policies include, but are not limited to: (1) discouragement of commuter automobiles (Planning Code Section 101.1, established by Proposition M, the Accountable Planning Initiative); and (2) the City's "Transit First" policy, established in the City's Charter Section 16.102. The proposed project would not conflict with transit operations as discussed above and would also not conflict with the transit-related policies established by Proposition M or the City's Transit First Policies.

Therefore, impacts to the City's transit network would be considered less than significant.

Bicycle Conditions

As mentioned above, there are two bicycle routes nearby to the project site, including Route #40 on 17th Street and Route #50 on Market Street Broadway. The proposed project would generate 3 PM peak hour trips by "other" modes, some of which may be bicycle trips. Although the proposed project would result in an increase in the number of vehicles in the vicinity of the project site, this increase would not be substantial enough to affect bicycle travel in the area. The project would not result in a considerable increase in truck trips to the site, such that bicycle travel would be substantially affected. Furthermore, truck trips would not typically occur during peak commute hours. Thus, the proposed project would not be anticipated to affect bicycle conditions in the project vicinity and the proposed project's impact on the bicycle network would be considered less than significant.

Section 155.5 of the Planning Code requires a total of one bicycle parking space per two dwelling units. Thus, the proposed residential would require twelve bicycle parking spaces. The proposed project would comply with the Planning Code by providing twelve bicycle parking spaces within the proposed building.

On June 26, 2009, the San Francisco Municipal Transportation Agency (SFMTA) approved an update to the City's Bicycle Plan. The Plan includes updated goals and objectives to encourage bicycle use in the City, describes the existing bicycle route network (a series of interconnected streets and pathways on which bicycling is encouraged) and identifies improvements to achieve the established goals and objectives. The proposed project would not result in significant impacts to bicycle conditions in the project area and would therefore not conflict with the City's bicycle plan, or other plan, policy or program related to bicycle use in San Francisco.

Pedestrian Conditions

Pedestrian trips generated by the project would include walking trips to and from the proposed residential and retail uses as well as walking trips to and from local transit providers. Of the estimated 74 PM peak-hour person-trips that would result from the proposed project, approximately 11 would be pedestrian trips and 3 would be by "other" transportation modes, including by bicycle, motorcycle and taxi. Residential and retail-related pedestrians would enter and exit the proposed building by Castro Street, with alternate residential access through the parking garage. Pedestrian flows would be expected to potentially increase on Market, 17th and Castro Streets with the proposed project; however, the increase in pedestrian traffic would be relatively small and would be accommodated on local sidewalks and crosswalks.

The proposed project would reduce vehicular access across existing sidewalks to the project site from four curb cuts (two along both Castro and Market Streets) to one smaller vehicular driveway on Castro Street to the proposed at-grade parking garage. The proposed project with fewer curb cuts would thus reduce the potential for pedestrian and vehicle conflict.

The proposed development, and related vehicle trips, would not create substantial conflicts between pedestrian or bicycle operations, or exceed pedestrian or bicycle capacity on adjacent streets in the project vicinity. Therefore, the proposed project would not cause a significant environmental effect related to pedestrian or bicycle conditions.

Aside from the general increase in vehicle traffic that would result from the additional activity at the site, the proposed project would not create unsafe conditions for pedestrians, nor would the additional walk trips cause crowding on nearby sidewalks; therefore, the proposed project's impact to pedestrian facilities would be less than significant.

Sidewalk widths are sufficient to allow for the free flow of pedestrian traffic. Pedestrian activity would increase as a result of the project, but not to a degree that could not be accommodated on local sidewalks or would result in safety concerns. Thus, impacts on pedestrian circulation and safety would be less than significant. As such, the proposed project would not conflict with any plan, policy or program related to pedestrian use in San Francisco.

Impact C-TR: The proposed project in combination of past, present, and reasonably foreseeable future projects would not result in substantial cumulative transportation impacts. (Less than Significant)

If construction of the proposed project were to overlap with construction of the 2301 Market Street, 2367-2375 Market Street, and 2175 Market Street projects, it could result in temporary increase in construction-related traffic on local or regional roads. The combined construction impact would not be significant.

The Market and Octavia Neighborhood Plan Final EIR recognized the intersections of Hayes Street/Gough Street, Hayes Street/Franklin Street, Hayes Street/Van Ness Avenue, and Market Street/Van Ness Avenue as intersections operating at LOS E or F during the 2025 Cumulative PM peak hour. As part of the EIR certification, the Planning Commission determined that the Market and Octavia Neighborhood Plan would have a significant unavoidable adverse impact on certain intersections including Hayes Street/Gough Street, Hayes Street/Franklin Street, Hayes Street/Van Ness Avenue, and Market Street/Van Ness Avenue for the Cumulative Plus Plan conditions. It is likely these 2025 Cumulative Conditions would occur with or without the project, and the project's contribution of 46 PM peak hour vehicle trips would not be a substantial proportion of the overall traffic volume, or the new vehicle trips generated by Market and Octavia projects, should they be approved. Since the proposed project would not contribute significantly to 2025 Cumulative conditions, it would therefore, not have any significant cumulative traffic impacts.

For the reasons discussed above, the proposed project's impacts related to transportation, both individually and cumulatively, would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project site is not within an airport land use plan area, nor is it in the vicinity of a private airstrip. Therefore, topics 6e and 6f are not applicable.

Impact NO-1: The proposed project would not result in the exposure of persons to or generation of noise levels in excess of established standards, nor would the proposed project result in a substantial permanent increase in ambient noise levels or otherwise be substantially affected by existing noise. (Less than Significant)

Exposure to Noise during Operation

Ambient noise levels in the vicinity of the project site are typical of noise levels in neighborhoods in San Francisco, which are dominated by vehicular traffic, including trucks, cars, Muni buses, emergency vehicles, and land use activities, such as commercial businesses and periodic temporary construction-related noise from nearby development, or street maintenance. Noises generated by residential and commercial uses are common and generally accepted in urban areas.

The Environmental Protection element of the General Plan contains Land Use Compatibility Guidelines for Community Noise.¹⁶ These guidelines, which are similar to state guidelines promulgated by the Governor's Office of Planning and Research, indicate maximum acceptable ambient noise levels for various newly developed land uses. For residential uses, the maximum

¹⁶ San Francisco General Plan. Environmental Protection Element, Policy 11.1, Land Use Compatibility Chart for Community Noise, http://www.sf-planning.org/ftp/general_plan/16_Environmental_Protection.htm.

satisfactory noise level without incorporating noise insulation into a project is 60 dBA (Ldn),¹⁷ while the guidelines indicate that residential development should be discouraged at noise levels above 70 dBA (Ldn).¹⁸ Where noise levels exceed 65 dBA, a detailed analysis of noise reduction requirements is typically necessary before final review and approval, and new residences must include noise insulation features in their design. In addition, Title 24 of the California Code of Regulations establishes uniform noise insulation standards for multi-unit residential projects. This state regulation requires meeting an interior standard of 45 dBA in any habitable room. DBI would review the final building plans to ensure that the building wall and floor/ceiling assemblies for the residential development meet State standards regarding sound transmission for residents.

According to the San Francisco City-wide Noise Map¹⁹ prepared by the San Francisco Department of Public Health, noise levels along Market Street are between 70 and 74 dBA (Ldn) and are between 55 and 64 dBA (Ldn) along Castro Street.^{20,21}

To further analyze the noise environment at the project site, an environmental noise consulting firm, Illingworth and Rodkin, conducted noise measurements to document existing noise sources and noise levels contributing to ambient noise levels.²² The noise monitoring survey was conducted from August 2, 2011 to August 3, 2011 to quantify the existing noise environment at the project site. The noise monitoring survey included two long-term noise measurements and two short-term measurements. Noise levels measured at the site were primarily the result of vehicular traffic on Market Street and Castro Street, and Muni operations. Based on the results, the noise measurement recorded a day-night noise average of 73 dBA (Ldn) at both Market Street

17 Sound pressure is measured in decibels (dB), with zero dB corresponding roughly to the threshold of human hearing, and 120 dB to 140 dB corresponding to the threshold of pain. Because sound pressure can vary by over one trillion times within the range of human hearing, a logarithmic loudness scale is used to keep sound intensity numbers at a convenient and manageable level. Owing to the variation in sensitivity of the human ear to various frequencies, sound is "weighted" to emphasize frequencies to which the ear is more sensitive, in a method known as A-weighting, and is expressed in units of A-weighted decibels (dBA).

18 The guidelines are based on maintaining an interior noise level of interior noise standard of 45 dBA, Ldn, as required by the California Noise Insulation Standards in Title 24, Part 2 of the California Code of Regulations.

19 San Francisco City-wide Noise Map, San Francisco Department of Public Health, March, 2009. This document is available for review at the Planning Department in Case File No 2004.0976E.

20 Sound pressure is measured in decibels (dB), with zero dB corresponding roughly to the threshold of human hearing, and 120 dB to 140 dB corresponding to the threshold of pain. Because sound pressure can vary by over one trillion times within the range of human hearing, a logarithmic loudness scale is used to keep sound intensity numbers at a convenient and manageable level. Owing to the variation in sensitivity of the human ear to various frequencies, sound is "weighted" to emphasize frequencies to which the ear is more sensitive, in a method known as A-weighting and expressed in units of A-weighted decibels (dBA).

21 Based on noise modeling conducted by the San Francisco Department of Public Health (DPH). DPH modeling has yielded GIS-compatible noise contours for the City, based on vehicle noise.

22 Illingworth and Rodkin, Inc., 376 Castro Street Environmental Noise Study, San Francisco, California, August 16, 2011. This document is available for review in Project File No. 2004.0976E at the Planning Department, Fourth Floor, 1650 Mission Street, San Francisco.

and Castro Street. The noise assessment did not identify any land uses that generate unusual noise within the vicinity of the project site.

The project sponsor has agreed to incorporate these recommendations into the project's design. Illingworth and Rodkin recommends that the project sponsor use windows and doors with a Sound Transmission Class (STC) rating of 32 for the residential units facing Market Street and Castro Street. This would create an interior noise environment of 41 dBA ($73 - 32 = 41$), which would ensure an interior noise environment of 45 dBA in habitable rooms as required by the San Francisco Building Code. In addition, the project proposes exterior walls composed of 4-inch-thick precast concrete panels hung from the building structure with an insulated 6-inch-thick metal stud wall behind. Though sound tests of this exterior wall assembly were not available for review, based on the significant mass provided by the concrete cladding system and the resilient nature of steel framing systems, the sound rating of the exterior walls is judged to exceed that provided by typical residential construction, with a STC rating greater than 45.

Therefore, Illingworth and Rodkin's noise study demonstrates that acceptable interior noise levels consistent with those in the Title 24 standards would be attained by the proposed project and no further acoustical analysis or engineering is required. During review of the building permit, the Department of Building Inspection would review project plans for compliance with Title 24 noise standards. Compliance with Title 24 standards and with the City's General Plan would ensure that effects from exposure to ambient noise would result in less than significant impacts.

Generation of Traffic Noise during Operation

Generally, traffic must double in volume to produce a noticeable increase in average noise levels. Based on the transportation analysis prepared for the project, traffic volumes would not double on area streets as a result of the proposed project. Therefore, the proposed project would not cause a noticeable increase in the ambient noise level in the project vicinity, and this impact would be less than significant.

Generation of Building Noise during Operation

The project includes mechanical equipment that could produce operational noise, such as that from heating and ventilation systems. These operations would be subject to Section 2909 of the City's Noise Ordinance (Article 29 of the San Francisco Police Code). 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 ambient, while for noise generated by commercial and industrial uses, the limit is 8 dBA in excess of ambient and for noise on public property, including streets, the limit is 10 dBA in excess of ambient. In addition, the noise ordinance provides for a separate fixed-source noise limit for residential interiors of 45 dBA at night and 55 dBA during the day and evening hours (until 10:00 PM). The proposed project would comply with Article 29, Section 2909, by including acoustical construction improvements to achieve an interior day-night equivalent sound level of 45 dBA. Compliance with Article 29, Section 2909, would minimize noise from building operations. Therefore, noise effects related to building operation would be less than significant, and building would not contribute to a considerable increment to any cumulative noise impacts from mechanical equipment.

