SAN FRANCISCO
PLANNING DEPARTMENT

Preliminary Mitigated Negative Declaration

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Date:	December 14, 2011
Case No.:	**2008.0538E**
Project Title:	**1490 Ocean Avenue (aka 1446 Ocean Avenue)**
BPA Nos.:	None
Zoning:	Ocean Avenue NCT (Neighborhood Commercial Transit) 45-X Height and Bulk District
Block/Lot:	3197/010
Lot Size:	10,236 square feet
Project Sponsor	Gina Sineitti, Ocean Avenue Service Station (415) 586-0265
Lead Agency:	San Francisco Planning Department
Staff Contact:	Andrea Contreras – (415) 575-9044 andrea.contreras@sfgov.org

PROJECT DESCRIPTION:

The project site is located at 1490 Ocean Avenue (aka 1446 Ocean Avenue) on a corner lot bounded by Miramar Avenue to the west, Southwood Drive to the north, Granada Avenue to the east, and Ocean Avenue to the south between the Ocean View neighborhood and West of Twin Peaks area of San Francisco. The approximately 10,200 square-foot (sf) project site is currently occupied by an operating gasoline station and 14-foot-tall, 1,600 sf service station building. The project sponsor proposes demolition of the existing structure on the lot, the removal of three underground storage tanks, and the construction of a four-story building with 15 residential units on the second through fourth floors, ground-floor retail, and a ground-floor parking garage. The parking garage would contain 15 off-street vehicle parking spaces (one per dwelling unit) accessible from Miramar Avenue. The residential use would occupy approximately 12,800 sf of area, and the retail space would occupy about 4,410 sf of area. The project site is located within the Ocean Avenue Neighborhood Commercial Transit (NCT) zoning district and a 45-X Height and Bulk district.

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 page 99.

cc: Gina Sineitti, Owner
Michael Smith, Current Planning
Supervisor Sean Elsbernd, District Seven
Distribution List
Master Decision File/ Bulletin Board

INITIAL STUDY
1490 OCEAN AVENUE (AKA 1446 OCEAN AVENUE)
PLANNING DEPARTMENT CASE NO. 2008.0538E

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A. PROJECT DESCRIPTION

The project site consists of a 10,236-square-foot (sf) corner lot on Assessor's Block 3197, lot 10, located within the West of Twin Peaks Neighborhood and adjacent to the Ocean View Neighborhood of San Francisco. The site is bounded by Granada Avenue to the east, Southwood Drive to the north, Miramar Avenue to the west and Ocean Avenue to the south (see Figure 1. Project Location). Lot 10 contains an approximately 1,600 sf, one-story service station, gasoline pumps and associated canopy, three underground gasoline storage tanks, and six accessory parking spaces.

The proposed project would involve demolition of all structures on lot 10 and removal of all three underground gasoline storage tanks, and construction of a four-story, 45-foot-tall, approximately 20,805-gross-squre-foot (gsf), mixed-use residential building with at-grade parking garage. The proposed building would contain approximately 4,410 sf of retail space at the ground floor and about 12,805 sf of residential use for 15 dwelling units on floors two through four. The building would include approximately 2,915 feet of circulation space, 1,950 sf of open space, and 3,390 sf of parking space for 15 vehicles and eight bicycles in an enclosed ground-floor garage (see Table 1. Project Characteristics). Vehicular access to the parking garage would be provided off Miramar Avenue. This parking garage would serve the residents of the building.

Lot 10 is zoned Ocean Avenue NCT (Neighborhood Commercial Transit) and is within a 45-X height and bulk district. A 45-X height and bulk district allows for building heights up to 45 feet (ft) as of right, and the "X" bulk limit indicates