Impact NO-2: During construction, the proposed project would result in a temporary or periodic increase in ambient noise levels and vibration in the project vicinity above levels existing without the project, but any construction-related increase in noise levels and vibration would be considered a less than significant impact. (Less than Significant)

The demolition of the existing gasoline and service station and the construction of the proposed mixed-use building would temporarily increase noise in the vicinity. Construction equipment would generate noise and possibly vibrations that could be considered an annoyance by occupants of nearby properties. No heavy external excavation equipment, such as pile drivers, would be used during construction. Construction noise would fluctuate depending on the construction phase, equipment type and duration of use, and distance between noise source and listener. Further, construction noise would be intermittent and limited to the period of construction.

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the Police Code). The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools (e.g., jackhammers, impact wrenches) must have boot intake and exhaust muffled to the satisfaction of DPW or DBI. Section 2908 of the ordinance prohibits construction between 8:00 PM and 7:00 AM, if noise would exceed the ambient noise level by 5 dBA at the project site's property line, unless a special permit is authorized by DPW or DBI. Compliance with the noise ordinance would reduce most potential construction noise impacts to a less than significant level, including noise effects on residential uses in the immediate vicinity, which are considered sensitive receptors.

Impact C-NO: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in substantial cumulative noise impacts. (Less than Significant)

Construction activities in the vicinity of the project site, such as excavation, grading, or construction of other buildings in the area, would occur on a temporary and intermittent basis, similar to the project. Project construction-related noise would not substantially increase ambient noise levels at locations greater than a few hundred feet from the project site. As such, construction noise effects associated with the proposed project are not anticipated to combine with proposed developments at 2301 Market Street, 2367-2375 Market Street, and 2175 Market Street. Therefore, cumulative construction-related noise impacts would be less than significant.

Local traffic noise would increase in conjunction with foreseeable residential and commercial growth in the project vicinity, though this increase would be far less than the doubling of traffic noise that would result in an audible change. However, because neither the proposed project nor the other cumulative impacts in the vicinity are anticipated to result in a doubling of traffic volumes along nearby streets, the project would not contribute considerably to any cumulative traffic-related increases in ambient noise. Moreover, the proposed project's mechanical equipment and occupants would be required to comply with the Noise Ordinance and would therefore not be expected to contribute to any cumulative increases in the ambient noise as a result of the building equipment or occupants. Therefore, the proposed project would not result in cumulatively considerable noise impacts, and cumulative noise impacts are considered less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
7. AIR QUALITY—Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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. The BAAQMD has also adopted *CEQA Air Quality Guidelines* (Air Quality Guidelines) to assist lead agencies in evaluating the air quality impacts of projects and plans proposed in the Air Basin. The Air Quality Guidelines provide procedures for evaluating potential air quality impacts during the environmental review process consistent with CEQA requirements. The BAAQMD recently issued revised Air Quality Guidelines that supersede the 1999 Air Quality Guidelines.²³

According to the BAAQMD, the recently adopted thresholds of significance for criteria air pollutants, greenhouse gas (GHG) emissions, and health risks from new sources of emissions are intended to apply to environmental analyses that have begun on or after adoption of the revised CEQA thresholds of significance (June 2, 2010). The environmental review for the proposed project began on February 8, 2011 when a neighborhood notice was sent to community organizations, tenants of the affected property and properties adjacent to the project site, and those persons who own property within 300 feet of the project site. Therefore, according to the BAAQMD's policy, the proposed project would be subject to the thresholds identified in the BAAQMD 1999 Air Quality Guidelines. The 2010 thresholds of significance have generally been lowered and are more health protective than the 1999 Guidelines. Therefore, the following analysis is based upon the BAAQMD's recently adopted CEQA thresholds of significance (2010).

Impact AQ-1: Construction of the proposed project would not generate a substantial amount of 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

²³ Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, June 2010, <http://www.baaqmd.gov/>

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 (CARB), 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.

For fugitive dust emissions, the 2010 Air Quality Guidelines recommend their most current best management practices, which has been a pragmatic and effective approach to the control of fugitive dust emissions. The Air Quality Guidelines note that individual measures have been shown to reduce fugitive dust by anywhere from 30 percent to more than 90 percent and conclude that projects that implement BAAQMD’s recommended construction best management practices will reduce fugitive dust emissions to a less-than-significant level.²⁴

The San Francisco *Building Code* Section 106A.3.2.6.3 requires a “no visible dust” requirement with the intent of reducing the quantity of dust generated during site preparation, demolition and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI).

The Building Code requires that all site preparation work, demolition, or other construction activities within San Francisco that have the potential to create dust or to expose or disturb more than 10 cubic yards or 500 square feet of soil comply with specified dust control measures whether or not the activity requires a permit from DBI. The project involves the demolition of an existing gasoline station and the construction of a six-story, mixed-use building with an underground parking garage. The project would be required to comply with the Building Code’s dust control requirements.

²⁴ *Ibid*, Section 4.2.1.

Below are the following regulations and procedures set forth in Section 106A.3.2.6.3 of the San Francisco Building Code's General Dust Control Requirements:

- Water all active construction areas sufficiently to prevent dust from becoming airborne. Increased watering frequency may be necessary whenever wind speeds exceed 15 mile per hour. Reclaimed water must be used if required by Article 21, Section 1100 et seq. of the San Francisco Public Works Code. If not required, reclaimed water should be used whenever possible;
- Provide as much water as necessary to control dust (without creating run-off) in an area of land clearing, earth movement, excavation, drillings, and other dust-generating activity;
- During excavation and dirt-moving activities, wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the end of the workday;
- Cover any inactive (no disturbance for more than seven days) stockpiles greater than ten cubic yards or 500 square feet of excavated materials, backfill material, import material, gravel, sand, road base, and soil with a 10 mil (0.01 inch) polyethylene plastic or equivalent tarp and brace it down or use other equivalent soil stabilization techniques; and
- Use dust enclosures, curtains, and dust collectors as necessary to control dust in the excavation area.

Therefore, compliance with the San Francisco Building Code's General Dust Control Requirements would ensure that the project's fugitive dust impacts would be 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 BAAQMD's 2010 CEQA thresholds of significance for criteria air pollutant emissions resulting from construction or operation of a proposed project is whether the project would emit reactive organic gases (ROG), oxides of nitrogen (NO_x), or fine particulate matter (PM₁₀) in excess

of 54 lbs./day or whether the project would emit particulate matter (PM₁₀) in excess of 82 lbs./day.²⁵

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.²⁶ 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.²⁷

The Air Quality Guidelines note that the screening levels are generally representative of new development on greenfield²⁸ 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. The proposed project includes the demolition of an existing gasoline and service station and the construction of a mixed-use building with 24 units and 2,990 square feet of commercial space. Based on a review of the Air Quality Guidelines' screening tables, a detailed analysis of construction-related criteria air pollutants and ozone precursors would not be required. According to the screening table, the threshold for construction would be 114 dwelling

²⁵ The thresholds for criteria air pollutants have generally been lowered with the exception of PM₁₀. The threshold for PM₁₀ has been increased from 80 lbs./day to 82 lbs./day. The difference between the 1999 and 2010 thresholds would not change the conclusions of this analysis.

²⁶ Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, June 2010, at page 3-2 to 3-3.

²⁷ *Ibid*, p. 3-1.

²⁸ Agricultural or forest land or undeveloped site earmarked for commercial, residential, or industrial projects.

units and 277,000 square feet for a quality restaurant. Thus, the project would not exceed any of the thresholds of significance for criteria air pollutants and would result in a less-than-significant air quality impact related to construction exhaust emissions.

Impact AQ-3: Operation of the proposed project would not violate an air quality standard or contribute to an existing or projected air quality violation. (Less than Significant)

A screening-level analysis for project operations was conducted to determine whether operation of the proposed project could exceed the BAAQMD's 2010 thresholds of significance. Projects that exceed the screening level sizes require a detailed air quality analysis. Projects below the screening levels would not be anticipated to exceed BAAQMD's 2010 significance thresholds for ROG, NO_x, PM₁₀ and PM_{2.5}.

According to the screening table for operational criteria pollutant, the threshold would be 56 dwelling units and 9,000 square feet for a quality restaurant. The proposed project includes the demolition of an existing gasoline and service station and the construction of a mixed-use building with 24 dwelling units and 2,990 square feet of commercial space, and thus is well below the screening level that requires a detailed air quality assessment of criteria air pollutant emissions. Therefore, the project would not result in the generation of criteria air pollutants and ozone precursors that exceed the BAAQMD's thresholds of significance and operational criteria air pollutants and ozone precursors would be less than significant.

Impact AQ-4: Operation of the proposed project would not expose sensitive receptors to substantial pollutant concentrations. (Less than Significant)

The 2010 Air Quality Guidelines also recommend an analysis of health risk impacts, which are effects related to the placement of a new sensitive receptor (for example, a residential project) in proximity to source(s) of toxic air contaminants (TACs) and particulate matter. The BAAQMD's thresholds of significance for health risk impacts are an increase in lifetime cancer risk of 10 chances in one million, an increase in the non-cancer, chronic or acute, hazard index greater than 1.0, and an increase in the annual average concentration of PM_{2.5} in excess of 0.3 micrograms per cubic meter. If a single roadway or stationary source exceeds any one of these thresholds, the project would be considered to expose sensitive receptors to a significant health risk impact.

Sources of TACs include both mobile and stationary sources. To determine whether the proposed project would be below BAAQMD thresholds for TAC exposure, roadway and stationary sources

in proximity to the project site were identified and quantified using the BAAQMD's screening-level methodology.²⁹

Stationary Sources. BAAQMD data sources identified four permitted stationary sources of air pollutants within 1,000 feet (zone of influence) of the project site.³⁰ As presented in Table 4, none of the permitted sources exceeded the BAAQMD screening thresholds for individual cancer, non-cancer, or PM_{2.5}. Therefore, no further analysis of stationary sources is required.

Roadway Sources. The BAAQMD considers roadways with average daily vehicle traffic greater than 10,000 to result in potential health risks. Table 4 identifies three roadways within 1,000 feet of the project site with daily traffic over 10,000 vehicles per day.^{31,32} None of the roadways exceed the BAAQMD's individual health risk significance thresholds (cancer risk of 10 chances in

Table 1: Summary of Screening Level Health Risk Analysis

Source	Cancer Risk*	PM _{2.5} **	Non-Cancer Risk (Hazard Index)	Individual Source Exceeds Thresholds
RC/Arco Facility (Stationary Source)	0.41	0.001	0.007	No
Chevron Station (Stationary Source)	0.21	0	0.003	No
Toni Cleaners (Stationary Source)	0	0	0	No
Sonia's Dry Cleaners (Stationary Source)	0	0	0	No
Market Street (Roadway Source)	3.872	0.137	N/A	No
Castro Street (Roadway Source)	2.561	0.106	N/A	No
17 th Street (Roadway Source)	0.987	0.061	N/A	No
Sum of all sources within 1,000 feet	8.04	0.305	0.01	-
Cumulative threshold	100	0.8	10	-
Cumulative threshold exceeded?	No	No	No	-

* The units in this column are per million people.

** The units in this table are micrograms per cubic meter.

²⁹ BAAQMD, *Recommended Methods for Screening and Modeling Local Risks and Hazards*, May 2010. Methodology for roadway analysis is described in Section 3.1.2, and roadway-screening tables are provided in Chapter 7. Updated screening tables for San Francisco were provided by the BAAQMD in January 2011.

³⁰ BAAQMD, Permitted Stationary Sources with 1,000 feet of 376 Castro Street. A copy of this is available for public review at the Planning Department, 1650 Mission Street, 4th Floor, as part of Case File No. 2004.0976E.

³¹ The roadway volume for 17th Street was 8,430 vehicles per day but was screened at 10,000.

³² Vehicle rate data obtained from the California Environmental Health Tracking Program website, http://www.ehib.org/traffic_tool.jsp, accessed November 17, 2010. A copy of this is available for public review at the Planning Department, 1650 Mission Street, 4th Floor, as part of Case File No. 2004.0976E.

one million, and an increase in the annual average concentration of PM_{2.5} in excess of 0.3 micrograms per cubic meter). No roadways in San Francisco are anticipated to exceed the non-cancer hazard index thresholds individually or cumulatively, and therefore non-cancer health risks from roadways were not quantified.

Conclusion. No individual sources would exceed the BAAQMD's significance thresholds for cancer risks, non-cancer risks or the annual average concentration of PM_{2.5}. Based on these results, the proposed project would not result in exposure of sensitive receptors to substantial pollutant concentrations, and this impact would be less than significant.

Impact AQ-5: Construction of the proposed project could expose sensitive receptors to substantial pollutant concentrations. (Less than Significant with Mitigation)

The 2010 Air Quality Guidelines also recommend an analysis of health risk impacts, which are effects related to the placement of a new sensitive receptor (for example, a residential project) in proximity to source(s) of toxic air contaminants (TACs) and particulate matter. The BAAQMD's thresholds of significance for health risk impacts are an increase in lifetime cancer risk of 10 chances in one million, an increase in the non-cancer, chronic or acute, hazard index greater than 1.0, and an increase in the annual average concentration of PM_{2.5} in excess of 0.3 micrograms per cubic meter. If construction of the proposed project exceeds any one of these thresholds, the project would be considered to expose sensitive receptors to a significant health risk impact. To determine whether the proposed project would be below BAAQMD thresholds for TAC exposure, the diesel emissions related to construction activities for the proposed project was estimated by the BAAQMD.³³

Table 2: Summary of Construction Health Risk Analysis

Mitigation Strategy	PM2.5 Concentrations	Cancer Risk	Percentage Reduction
No Mitigation	0.35	31.30	N/A
Tier 3 Engines*	0.10	8.70	72%

* Controls assumed on excavator, drill rig, pump, crane, forklift, and 230 hp delivery truck.

³³ Email from Virginia Lau, BAAQMD, to Jessica Range, Planning Department, "Mitigation for Castro Street Project," September 30, 2011. A copy of this email is available for public review at the Planning Department, 1650 Mission Street, 4th Floor, as part of Case File No. 2004.0976E.

Based on the analysis, presented in Table 5, construction of the proposed project would exceed the BAAQMD's individual health risk significance thresholds (cancer risk of 10 chances in one million, and an increase in the annual average concentration of PM_{2.5} in excess of 0.3 micrograms per cubic meter) and would be considered a significant impact. Implementation of **Mitigation Measure M-AQ-5: Reduction of Diesel Particulate Matter Emissions**, described below and within Section F., p. 101 at the end of this Initial Study, was developed in consultation with the BAAQMD and would reduce this impact to a less-than-significant level.

Mitigation Measure M-AQ-5: Reduction of Diesel Particulate Matter Emissions

The project shall ensure that the project's construction equipment achieves a minimum of a 72% reduction in diesel particulate matter (DPM) emissions as compared to the construction fleet analyzed for the purposes of CEQA. A 72% reduction in DPM emissions can be accomplished by requiring that the project's excavator, drill rig, pump, crane, forklift, and 230 horsepower delivery trucks meet the United States Environmental Protection Agency Tier 3 emissions requirements. Shall the project sponsor choose to comply with this requirement through other means, documentation of compliance with this mitigation measure shall be demonstrated in a plan detailing the effectiveness of other emissions controls to be used and the plan must ensure that the construction fleet meets a minimum of a 72% reduction in DPM as compared to the construction fleet analyzed for purposes of CEQA.

With implementation of Mitigation Measure M-AQ-5: Reduction of Diesel Particulate Matter Emissions, construction of the proposed project would not exceed the BAAQMD's significance thresholds for health risk. Based on these results, the proposed project would not result in exposure of sensitive receptors to substantial pollutant concentrations, and this impact would be less than significant.

**Impact AQ-6: The proposed project would be consistent with applicable air quality plans.
(Less than Significant)**

The proposed project would be generally consistent with the General Plan and air quality management plans such as the 2010 Clean Air Plan, which is the applicable regional air quality plan developed for attainment of state air quality standards. Additionally, the General Plan, Planning Code, and the City Charter implement various transportation control measures identified in the City's Transit First Program, bicycle parking regulations, transit development fees, and other actions. Accordingly, the proposed project would not interfere with implementation of the 2010 Clean Air Plan, and this impact would be less than significant.

Impact AQ-7: 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 site residents.

Impact C-AQ-1: Construction and operation of the proposed project would not result in a cumulatively considerable net increase in criteria air pollutants or otherwise conflict with regional air quality plans. (Less than Significant)

With respect to cumulative criteria air pollutant impacts, BAAQMD's approach to cumulative air quality analysis is that any proposed project that would exceed the criteria air pollutant thresholds of significance would also be considered to result in a cumulatively considerable increase in criteria air pollutants. As discussed in Impacts AQ-2 and AQ-3, the proposed project would result in less-than-significant impacts related to construction and operational criteria air pollutant emissions. Therefore, the proposed project's contribution to cumulative criteria air pollutant impacts is less than significant, and the proposed project would not conflict with any regional air quality plan.

Impact C-AQ-2: Operation of the project would not expose sensitive receptors to cumulative sources of air pollutants. (Less than Significant)

The BAAQMD recommends cumulative thresholds of an increased cancer risk of 100 in one million, acute or chronic hazard index greater than 10.0, and a PM_{2.5} concentration greater than 0.8 micrograms per cubic meter. If the total of all roadway and point sources within 1,000 feet of the proposed project exceed these cumulative thresholds, the project would be considered to expose sensitive receptors to a significant cumulative health risk impact.

As stated in Table 4 above, the cumulative risk from all stationary and mobile sources would be 8.04 for cancer, 0.305 for PM_{2.5}, and 0.01 for chronic and acute (non-cancer). Therefore, the cumulative risk from all stationary and mobile sources would be below the BAAQMD cumulative thresholds of significance (excess cancer risk of 100 in one million, chronic and acute Hazard Index of 10, or a PM_{2.5} increase of 0.8 micrograms per cubic meter). Thus, cumulative and project level impacts involving exposure of sensitive receptors to substantial pollutant concentrations would be less than significant.

Impact C-AQ-3: Construction of the project would not expose sensitive receptors to cumulative sources of air pollutants. (Less than Significant)

The BAAQMD recommends cumulative thresholds of an increased cancer risk of 100 in one million, acute or chronic hazard index greater than 10.0, and a PM_{2.5} concentration greater than 0.8 micrograms per cubic meter. If the total of all construction projects within 1,000 feet of the proposed project exceed these cumulative thresholds, the project would be considered to expose sensitive receptors to a significant cumulative health risk impact. As described above, with implementation of Mitigation Measure M-AQ-5: Reduction of Diesel Particulate Matter Emissions, construction of the proposed project would not exceed the BAAQMD's individual health risk significance thresholds. The cumulative risk for construction and all operational sources on the nearest sensitive receptor would be 16.74 for cancer, 0.405 for PM_{2.5}, and 0.01 for chronic and acute (non-cancer). Therefore, the proposed project would be below the BAAQMD cumulative thresholds of significance, and cumulative and project level impacts involving exposure of sensitive receptors to substantial pollutant concentrations would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
8. GREENHOUSE GAS EMISSIONS— Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere, much like a greenhouse does. The accumulation of GHG's has been implicated as the driving force for global climate change. The primary GHGs are carbon dioxide, methane, nitrous oxide, ozone, and water vapor.

While the presence of the primary GHGs in the atmosphere are naturally occurring, carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O) are largely emitted from human activities, accelerating the rate at which these compounds occur within earth's atmosphere. Emissions of carbon dioxide are largely by-products of fossil fuel combustion, whereas methane results from

off-gassing associated with agricultural practices and landfills. Other GHGs include hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and are generated in certain industrial processes. Greenhouse gases are typically reported in “carbon dioxide-equivalent” measures (CO₂E).³⁴

There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.³⁵

The Air Resources Board (ARB) estimated that in 2006 California produced about 484 million gross metric tons of CO₂E (MMTCo₂E), or about 535 million U.S. tons.³⁶ The ARB found that transportation is the 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.³⁷ 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 MMTCo₂E emitted in 2007.³⁸ 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%.³⁹

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

³⁴ Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in “carbon dioxide-equivalents,” which present a weighted average based on each gas’s heat absorption (or “global warming”) potential.

³⁵ California Climate Change Portal. Frequently Asked Questions About Global Climate Change. Available online at: <http://www.climatechange.ca.gov/publications/faqs.html>. Accessed November 8, 2010.

³⁶ California Air Resources Board (ARB), “California Greenhouse Gas Inventory for 2000-2006— by Category as Defined in the Scoping Plan.” http://www.arb.ca.gov/cc/inventory/data/tables/ghg_inventory_scopingplan_2009-03-13.pdf. Accessed March 2, 2010.

³⁷ Ibid.

³⁸ 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.

³⁹ Ibid.

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.⁴⁰ The Scoping Plan estimates a reduction of 174 million metric tons of CO₂E (MMT CO₂E) (about 191 million U.S. tons) from the transportation, energy, agriculture, forestry, and high global warming potential sectors, see Table 4, below. ARB has identified an implementation timeline for the GHG reduction strategies in the Scoping Plan.⁴¹ 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 3. GHG Reductions from the AB 32 Scoping Plan Sectors⁴²

GHG Reduction Measures By Sector	GHG Reductions (MMT CO₂E)
Transportation Sector	62.3
Electricity and Natural Gas	49.7
Industry	1.4
Landfill Methane Control Measure (Discrete Early Action)	1
Forestry	5
High Global Warming Potential GHGs	20.2
Additional Reductions Needed to Achieve the GHG Cap	34.4
Total	174
Other Recommended Measures	
Government Operations	1-2
Agriculture- Methane Capture at Large Dairies	1
Methane Capture at Large Dairies	1
Additional GHG Reduction Measures	
Water	4.8
Green Buildings	26
High Recycling/ Zero Waste	
• Commercial Recycling	
• Composting	
• Anaerobic Digestion	
• Extended Producer Responsibility	
• Environmentally Preferable Purchasing	9
Total	42.8-43.8

⁴⁰ 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.

⁴¹ 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.

⁴² Ibid.

AB 32 also anticipates that local government actions will result in reduced GHG emissions. ARB has identified a GHG reduction target of 15 percent from current levels for local governments themselves and notes that successful implementation of the plan relies on local governments' land use planning and urban growth decisions because local governments have primary authority to plan, zone, approve, and permit land development to accommodate population growth and the changing needs of their jurisdictions.

The Scoping Plan relies on the requirements of Senate Bill 375 (SB 375) to implement the carbon emission reductions anticipated from land use decisions. SB 375 was enacted to align local land use and transportation planning to further achieve the State's GHG reduction goals. SB 375 requires regional transportation plans, developed by Metropolitan Planning Organizations (MPOs), to incorporate a "sustainable communities strategy" in their regional transportation plans (RTPs) that would achieve GHG emission reduction targets set by ARB. SB 375 also includes provisions for streamlined CEQA review for some infill projects such as transit-oriented development. SB 375 would be implemented over the next several years and the Metropolitan Transportation Commission's 2013 RTP would be its first plan subject to SB 375.

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 in 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 CO₂, CH₄, and N₂O.⁴³ 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 onsite by the construction of a new mixed-use building which would result in an increase in energy use. The new building 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 new building 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 operations associated with energy use, water use and wastewater treatment, and solid waste disposal.

As discussed above, the BAAQMD has adopted CEQA thresholds of significance for projects that emit GHGs, one of which is a determination of whether the proposed project is consistent with a Qualified Greenhouse Gas Reduction Strategy, as defined in the *2010 CEQA Air Quality Guidelines*. On August 12, 2010, the San Francisco Planning Department submitted a draft of the City and County of San Francisco's *Strategies to Address Greenhouse Gas Emissions* to the BAAQMD.⁴⁴ This document presents a comprehensive assessment of policies, programs and ordinances that collectively represent San Francisco's Qualified Greenhouse Gas Reduction Strategy in compliance with the BAAQMD's *2010 CEQA Air Quality Guidelines* and thresholds of significance.

San Francisco's GHG reduction strategy identifies a number of mandatory requirements and incentives that have measurably reduced greenhouse gas emissions including, but not limited to, increasing the energy efficiency of new and existing buildings, installation of solar panels on building roofs, implementation of a green building strategy, adoption of a zero waste strategy, a

⁴³ 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.

⁴⁴ San Francisco Planning Department. *Strategies to Address Greenhouse Gas Emissions in San Francisco*. 2010. The final document is available online at: <http://www.sfplanning.org/index.aspx?page=1570>.

construction and demolition debris recovery ordinance, a solar energy generation subsidy, incorporation of alternative fuel vehicles in the City's transportation fleet (including buses and taxis), and a mandatory composting ordinance. The strategy also identifies 42 specific regulations for new development that would reduce a project's GHG emissions.

San Francisco's climate change goals as are identified in the 2008 Greenhouse Gas Reduction Ordinance as follows:

- By 2008, determine the City's 1990 GHG emissions, the baseline level with reference to which target reductions are set;
- Reduce GHG emissions by 25 percent below 1990 levels by 2017;
- Reduce GHG emissions by 40 percent below 1990 levels by 2025; and
- Reduce GHG emissions by 80 percent below 1990 levels by 2050.

The City's 2017 and 2025 GHG reduction goals are more aggressive than the State's GHG reduction goals as outlined in AB 32, and consistent with the State's long-term (2050) GHG reduction goals. San Francisco's *Strategies to Address Greenhouse Gas Emissions* identifies the City's actions to pursue cleaner energy, energy conservation, alternative transportation and solid waste policies, and concludes that San Francisco's policies have resulted in a reduction in greenhouse gas emissions below 1990 levels, meeting statewide AB 32 GHG reduction goals. As reported, San Francisco's 1990 GHG emissions were approximately 8.26 million metric tons (MMT) CO₂E and 2005 GHG emissions are estimated at 7.82 MMTCO₂E, representing an approximately 5.3 percent reduction in GHG emissions below 1990 levels.

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."⁴⁵

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

⁴⁵ 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.

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 5.

Table 4. Regulations Applicable to the Proposed Project

Regulation	Requirements	Project Compliance	Discussion
Transportation Sector			
Emergency Ride Home Program	All persons employed in San Francisco are eligible for the emergency ride home program.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply with the Emergency Ride Home Program.
Bicycle parking in Residential Buildings (Planning Code, Section 155.5)	(A) For projects up to 50 dwelling units, one Class 1 space for every 2 dwelling units. (B) For projects over 50 dwelling units, 25 Class 1 spaces plus one Class 1 space for every 4 dwelling units over 50.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project proposes 24 dwelling units and 12 bicycle spaces, and therefore complies with Section 155.5 of the Planning Code.
Energy Efficiency Sector			
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.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project proposes 24 residential units and would be required to comply with the Green Building Ordinance.
San Francisco Green Building Requirements for Stormwater Management (SF Building Code, Chapter 13C) Or San Francisco Stormwater Management Ordinance (Public Works Code Article 4.2)	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 ordinance and stormwater design guidelines.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would disturb over 5,000 square feet and therefore would be required to comply 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 the volume of combined stormwater and sanitary sewage requiring treatment.
Residential Water Conservation Ordinance (SF Building Code,	Requires all residential properties (existing and new), prior to sale, to upgrade to the following minimum	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable	The project is a mixed-use building with residential and retail uses. Therefore, the proposed project would be required to comply with the

Regulation	Requirements	Project Compliance	Discussion
Housing Code, Chapter 12A)	<p>standards:</p> <ol style="list-style-type: none"> 1. All showerheads have a maximum flow of 2.5 gallons per minute (gpm) 2. All showers have no more than one showerhead per valve 3. All faucets and faucet aerators have a maximum flow rate of 2.2 gpm 4. All Water Closets (toilets) have a maximum rated water consumption of 1.6 gallons per flush (gpf) 5. All urinals have a maximum flow rate of 1.0 gpf 6. All water leaks have been repaired. <p>Although these requirement apply to existing buildings, compliance must be completed through the Department of Building Inspection, for which a discretionary permit (subject to CEQA) would be issued.</p>	<input type="checkbox"/> Project Does Not Comply	Residential Water Conservation Ordinance.
Renewable Energy Sector			
San Francisco Green Building Requirements for renewable energy (SF Building Code, Chapter 13C)	<p>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.</p> <p>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.</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> 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 occupancy portion of the 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.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> 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 type of	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> 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.

Regulation	Requirements	Project Compliance	Discussion
	refuse.		
San Francisco Green Building Requirements for construction and demolition debris recycling (SF Building Code, Chapter 13C)	These projects proposing demolition are required to divert at least 75% of the project's construction and demolition debris to recycling.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project is the demolition of a gasoline service station and new construction of a mixed-use building which would be required to comply with the San Francisco Green Building for demolition debris.
San Francisco Construction and Demolition Debris Recovery Ordinance (SF Environment Code, Chapter 14)	Requires that a person conducting full demolition of an existing structure to submit a waste diversion plan to the Director of the Environment which provides for a minimum of 65% diversion from landfill of construction and demolition debris, including materials source separated for reuse or recycling.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project is the demolition of a gasoline service station which would be required to comply with the Construction and Demolition Debris Recovery Ordinance.
Environment/Conservation Sector			
Street Tree Planting Requirements for New Construction (Planning Code Section 428)	Planning Code Section 428 requires new construction, significant alterations or relocation of buildings within many of San Francisco's zoning districts to plant on 24-inch box tree for every 20 feet along the property street frontage.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would be required to comply with the Street Tree Planting Requirements of the Planning Code.
Wood Burning Fireplace Ordinance (San Francisco Building Code, Chapter 31, Section 3102.8)	Bans the installation of wood burning fire places except for the following: <ul style="list-style-type: none"> • Pellet-fueled wood heater • EPA approved wood heater • Wood heater approved by the Northern Sonoma Air Pollution Control District 	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would not include any wood burning fireplaces.

Depending on a proposed project's size, use, and location, a variety of controls are in place to ensure that a proposed project would not impair the State's ability to meet statewide GHG reduction targets outlined in AB 32, nor impact the City's ability to meet San Francisco's local GHG reduction targets. Given that: (1) San Francisco has implemented regulations to reduce greenhouse gas emissions specific to new construction and renovations of private developments and municipal projects; (2) San Francisco's sustainable policies have resulted in the measured success of reduced greenhouse gas emissions levels; (3) San Francisco has met and exceeded AB 32 greenhouse gas reduction goals for the year 2020; (4) 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*.⁴⁶ As such, the proposed project would result in a less than significant impact with respect to GHG emissions.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
9. WIND AND SHADOW—Would the project:					
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact WS-1: The proposed project would not alter wind in a manner 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 proposed project, at 65-feet-tall and six stories, would not be substantially taller than the adjacent two- to four-story buildings, and would not be oriented differently than existing buildings on the block. In addition, the project site is located at the base of a southeast sloping hill and is approximately 25 feet lower than parcels to the north and northwest. The proposed project would not result in adverse effects on ground-level winds and the proposed project does not have the potential to cause significant changes to the wind environment in pedestrian areas adjacent or near the project site. Therefore, the proposed project would result in a less-than-significant wind impact.

Impact WS-2: The proposed project would result in new shadows, but not in a manner that substantially affects outdoor recreation facilities or other public areas. (Less than Significant)

Section 295 of the *Planning Code* was adopted in response to Proposition K (passed November 1984) in order to protect certain public open spaces from shadowing by new structures during the period between one hour after sunrise and one hour before sunset, year round. *Planning Code*

⁴⁶ Greenhouse Gas Analysis: Compliance Checklist. July 8, 2011. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, in Case No. 2004.0976E.

Section 295 restricts net new shadow on public open spaces under the jurisdiction of, or to be acquired by, the Recreation and Park Commission by any structure exceeding 40 feet unless the Planning Commission, in consultation with the Recreation and Park Commission, finds the impact to be less than significant.

The proposed building would be 65 feet in height. To determine whether this proposed project would conform to Section 295, a shadow fan analysis was prepared by Planning Department staff.⁴⁷ The shadow fan indicated that project shadows could not reach any site under Recreation and Park Commission jurisdiction.

The proposed building would add new shade to portions of adjacent properties, sidewalks and streets. However, because the height of the proposed building would not be substantially taller than surrounding buildings, and because of the existing configuration of surrounding buildings, the net new shadow would not be considered substantial and would not increase the total amount of shading in the neighborhood above levels that are common and generally accepted in urban areas. Due to the dense urban fabric of the city, the loss of sunlight on private residences or property is rarely considered to be a significant environmental impact and the limited increase in shading as a result of the proposed project would not be considered a significant impact under CEQA. Therefore, the proposed project would not significantly impact shadow amounts in the project vicinity.

Impact C-WS: The proposed project, in combination with other past, present or reasonably foreseeable projects would not result in less-than-significant wind and shadow impacts. (Less than Significant)

Based on the information provided above, the proposed project, along with other potential and future development in the vicinity, would not result in a significant wind impact in the project vicinity. The design of the 2301 Market Street, 2367-2375 Market Street, and 2175 Market Street projects would be required to comply with the applicable height and bulk requirements, as defined in the Planning Code. As such, the proposed project, in combination with projects currently proposed in the vicinity, would not substantially alter the wind patterns that could affect public areas, and cumulative wind impacts would be considered less than significant.

⁴⁷ Elizabeth Watty, San Francisco Planning Department, to Bruce Baumann, letter dated February 6, 2006. This document is available for public review at the Planning Department, 1650 Mission Street, San Francisco, as part of Case No. 2004.0976E.

The proposed project, along with other potential and future development in the vicinity, could result in net new shadows in the vicinity. However, these projects would be subject to controls to avoid substantial net new shading of public open spaces. Thus the proposed project, in combination with cumulative projects considered in this analysis, would not be expected to contribute considerably to adverse shadow effects under cumulative conditions, and cumulative shadow impacts would be considered less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
10. RECREATION—Would the project:					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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)

The nearest recreation facilities to the project site include the Corona Heights Playground and Randall (Children's) Museum, two blocks northwest of the site; the Noe and Beaver Streets Open Space, two blocks northeast of the site; the Eureka Valley Playground, two blocks south of the site at Collingwood and 19th Streets; and the Saturn Street Steps Open Space, two blocks to the west at Saturn and Ord Streets.

The proposed project would add 24 residential units and anticipates up to 9 full time employees for the 2,990 square feet of commercial space. Although new residents and employees may utilize parks and recreational spaces in the vicinity of the site, the use would likely be modest (based on the size of projected population and employment increases), and it is unlikely that substantial physical deterioration would be expected. In addition, the proposed project would not substantially increase demand for or use of citywide facilities such as the Golden Gate Park. Therefore, impacts on recreational activities and facilities would be less than significant.

Impact RE-2: The proposed project would not require the construction of recreational facilities that may have a significant effect on the environment. (Less than Significant)

The proposed project would provide some open space on site for the residents, in the form of a common rooftop deck and a private deck. The project would also include a common rear yard space of approximately 2,100 square feet.

Residents at the project site would be within walking distance of the above-noted parks and open spaces. Although the proposed project would introduce a new permanent population to the project site, the number of new residents projected would not substantially increase demand for or use of either neighborhood parks and recreational facilities (discussed above) or citywide facilities such as Golden Gate Park such that any increased user demand would require the construction of new recreational facilities or the expansion of existing facilities. Therefore, the project would not result in the construction of recreational facilities that would themselves have a physical environmental impact.

Impact RE-3: The proposed project would not physically degrade existing recreational facilities. (Less than Significant)

The proposed project would not result in the physical alteration of any recreational resource within the vicinity of the project site or in the City as a whole. The proposed project would demolish the existing automotive gasoline and service station and construct a six-story, mixed-use building with 24 residential units and approximately 2,990 square feet of ground-floor commercial use. The project would provide an approximately 2,600-square-foot rooftop common deck, a 292-square-foot private deck, and a 2,100-square-foot ground-floor common deck. Therefore, the project would not physically degrade any existing recreational resources.

Impact C-RE: The proposed project, in combination with past, present, and reasonable foreseeable future projects, would not considerably contribute to recreational impacts in the project site vicinity. (Less than Significant)

The use of recreational facilities in the vicinity of the project site is not expected to noticeably increase as a result of the proposed project. As mentioned above, the proposed project, which would construct 24 new residential units and 2,990 square feet of retail space, would provide an approximately 2,600-square-foot rooftop common deck, a 292-square-foot private deck, and a

2,100-square-foot ground-floor common deck. Therefore, the contribution of the proposed project to cumulative recreation-related impacts would not be considerable.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
11. UTILITIES AND SERVICE SYSTEMS— Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact UT-1: Implementation of the proposed project would not require or result in the construction of wastewater collection and treatment facilities, 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 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 completely covered with impervious surfaces and would remain completely covered with the proposed project. Therefore, the project would not substantially affect the amount of stormwater discharged from the project site. Additionally, 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 standard identified in the LEED NC⁴⁸ credit 6.2 for quality control of stormwater. Specifically, this credit requires the project sponsor to implement a stormwater management plan that reduces impervious cover, promotes infiltration, and captures and treats the stormwater runoff from 90 percent of the average annual rainfall using a variety of best management practices (BMPs). The BMPs must be capable of removing 80 percent of the average annual post-development total suspended solids (TSS). The SFPUC emphasizes the use of low-cost, low impact BMPs to meet this requirement. Although the project would incrementally increase the demand for wastewater treatment and could increase the demand for stormwater treatment, it would not cause the collection treatment capacity to be exceeded, or require the expansion of wastewater treatment facilities or extension of a sewer trunk line. Additionally, requirements for stormwater treatment mandated by the SFGBO would decrease the incremental amount of stormwater requiring treatment at the Southeast Water Pollution Control Plant. Therefore, the proposed project would have a less than significant impact on San Francisco's wastewater and stormwater systems.

Impact UT-2: The SFPUC has sufficient water supply and entitlements to serve the proposed project, and implementation of the proposed project would not require expansion or construction of new water treatment facilities. (Less than Significant)

The proposed project would increase the amount of water required to serve the proposed uses. However, the proposed project would not result in a population increase beyond that assumed for planning purposes by the San Francisco Public Utilities Commission's (SFPUC) 2005 Urban

⁴⁸ LEED NC stands for Leadership in Energy and Environmental Design- New Construction.

Watershed Management Plan.⁴⁹ Additionally, as required by the SFGBO, the project would be required to implement a 20 percent reduction in potable water for other uses (requiring installation of low-flow fixtures). Although the project would increase the amount of water required on site, the increase in water use on the site is accounted for in the SFPUC's 2005 Urban Watershed Management Plan. Also, the project would be required to implement water conservation measures as required by the SFGBO, would be served by the existing water supply and would not require new or expanded water supply resources or entitlements. Therefore, the project's impact on water supply would be less than significant.

Impact UT-3: The proposed project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. (Less than Significant)

Solid waste from the project site would be collected by Golden Gate Disposal Company and hauled to the Recology 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 2025.⁵⁰ 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 2010.⁵¹ 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

⁴⁹ The SFPUC's 2005 *Urban Water Management Plan* is based on data presented in the Association of Bay Area Government's (*Projections 2002: Forecasts for the San Francisco Bay Area to the Year 2025*, which includes all known or expected development projects in San Francisco through the year 2025).

⁵⁰ 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.

⁵¹ 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 March 12, 2009.

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 follow all applicable statutes and regulations related to solid waste. (No Impact)

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 other efforts while 700,000 tons went to a landfill.⁵² San Francisco residents currently divert approximately 72 percent of their solid waste to recycling and composting, bringing the city's residents closer to their goal of 75 percent diversion by 2010 and 100 percent by 2020.⁵³ The solid waste associated with the proposed project's construction would be required to divert 65 percent of all non-hazardous construction waste for recycling and reuse, as required by the Construction, Demolition and Debris Ordinance.

San Francisco Ordinance No. 27-06 requires a minimum of 65 percent of all construction and demolition debris to be recycled and diverted from landfills. Furthermore, the project would be required to comply with City's Ordinance 100-09, the Mandatory Recycling and Composting Ordinance, which requires everyone in San Francisco to separate their refuse into recyclables, compostables, and trash. With waste diversion and expansions that have occurred at the Altamont Landfill, there is adequate capacity to accommodate San Francisco's solid waste.

Therefore, solid waste generated from the project's construction and operation would not substantially affect the projected life of the landfill, and no associated impacts related to solid waste would occur.

⁵² San Francisco Office of the Controller, Community Indicators Report. Available on the internet at: http://www.sfgov.org/wcm_controller/community_indicators/physicalenvironment/index.htm. Accessed March 12, 2009.

⁵³ San Francisco Department of the Environment. Zero Waste. Website available at: <http://sfgov.org/site/frame.asp?u=http://www.sfenvironment.org>. Accessed February 11, 2009.

Impact C-UT: In combination with past, present, and reasonably foreseeable future development in the project site vicinity, the proposed project would not have a substantial cumulative impact on utilities and service systems. (Less than Significant)

Cumulative development in the project area and future development that could occur in the vicinity of the proposed project, would incrementally increase demand on citywide utilities and service systems, but not beyond levels anticipated and planned for by public service providers. Given that the City's existing service management plans address anticipated growth in the region, the project would not be expected to have a considerable effect on utility service provision or facilities under cumulative conditions.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

The existing building currently receives police protection services from the San Francisco Police Department (SFPD). The Park police station located at 1899 Waller Street, approximately two miles from the project site, serves the project site. The proposed project would increase development intensity on the site and would increase the demand for, and use of, police services, but not in excess amounts expected and provided for the area. Given the nature of the proposed project, it would not necessitate the construction of a new police station and would have a less than significant effect on police protection services.

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

The proposed project would increase the demand for fire protection services within the project area. The nearest fire station to the project site is Station #6 located at 135 Sanchez Street, which is

about 5 blocks northeast of the project site. Traffic delays and added call volume may result for the San Francisco Fire Department (SFFD), due to cumulative development in the project area; however, the SFFD is able to minimize potential impacts by shifting primary response duties to other nearby fire stations. By demolishing the existing automotive service station and constructing a new mixed-use building with 24 residential units and approximately 2,990 square feet of retail, the number of calls for services from the project site may be expected to increase. However, the increases would be incremental, funded largely through project-related increases to the City's tax base, and would not likely be substantial in light of the existing demand and capacity for fire suppression and emergency medical services in the City. Therefore, this impact would be less than significant.

Impact PS-3: The proposed project would not directly or indirectly generate school students and there would be no impact on existing school facilities. (No Impact)

Some of the new residents of the proposed 24 dwelling units may be families with school-age children. It is anticipated that existing schools in the area could accommodate these students. The nearest public schools include: (1) Harvey Milk Civil Rights Academy (Elementary), approximately 1,800 feet south of the project site, at 4235 19th Street; (2) Sanchez Elementary School, approximately 1,850 feet west of the project site, at 325 Sanchez Street; (3) McKinley Elementary School, approximately 1,800 feet north of the project site, at 1025 14th Street; (4) Everett Middle School, approximately 2,700 feet east of the project site, at 450 Church Street; and (5) Mission High School, approximately 3,000 feet southeast of the project site, at 3750 18th Street. Private schools in the area include: (1) Marin Preparatory School (K-2), approximately 1,300 feet southwest of the project site, located at 117 Diamond Lane; (2) Mission Dolores School (K-8), approximately 2,530 feet east of the project site, at 3371 16th Street; and (2) Children's Day (Elementary) School, approximately 3,340 feet east of the project site, at 333 Dolores Street.

The San Francisco Unified School District (SFUSD) is currently not a growth district, most facilities throughout the City are generally underutilized, and the SFUSD has more classrooms district-wide than are needed.⁵⁴ Additionally, similar to other citywide development, the proposed project would be assessed a \$2.42 per gross square foot school impact fee for the increase in residential space. The proposed project would not result in a substantial unmet demand for school facilities and would not necessitate new or physically altered school facilities. Therefore, the proposed project would result in a less-than-significant impact on schools.

⁵⁴ San Francisco Unified School District, Facilities Master Plan, 2003.

Impact PS-4: The proposed project would result in an incremental increase in the use of nearby parks, but this increased use would not result in a substantial adverse effect. (Less than Significant)

The nearest recreation facilities to the project site include the Corona Heights Playground and Randall (Children's) Museum, two blocks northwest of the site; the Noe and Beaver Streets Open Space, two blocks northeast of the site; the Eureka Valley Playground, two blocks south of the site at Collingwood and 19th Streets; and the Saturn Street Steps Open Space, two blocks to the west at Saturn and Ord Streets. Combined, these facilities provide a wide range of facilities for recreational and passive uses. In light of the above, the proposed project would not result in substantial adverse physical impacts from the construction or need for new parks.

Although new employees may utilize parks and recreational spaces in the vicinity of the sites, the use would likely be modest (based on the size of the projected population and employment increases), and it is unlikely that substantial physical deterioration would be expected. In addition, the proposed project would not substantially increase demand for or use of citywide facilities such as the Golden Gate Park. Therefore, this impact would be less than significant.

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 Impact)

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

Impact C-PS: The proposed project, combined with past, present, and reasonably foreseeable future projects in the vicinity, would not have a substantial cumulative impact to public services. (Less than Significant)

The proposed project is not expected to incrementally increase demand for public services, especially not beyond levels anticipated and planned for by public service providers. Cumulative development in the project area 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.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Under CEQA criteria, a project would have significant impacts on biological resources if it were to substantially affect candidate, sensitive, or special status species, riparian habitat or other sensitive natural community or wetlands, interfere with the movement of any migratory fish, wildlife, established native resident, or migratory wildlife corridors, conflict with local policies or ordinances related to biological resources, or conflict with any habitat conservation plan. There are no adopted habitat conservation plans applicable to the project site, so criterion E.13.f is not applicable to the proposed project.

Impact BI-1: The proposed project would have no impact on special status species, avian species, or riparian, wetland, or sensitive natural communities and would not conflict with an approved local, regional, or state habitat construction plan. (No Impact)

The project site and the majority of the Upper Castro neighborhoods around the project site are developed and covered with structures and other impermeable surfaces. The project site is occupied by an existing gasoline and automotive service station, and there are no trees on the project site. There are five street trees adjacent to the project site along Market Street and four palm trees on the adjacent property to the north (along the retaining wall). The proposed project would not result in the removal of existing trees. The project site does not provide habitat for any rare or endangered plant or animal species, and the proposed project would not affect or diminish plant or animal habitats, including riparian or wetland habitat. The project would not interfere with any resident or migratory species, affect any rare, threatened, or endangered species, or involve tree removal. Given the conditions present on the project site and in the area, the proposed project would have no impact on biological resources.

Impact BI-2: Implementation of the proposed project would not conflict with local tree protection regulations. (Less than Significant)

The San Francisco Planning Department, Department of Building Inspection (DBI), and Department of Public Works (DPW) have established guidelines to ensure that legislation adopted by the Board of Supervisors governing the protection of trees is implemented. The DPW Code Section 8.02-8.11 requires disclosure and protection of Landmark, Significant, and Street trees, collectively "protected trees" located on private and public property. A Landmark Tree has the highest level of protection and must meet certain criteria for age, size, shape, species, location, historical association, visual quality, or other contribution to the city's character and have 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 10 feet of the public-right-of-way, that is greater than 20 feet in height or which meets other criteria.

A Tree Disclosure Statement prepared for the project in February 2007 noted that the four palm trees located on the adjacent property to the north are considered Significant trees, and there are five street trees adjacent to the project site along Market Street. There are no Landmark Trees on properties adjacent to the site. As mentioned above, there are no trees on the project site, and the project does not include tree removal. For information, the removal of a protected tree would require issuance of a permit from the Director of Public Works, and may be subject to replacement or payment of an in-lieu fee in the form of a contribution to the City's Adopt-a-Tree Fund. Compliance with the requirements set forth in DPW Code Section 8.02-8.11 would ensure

that potential impacts to trees protected under the City's Tree Preservation Ordinance would be less than significant.

Therefore, the proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Impact C-BI: The proposed project, combined with past, present, and reasonably foreseeable future projects in the vicinity, would not result in substantial cumulative adverse impacts to biological resources. (Less than Significant)

Cumulative projects are discussed on page 20. There are 7 street trees at 2301 Market Street and 3 street trees at 2367-2375 Market Street; no trees are anticipated to be removed by either project. At 2175 Market Street, there are 13 street trees with 7 being considered Significant per the Public Works Code. Although plans are currently being revised, project construction may remove some or all of the 13 street trees. Prior to tree removal, the project sponsor would be required to apply for a tree removal permit with the Department of Public Works and would be required to comply with the Urban Forestry Ordinance (including requirements for tree replacement or in-lieu fees).

Given the above, it is unlikely that the 2301 Market Street, 2367-2375 Market Street, and 2175 Market Street projects would have biological impacts that could combine with the impacts of the proposed project. Further, even if these projects did have biological impacts, the proposed project would not contribute in a cumulatively considerable way that would affect a rare or endangered species or habitat, or conflict with any local, regional or state habitat conservation plan or ordinance. Therefore, the project would not result in any significant cumulative biological impacts.

For the reasons described above, biological impacts, both project-specific and cumulative, would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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:					

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed project would connect to the City's sewer and stormwater collection and treatment system and would not use a septic water disposal system. Therefore, Topic 14e is not applicable to the project site.

Impact GE-1: The proposed project would not result in exposure of people and structures to substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, expansive soils, seismic ground-shaking, liquefaction, or lateral spreading. (Less than Significant)

The project site is not located within an Earthquake Fault Zone as defined by the Alquist-Priolo Earthquake Fault Zoning Act and no known or potentially active fault exists on the project site. In a seismically active area, such as the San Francisco Bay Area, the possibility exists for future faulting in areas where no faults previously existed. A preliminary geotechnical analysis has been

completed for the project site.⁵⁵ The analysis examined underlying soils of the project site and made preliminary geotechnical recommendations related to excavation operations on the project site. The analysis indicates that the project site is suitable for the construction of the proposed project and found no evidence of active faulting on the project site. However, during an earthquake at any of the major area faults mentioned above, the project site would experience very strong ground shaking. Strong ground shaking during an earthquake can result in ground failure associated with soil liquefaction,⁵⁶ lateral spreading,⁵⁷ and cyclic densification.⁵⁸

The San Francisco General Plan Community Safety Element contains maps that show areas of the City subject to geologic hazards. The project site is located in an area subject to “moderate” ground shaking (structural damage) from earthquakes along the San Andreas Fault (Map 2 of the Community Safety Element) and “nonstructural” shaking intensity from earthquakes along the Northern Hayward Fault (Map 3). The project site is located approximately 6 miles northwest of the San Andreas Fault and approximately 10 miles west of the northern Hayward Fault. Therefore, it is likely that the site would experience periodic minor or major earthquakes associated with a regional fault. The 2007 Working Group on California Earthquake Probabilities estimates that there is a 63 percent chance that a magnitude 6.7 or greater earthquake will occur in the San Francisco Bay Area within 30 years. Like the entire San Francisco Bay Area, the project site is subject to groundshaking in the event of an earthquake.

Groundshaking associated with an earthquake on one of the regional faults around the project site may result in ground failure, such as that associated with soil liquefaction, lateral spreading, and differential compaction. The project site is not located in an area of liquefaction potential, as shown in the Community Safety Element of the General Plan (Map 4, titled “Hazards Study Zones—Areas of Liquefaction Potential”), but is in an area of potential landslide hazard (Map 5).⁵⁹ Project site development would not substantially alter the topography of the project site or vicinity.

⁵⁵ Harold Lewis & Associates Geotechnical Consultants, Geotechnical Analysis Letter dated July 16, 2006. A copy of this letter is available for review at the Planning Department offices at 1650 Mission Street, Suite 400, related to Case No. 2004.0976E.

⁵⁶ Liquefaction is a phenomenon in which saturated, cohesionless soil experiences a temporary loss of strength due to the buildup of excess pore water pressure, especially during cyclic loading such as that induced by earthquakes. Soil most susceptible to liquefaction is loose, clean, saturated, uniformly graded, fine-grained sand and silt of low plasticity that is relatively free of clay.

⁵⁷ Lateral spreading is a phenomenon in which surficial soil displaces along a shear zone that has formed within an underlying liquefied layer. Upon reaching mobilization, the surficial blocks are transported downslope or in the direction of a free face by earthquake and gravitational forces.

⁵⁸ Soil compaction, or cyclic densification, is a phenomenon in which non-saturated, cohesionless soil is densified by earthquake vibrations, causing settlement.

⁵⁹ City and County of San Francisco, Community Safety Element, *General Plan*, April 1997.

According to the preliminary geotechnical investigation conducted by Harold Lewis and Associates, the site is blanketed by competent natural sandy and clayey soils at a depth which should allow the construction of a basement level parking garage and a shallow foundation system.⁶⁰ As with most up-sloping lots in San Francisco, underpinning and temporary shoring would be required during the excavation operations to safely develop the property.

The final building plans would be reviewed by the Department of Building Inspection (DBI). In reviewing building plans, DBI refers to a variety of information sources to determine existing hazards and assess requirements for mitigation. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspectors' working knowledge of areas of special geologic concern. Potential geologic hazards would be mitigated during the permit review process through these measures. To ensure compliance with all Building Code provisions regarding structure safety, when DBI reviews the geotechnical report and building plans for a proposed project, they will determine the adequacy of necessary engineering and design features. Past geological and geotechnical investigations would be available for use by DBI during its review of building permits for the site. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. Therefore, potential damage to structures from geologic hazards on the project site would be avoided through DBI's requirement for a geotechnical report and review of the building permit application pursuant to DBI implementation of the Building Code, and this impact would be less than significant.

Impact GE-2: The proposed project site would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. (Less than Significant)

As shown on the official State of California Seismic Hazards Zone Map for San Francisco prepared under the Seismic Hazards Mapping Act of 1990,⁶¹ the project site is within an area subject to landslide (Map 5 of the Community Safety Element). However, as stated above, the final building plans would be reviewed by DBI, and in reviewing building plans, DBI refers to a variety of information sources to determine existing hazards and assess requirements for mitigation. Therefore, potential damage to structures from geologic hazards, such as landslides,

⁶⁰ Ibid.

⁶¹ The Seismic Hazards Mapping Act was developed to protect the public from the effects of strong ground shaking, liquefaction, landslides, or other ground failure, and from other hazards caused by earthquakes. This act requires the State Geologist to delineate various seismic hazards zones and requires cities, counties, and other local permitting agencies to regulate certain development projects within these zones.

on the project site would be avoided through DBI's requirement for a geotechnical report and review of the building permit application pursuant to DBI implementation of the Building Code. Therefore, the proposed project would not result in landslide-related impacts.

Impact GE-3: The proposed project would not result in substantial loss of topsoil or erosion. (Less than Significant)

The project site is covered entirely with impervious surfaces and does not contain native top soil. Although excavation would occur for the development of the proposed building, which includes a partial underground level, compliance with standard erosion-control measures would ensure that the potential for erosion would be less-than-significant impact.

Impact GE-4: The proposed project would not result in impacts to site topographical features. (Less than Significant)

The topography in the project vicinity is relatively flat, with a gentle upward slope toward the northwest, and contains no unique topography. The proposed project would have less-than-significant impacts with respect to topographical features of the site.

Impact C-GE: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would not have a substantial cumulative impact on geology and soils. (Less than Significant)

The proposed project would result in less-than-significant impact to topographical features, loss of topsoil or erosion, or risk or injury or death involving landslides. Geology impacts are generally site specific and in this setting would not have cumulative effects with other projects. Therefore, the project would not have a considerable contribution to related cumulative impacts. In addition, the building plans of planned and foreseeable projects would be reviewed by the Department of Building Inspection (DBI), and potential geologic hazards would be avoided during the DBI permit review process. Therefore, the cumulative impacts of the project related to geology, soils, and seismicity would be less than significant.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact HY-1: The proposed project would not violate water quality standards or otherwise substantially degrade water quality. (Less than Significant)

The proposed project would not substantially degrade water quality or contaminate a public water supply. As discussed in Section F.11 Utilities and Service Systems, the project site's 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 Pacific Ocean. Treatment would be provided pursuant to the effluent discharge standards contained in the City's NPDES permit for the plant. During construction, there would be a potential for erosion and the transport of soil particles during site preparation and excavation. Once in surface water runoff, sediment and other pollutants could leave the construction site and ultimately be released into San Francisco Bay. Stormwater runoff from project construction would drain into the combined sewer and stormwater system and be treated at the Southeast Water Pollution Control Plant prior to discharge into San Francisco Bay. Pursuant to the San Francisco Building Code and the City's NPDES permit, the project sponsor would be required to implement measures to reduce potential erosion impacts. 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, and impacts on water quality would be less than significant.

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. The project site is entirely covered with impervious surfaces. As reported in the Phase I Environmental Site Assessment, groundwater levels in the area are located at approximately 148 feet below ground surface.⁶²

The project would not result in the use of groundwater, and groundwater is not anticipated to be encountered during project construction. Nonetheless, any groundwater that is encountered during construction of the proposed project is 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 Systems Planning, Environment, and Compliance of the SFPUC must be notified of projects requiring dewatering, and may require water analysis before discharge. If dewatering is necessary, the final soils report required for the project would address the potential settlement and subsidence associated with the dewatering. The report would contain a determination as to whether or not a lateral movement and settlement survey should be prepared to monitor any movement or settlement of surrounding buildings and adjacent streets. If a monitoring surface is recommended, the Department of Public Works (DPW) would require that a Special Inspector (as defined in Article 3 of the Building Code) be retained by the project sponsor to perform this

⁶² KCE Matrix Consulting Engineers, Phase I Environmental Site Assessment for 376 Castro Street, San Francisco, CA, December 6, 2002. This document is available for review at the Planning Department, 1650 Mission Street, 4th Floor, as part of Case No. 2004.0976E.

monitoring. Because the project site would remain entirely impervious after project implementation, the project would not affect groundwater recharge, and this impact would be less than significant.

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 substantially 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 flows from the proposed project could be accommodated by the existing combined sewer system, and because there would not be an expected increase in stormwater flows, the proposed project would not significantly impact surface or ground water quality.

Impact HY-4: The proposed project would not expose people, housing, or structures, to substantial risk of loss due to flooding. (Less than Significant)

Flood risk assessment and some flood protection projects are conducted by federal agencies including the Federal Emergency Management Agency (FEMA) and the U.S. Army Corps of Engineers (Corps). The flood management agencies and cities implement the National Flood Insurance Program (NFIP) under the jurisdiction of FEMA and its Flood Insurance Administration. Currently, the City of San Francisco does not participate in the NFIP and no flood maps are published for the City. However, FEMA is preparing Flood Insurance Rate Maps (FIRMs) for the City and County of San Francisco for the first time. FIRMs identify areas that are subject to inundation during a flood having a one percent chance of occurrence in a given year (also known as a "base flood" or "100-year flood"). FEMA refers to the flood plain that is at risk from a flood of this magnitude as a special flood hazard area ("SFHA").

Because FEMA has not previously published a FIRM for the City and County of San Francisco, there are no identified SFHAs within San Francisco's geographic boundaries. FEMA has completed the initial phases of a study of the San Francisco Bay. On September 21, 2007, FEMA issued a preliminary FIRM (PFIRM) of San Francisco for review and comment by the City. The City has submitted comments on the PFIRM to FEMA. FEMA anticipates publishing a revised

PFIRM in late 2011, upon completion of a more detailed analysis that responds to Port and City staff comments on the 2007 PFIRM. After review of comments and appeals related to the revised preliminary FIRM, FEMA will finalize the FIRM and publish it for flood insurance and floodplain management purposes.

FEMA has tentatively identified SFHAs along the City's shoreline in and along San Francisco Bay consisting of Zone A (in areas subject to inundation by tidal surge) and Zone V (areas of coastal flooding subject to wave hazards).⁶³ On June 10, 2008, legislation was introduced at the San Francisco Board of Supervisors to enact a floodplain management ordinance to govern new construction and substantial improvements in flood prone areas of San Francisco, and to authorize the City's participation in NFIP upon passage of the ordinance. Specifically, the proposed floodplain management ordinance includes a requirement that any new construction or substantial improvement of structures in a designated flood zone must meet the flood damage minimization requirements in the ordinance. The NFIP regulations allow a local jurisdiction to issue variances to its floodplain management ordinance under certain narrow circumstances, without jeopardizing the local jurisdiction's eligibility in the NFIP. However, the 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.⁶⁴ 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.

⁶³ City and County of San Francisco, Office of the City Administrator, National Flood Insurance Program Flood Sheet, <http://sfgsa.org/index.aspx?page=828>. Accessed September 8, 2010.

⁶⁴ 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.

Impact C-HY: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would not have a substantial cumulative impact on 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.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
16. HAZARDS AND HAZARDOUS MATERIALS— Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not within an airport land use plan area, nor is it in the vicinity of a private airstrip; therefore, significance criteria 16e and 16f do not apply to the proposed project. The project site is not included on the Department of Toxic Substances Control list of hazardous material sites in San Francisco. The project site is located within one-quarter mile of the Marin Preparatory School, approximately 1,300 feet southwest of the project site, located at 117 Diamond Lane.

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 project would involve the demolition of an existing gasoline and service station and the construction of a mixed-use building with 24 dwelling units and 2,990 square feet of commercial use, and would result in the use of relatively small quantities of hazardous materials for routine purposes. The development would likely handle common types of hazardous materials, such as cleaners and disinfectants. These products are labeled to inform users of potential risks and to instruct them in appropriate handling procedures. Most of these materials are consumed through use, resulting in relatively little waste. Businesses are required by law to ensure employee safety by identifying hazardous materials in the workplace, providing safety information to workers who handle hazardous materials, and adequately training workers. For these reasons, hazardous materials used during project operation would not pose any substantial public health or safety hazards related to hazardous materials. Thus, there would be less-than-significant impacts related to hazardous materials use, with development of the proposed project.

Impact HZ-2: Demolition and excavation of the project site could result in handling and accidental release of contaminated soils and hazardous building materials associated with historic uses. (Less than Significant with Mitigation)

The project site is developed with an automobile gasoline and service station. Potential subsurface contamination that could be encountered related to a gasoline and service station land use includes potential soil and groundwater contamination with petroleum hydrocarbons (gasoline, diesel, and oil), volatile organic compounds (VOCs) such as benzene and MTBE, metals, and PCBs. As previously indicated, the project site is located on the downslope of a southeast facing hillside, and although groundwater levels in the area, as reported in the Phase I Environmental Site Assessment (ESA), are at approximately 148 feet below-grade, a perched water table is located in the project area so historically on portions of the site, groundwater has been encountered from two to nine feet below the surface.

Current and former property owners engaged KCE Matrix and Innovative & Creative Environmental Solutions, to assess the environmental status and subsurface conditions at the project site.⁶⁵ KCE Matrix prepared a Phase I ESA dated December 6, 2002 for the project site and Innovative & Creative Environmental Solutions (ICES) conducted a limited site investigation with soil sampling in April 2005. The Department of Public Health has reviewed these documents to determine whether additional soil testing is required and the level of remediation required for the construction of the proposed project.⁶⁶

According to the Phase I ESA, the project site has received ongoing subsurface investigations and remediation since the mid-1980's frequently related to the replacement of key underground facilities, such as the replacement of older underground fuel storage tanks with double walled tanks in 1987, closure of an oil/water separator in 1992, and a 2001 upgrade of fuel dispensers and product lines. Monitoring wells were installed related to these remediations between 1989 and 1993. The project site, according to the Phase I ESA site visit, contains three underground storage tanks located in the southern portion of the property; an underground waste oil tank located immediately west of the existing building; two hydraulic hoists located in the auto service area; three monitoring and sampling wells along the southern portion of the property; and hazardous materials related to the existing automotive services use (motor oil drums, portable propane tank, oil dispensers, and compressed air tank). The project site was listed on the Facility

⁶⁵ KCE Matrix Consulting Engineers, *Phase I Environmental Site Assessment for 376 Castro Street, San Francisco, CA*, December 6, 2002 and Innovative and Creative Environmental Solutions, *Limited Site Investigation for 376 Castro Street, San Francisco, CA*, April 22, 2005. These documents are available for review at the Planning Department, 1650 Mission Street, 4th Floor, as part of Case No. 2004.0976E.

⁶⁶ DPH letter to project sponsor dated June 3, 2005 and communication with DPH staff.

Inventory Database (CAFID), UST (underground storage tank) database, and LUST (leaking underground storage tank) database. Within the project vicinity and at a higher or equal elevation, there are two RCRIS (Resource and Conservation and Recovery Act) sites, three LUST sites, one UST site and one CAFID site. Similar to the project site, the Chevron Station across Market Street is listed on several of these databases including the CAFID, LUST, RCRIS, and UST. Review of these records in the Phase I ESA, did not indicate that they would affect development of the project site.

Seven soil samples were taken across the project site by ICES in April 2005, ranging in depths from two to fifteen feet. Soil sampling also focused several borings on the three on-site areas of concern: 1) the location of the waste oil tank directly west of the existing building, and 2) the closed-in-place oil/water separator within the existing auto service building; and 3) the current and previous location of underground storage tanks along the front (southwest) of the site. Soil samples taken in 2005 at the location of the waste oil tank indicate amounts of petroleum hydrocarbons <1 parts per million (ppm) for gas & diesel, and less than 5 ppm for oil. Similarly trace to low amounts of VOC's and PCBs were found at this location. According to soil samples taken at the automobile service area, low amounts of petroleum hydrocarbons (26 ppm for gas, 12 ppm for diesel, and 6.2 ppm for oil) were detected. Similarly, trace to low amounts of VOC's and PCBs were found.

According to soil samples taken by ICES in 2005 just north of the existing underground storage tanks, low amounts of petroleum hydrocarbons (gas, diesel and oil) were found with oil being detected at less than 5 ppm. Similarly, trace amounts of VOCs or PCB's were found. Metal concentrations in all the soil samples were consistent with background levels for the Bay area.

In summary, soil sample analysis indicated total petroleum hydrocarbons for gasoline (TPH-g) ranged from not detected to 26 ppm, TPH-diesel ranged from not detected to 12 ppm, and TPH-motor oil ranged from not detected to 6.2 ppm. VOC's, including benzene, toluene, ethylbenzene and xylenes, were detected in trace amounts. MTBE (methyl tertiary butyl ether, a gasoline additive) was not detected in any of the samples. Metal levels in the soils included not detectable for cadmium, 31 to 140 ppm for chromium, 9.3 to 36 ppm for lead, 13 to 130 ppm for nickel, and 9.2 to 50 ppm for zinc. All of these levels are below the U.S. EPA Preliminary Remediation Goals (PRGs) for residential soil, and therefore DPH recommended standard construction dust control

measures during construction.⁶⁷ The underground fuel storage tanks would require closure, i.e., in-place closure, or excavation and removal in accordance with the San Francisco Department of Public Health (DPH). According to DPH, disposal characterization may be needed for any excavation of bedrock. There are currently three groundwater monitoring wells located on-site, which would need to be removed as part of the proposed project and subject to approval by the City Department of Public Health and San Francisco Regional Water Quality Control Board. After excavation and foundation construction activities are completed, the project sponsor shall prepare and submit a closure and certification report to DPH for review and approval.

Workers and members of the public in the area during project construction could be exposed to contaminated soils, and this potential exposure to hazardous materials is a significant impact. Implementation of **Mitigation Measures M-HZ-2A to M-HZ-2C**, which are described below and were developed in consultation with the Department of Public Health's Environmental Health Section, would reduce this impact to a less-than-significant level.

Mitigation Measure M-HZ-2A: UST Removal and/or Monitoring

In accordance with San Francisco Health Code Article 21, the project sponsor shall file an application with the San Francisco Department of Public Health (DPH) for removal and/or monitoring of any underground storage tanks (USTs) that are identified during project construction. If the proposed excavation activities encounter groundwater, the groundwater shall also be tested for contaminants. Copies of the test results shall be submitted to the DPH, Division of Environmental Health, and to the Planning Department's Environmental Review Officer, prior to the start of construction.

If contamination or abandoned tanks are encountered, the project sponsor shall immediately notify the DPH, Division of Environmental Health, and shall take all necessary steps to ensure the safety of site workers and members of the public. USTs shall be removed by an appropriate licensed UST contractor under permit by the Hazardous Materials Unified Program Agency (HMUPA) and the San Francisco Fire Department. If petroleum hydrocarbon contamination is found in soil or if the UST has holes, it shall be referred to the Local Oversight Program (LOP) for cleanup under State regulations. This may be separate from the soil cleanup for lead if groundwater is impacted. If excavation for the project includes the UST area, the LOP will have appropriate remediation.

Imported fill shall be characterized to be below residential ESLs. A health and safety plan shall be submitted two weeks prior to the commencement of work. EHS-HWU requires confirmatory sampling to occur following excavation of the site to confirm the removal of contaminated soils. These steps shall include implementation of a health and safety plan prepared by a qualified

⁶⁷ DPH, 2005 and 2006.

professional, and disposal of any contaminated soils removed from the site at an approved facility. In addition, the project shall be constructed, so that all remaining site soils are entirely capped beneath a concrete slab. If confirmation testing following site excavation indicates that contaminated soils remain on site, a deed restriction notifying subsequent property owners of the contamination and the necessity of maintaining the cap, shall be executed, prior to a certificate of occupancy.

Mitigation Measure M-HZ-2B: 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 contamination. The consultant shall analyze the soil borings as discrete, not composite samples. The consultant shall prepare a report on the soil testing 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 and a fee of \$592 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 \$592 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 \$197 per hour. These fees shall be charged pursuant to Section 31.47(c) of the San Francisco Administrative Code. DPH 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 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/capping, 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 of Contaminated Soils

(a) Specific work practices: If, based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated at or above potentially hazardous levels, the construction contractor shall be alert for the presence of such 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, state, and federal regulations) when such soils are

encountered on the site. If excavated materials contain over one percent friable asbestos, they shall be treated as hazardous waste, and shall be transported and disposed of in accordance with applicable State and federal regulations. These procedures are intended to mitigate any potential health risks related to chrysotile asbestos, which may or may not be located 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 construction 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 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 dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California.

Step 4: Preparation of Closure/Certification Report. After construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils 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-2C: Disposal of Contaminated Soil, Site Health and Safety Plan

If, based on the results of the soil tests conducted, the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, any contaminated soils designated as hazardous waste and required by DPH to be excavated shall be removed by a qualified Removal Contractor and disposed of at a regulated Class I hazardous waste landfill in accordance with U.S. Environmental Protection Agency regulations, as stipulated in the Site Mitigation Plan. The Removal Contractor shall obtain, complete, and sign hazardous waste manifests to accompany the soils to the disposal site. Other excavated soils shall be disposed of in an appropriate landfill, as governed by applicable laws and regulations, or other appropriate actions shall be taken in coordination with the DPH.

If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, a Site Health and Safety (H&S) Plan shall be required by the California Division of Occupational Safety and Health (Cal-OSHA) prior to initiating any earth-moving activities at the site. The Site Health and Safety Plan shall identify protocols for managing soils during construction to minimize worker and public exposure to contaminated soils. The protocols shall include at a minimum:

- Sweeping of adjacent public streets daily (with water sweepers) if any visible soil material is carried onto the streets.
- Characterization of excavated native soils proposed for use on site prior to placement to confirm that the soil meets appropriate standards.
- The dust controls specified in the Construction Dust Control Ordinance (176-08). This includes dust control during excavation and truck loading shall include misting of the area prior to excavation, misting soils while loading onto trucks, stopping all excavation work should winds exceed 25 mph, and limiting vehicle speeds onsite to 15mph.
- Protocols for managing stockpiled and excavated soils.
- The Site Health and Safety Plan shall identify site access controls to be implemented from the time of surface disruption through the completion of earthwork construction. The protocols shall include as a minimum:
 - Appropriate site security to prevent unauthorized pedestrian/vehicular entry, such as fencing or other barrier of sufficient height and structural integrity to prevent entry and based upon the degree of control required.
 - Posting of "no trespassing" signs.
 - Providing on-site meetings with construction workers to inform them about security measures and reporting/contingency procedures.

If groundwater contamination is identified, the Site Health and Safety Plan shall identify protocols for managing groundwater during construction to minimize worker and public exposure to contaminated groundwater. The protocols shall include procedures to prevent unacceptable migration of contamination from defined plumes during dewatering.

The Site Health and Safety Plan shall include a requirement that construction personnel be trained to recognize potential hazards associated with underground features that could contain hazardous substances, previously unidentified contamination, or buried hazardous debris. Excavation personnel shall also be required to wash hands and face before eating, smoking, and drinking.

The Site Health and Safety Plan shall include procedures for implementing a contingency plan, including appropriate notification and control procedures, in the event unanticipated subsurface hazards are discovered during construction. Control procedures shall include, but would not be limited to, investigation and removal of underground storage tanks or other hazards.

Impact HZ-3: The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (Less than Significant)

The implementation of the proposed project could add to congested traffic conditions in the immediate area in the event of an emergency evacuation. However, the proposed project would be relatively insignificant within the dense urban setting of the project site and it is expected that traffic would be dispersed within the existing street grid such that there would be no significant adverse effects on nearby traffic conditions. Therefore, the proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan and this impact would be less than significant.

Impact HZ-4: The proposed project would not expose people or structures to a significant risk of loss, injury or death involving fires. (Less than Significant)

San Francisco ensures fire safety and emergency accessibility within new and existing developments through provisions of its Building and Fire Codes. The project would conform to these standards, which may include development of an emergency procedure manual and an exit drill plan for the proposed development. Potential fire hazards (including those associated with hydrant water pressure and blocking of emergency access points) would be addressed during the permit review process. Conformance with these standards would ensure appropriate life safety protections. Consequently, the project would not have a significant impact on fire hazards nor interfere with emergency access plans.

Impact C-HZ: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would not have a substantial cumulative impact with hazards and hazardous materials. (Less than Significant)

Impacts from hazards are generally site-specific, and typically do not result in cumulative impacts. Any hazards present at surrounding sites would be subject to the same safety requirements discussed for the proposed project above, which would reduce any cumulative hazard effects to levels considered less than significant. Overall, with implementation of Mitigation Measures M-HZ-2A to M-HZ-2C described above, the proposed project would not

contribute to cumulatively considerable significant effects related to hazards and hazardous materials.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 IT). 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)

Development of the proposed project would not result in the consumption of large amounts of fuel, water, or energy. The generation of electricity to serve the proposed project would consume natural gas and coal fuel. The proposed project would meet or exceed current State and local codes regarding energy consumption, including Title 24 of the California Code of Regulation enforced by the DBI. They would not use fuel or water in an atypical or wasteful manner.

Based on the above information, the proposed project would not result in a less-than-significant impact on mineral or energy resources.

Impact C-ME: The proposed project, in combination with the past, present, and reasonably foreseeable future projects in the site vicinity, would result in a less-than-significant cumulative impacts to energy and minerals. (Less than Significant)

As described above, no known minerals exist at the project site, and therefore the project would not contribute to any cumulative impact on mineral resources. The project-generated demand for electricity would be negligible in the context of overall demand within San Francisco and the State, and would not in and of itself require a major expansion of power facilities. Therefore, the energy demand associated with the project would result in a less-than-significant physical environmental effect. The proposed project would not contribute to cumulatively considerable impacts related to energy and natural resources. Overall, the project would not result in cumulatively considerable impacts related to mineral and energy resources.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
18. AGRICULTURE AND FOREST 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 Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.					
—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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact AF-1: The proposed project would not result in the conversion of farmland or forest lands 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.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
19. MANDATORY FINDINGS OF SIGNIFICANCE— Would the project:					
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
b) Have impacts that would be individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The foregoing analysis identifies potentially significant impacts to archeological resources, air quality, and hazards and hazardous materials, which would all be mitigated through implementation of mitigation measures as described below and more fully within Section F, below.

a. As discussed in Topic E.4, it is possible that below-ground archeological resources may be present. Any potential adverse effect to CEQA-significant archeological resources resulting from soils disturbance from the proposed project would be reduced to a less-than-significant level by implementation of Mitigation Measure M-CP-2, described within Section F of this Initial Study. Accordingly, the proposed project would not result in a significant impact to archeological resources through the elimination of examples of major periods of California history or prehistory.

b. The proposed project in combination with the 2301 Market Street, 2367-2375 Market Street, and 2175 Market Street projects would not result in cumulative impacts to land use, aesthetics, population and housing, cultural resources, transportation, noise, air quality, greenhouse gas emissions, wind and shadow, recreation, utilities, public services, biological resources, geology, hydrology, hazardous materials, mineral resources, and agricultural resources. The proposed project's contributions to cumulative traffic at intersections in the vicinity would not be substantial. The proposed project would not be considered to contribute incrementally to cumulative regional air quality conditions, or to contribute to significant cumulative noise impacts. The proposed project would be consistent with the land use and height controls for the site and would not contribute to a cumulatively considerable land use or visual impact. No other

significant cumulative impacts are anticipated. In summary, the proposed project would not have unavoidable environmental effects that are cumulatively considerable.

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 Measure M-AQ-5, described within Section F, has been incorporated into the proposed project to address potential exposure of sensitive receptors to substantial pollutant concentrations in order to reduce this impact to a less-than-significant level. Mitigation Measures M-HZ-2(a) to M-HZ-2(c), described within Section F, have been incorporated into the proposed project to address potential hazards and hazardous materials effects in order to reduce these impacts to a less-than-significant level.

F. MITIGATION MEASURES AND IMPROVEMENT MEASURES

Mitigation Measures

The following mitigation measures have been adopted by the project sponsor and are necessary to avoid potential significant effects of the proposed project.

Mitigation Measure M-CP-2: Archeology (Accidental Discovery)

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a)(c). The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO in consultation with the California State Lands Commission (CSLC) determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a qualified archeological consultant. The archeological consultant shall advise the ERO and the CSLC as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include: preservation in situ of the archeological resource; an archeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the requirements of the ERO and the CSLC. Any required archeological investigation or data recovery plan shall conform to the requirements of State law for a salvage/excavation permit involving a submerged archeological site (Pub. Res. Code §. 6313 (d), (e), and (f)). The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO and CSLC that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological 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.

Copies of the Draft FARR shall be sent to the ERO and the CSLC for review and approval. Once approved by the ERO and the CSLC, 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 and the CSLC shall receive two copies 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 or interpretive value, the ERO and the CSLC may require a different final report content, format, and distribution than that presented above.

Mitigation Measure M-AQ-5: Reduction of Diesel Particulate Matter Emissions

The project shall ensure that the project's construction equipment achieves a minimum of a 72% reduction in diesel particulate matter (DPM) emissions as compared to the construction fleet analyzed for the purposes of CEQA. A 72% reduction in DPM emissions can be accomplished by requiring that the project's excavator, drill rig, pump, crane, forklift, and 230 horsepower delivery trucks meet the United States Environmental Protection Agency Tier 3 emissions requirements. Shall the project sponsor choose to comply with this requirement through other means, documentation of compliance with this mitigation measure shall be demonstrated in a plan detailing the effectiveness of other emissions controls to be used and the plan must ensure that

the construction fleet meets a minimum of a 72% reduction in DPM as compared to the construction fleet analyzed for purposes of CEQA.

Mitigation Measure M-HZ-2A: UST Removal and/or Monitoring

In accordance with San Francisco Health Code Article 21, the project sponsor shall file an application with the San Francisco Department of Public Health (DPH) for removal and/or monitoring of any USTs that are identified during project construction. If the proposed excavation activities encounter groundwater, the groundwater shall also be tested for contaminants. Copies of the test results shall be submitted to the DPH, Division of Environmental Health, and to the Planning Department, prior to the start of construction.

If contamination or abandoned tanks are encountered, the project sponsor shall immediately notify the DPH, Division of Environmental Health, and shall take all necessary steps to ensure the safety of site workers and members of the public. USTs shall be removed by an appropriate licensed UST contractor under permit by the Hazardous Materials Unified Program Agency (HMUPA) and the San Francisco Fire Department. If petroleum hydrocarbon contamination is found in soil or if the UST has holes, it shall be referred to the Local Oversight Program (LOP) for cleanup under State regulations. This may be separate from the soil cleanup for lead if groundwater is impacted. If excavation for the project includes the UST area, the LOP will have appropriate remediation.

Imported fill shall be characterized to be below residential ESLs. A health and safety plan shall be submitted two weeks prior to the commencement of work. EHS-HWU requires confirmatory sampling to occur following excavation of the site to confirm the removal of contaminated soils. These steps shall include implementation of a health and safety plan prepared by a qualified professional, and disposal of any contaminated soils removed from the site at an approved facility. In addition, the project shall be constructed, so that all remaining site soils are entirely capped beneath a concrete slab. If confirmation testing following site excavation indicates that contaminated soils remain on site, a deed restriction notifying subsequent property owners of the contamination and the necessity of maintaining the cap, shall be executed, prior to a certificate of occupancy.

Mitigation Measure M-HZ-2B: 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 contamination. The consultant shall analyze the soil borings as discrete, not composite samples. The consultant shall prepare a report on the soil testing for contamination 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 \$592 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 \$592 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 \$197 per hour. These fees shall be charged pursuant to Section 31.47(c) of the San Francisco Administrative Code. DPH shall review the soil testing program to determine whether soils on the project site are contaminated 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 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/capping, 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 of Contaminated Soils

(a) Specific work practices: If, based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated at or above potentially hazardous levels, the construction contractor shall be alert for the presence of such 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, state, and federal regulations) when such soils are encountered on the site. If excavated materials contain over one percent friable asbestos, they shall be treated as hazardous waste, and shall be transported and disposed of in accordance with applicable State and federal regulations. These procedures are intended to mitigate any potential health risks related to chrysotile asbestos, which may or may not be located 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 construction 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 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 dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California.

Step 4: Preparation of Closure/Certification Report. After construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils 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-2C: Disposal of Contaminated Soil, Site Health and Safety Plan

If, based on the results of the soil tests conducted, the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, any contaminated soils designated as hazardous waste and required by DPH to be excavated shall be removed by a qualified Removal Contractor and disposed of at a regulated Class I hazardous waste landfill in accordance with U.S. Environmental Protection Agency regulations, as stipulated in the Site Mitigation Plan. The Removal Contractor shall obtain, complete, and sign hazardous waste manifests to accompany the soils to the disposal site. Other excavated soils shall be disposed of in an appropriate landfill, as governed by applicable laws and regulations, or other appropriate actions shall be taken in coordination with the DPH.

If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, a Site Health and Safety (H&S) Plan shall be required by the California Division of Occupational Safety and Health (Cal-OSHA) prior to initiating any earth-moving activities at the site. The Site Health and Safety Plan shall identify protocols for managing soils during construction to minimize worker and public exposure to contaminated soils. The protocols shall include at a minimum:

- Sweeping of adjacent public streets daily (with water sweepers) if any visible soil material is carried onto the streets.
- Characterization of excavated native soils proposed for use on site prior to placement to confirm that the soil meets appropriate standards.

- The dust controls specified in the Construction Dust Control Ordinance (176-08). This includes dust control during excavation and truck loading shall include misting of the area prior to excavation, misting soils while loading onto trucks, stopping all excavation work should winds exceed 25 mph, and limiting vehicle speeds onsite to 15mph.
- Protocols for managing stockpiled and excavated soils.
- The Site Health and Safety Plan shall identify site access controls to be implemented from the time of surface disruption through the completion of earthwork construction. The protocols shall include as a minimum:
- Appropriate site security to prevent unauthorized pedestrian/vehicular entry, such as fencing or other barrier or sufficient height and structural integrity to prevent entry and based upon the degree of control required.
- Posting of "no trespassing" signs.
- Providing on-site meetings with construction workers to inform them about security measures and reporting/contingency procedures.

If groundwater contamination is identified, the Site Health and Safety Plan shall identify protocols for managing groundwater during construction to minimize worker and public exposure to contaminated groundwater. The protocols shall include procedures to prevent unacceptable migration of contamination from defined plumes during dewatering.

The Site Health and Safety Plan shall include a requirement that construction personnel be trained to recognize potential hazards associated with underground features that could contain hazardous substances, previously unidentified contamination, or buried hazardous debris. Excavation personnel shall also be required to wash hands and face before eating, smoking, and drinking.

The Site Health and Safety Plan shall include procedures for implementing a contingency plan, including appropriate notification and control procedures, in the event unanticipated subsurface hazards are discovered during construction. Control procedures shall include, but would not be limited to, investigation and removal of underground storage tanks or other hazards.

G. PUBLIC NOTICE AND COMMENT

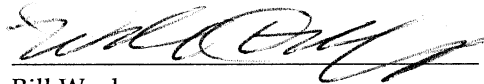
A "Notification of Project Receiving Environmental Review" was mailed on February 8, 2011, to the owners of properties within 300 feet of the project site and to neighborhood groups. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated into the Initial Study as appropriate for CEQA analysis. Members of the public expressed concerns regarding parking (concern that not enough and too much parking would be provided), traffic and related air quality and noise, construction noise and dust, public safety, the number of dwelling units, the type of retail use, blocked views and light, pedestrian environment at the Castro/Market/17th Streets intersection, height and size of the proposed structure, and hazardous materials (removal of the underground storage tanks). Discussions related to these issues have been included or added to the appropriate sections of the Initial Study above. With the implementation of mitigation measures for air quality and hazardous materials, the proposed project would not result in significant adverse environmental impacts associated with those issues identified by the public. There is no substantial evidence that any of these topics could have a significant effect on the environment.

Other comments by members of the public in response to the public notice expressed other support for or opposition to the proposed project. Comments regarding the merits of the project are not relevant to CEQA analysis but may be taken into account by 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.

H. 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

for

John Rahaim
Director of Planning

DATE November 8, 2011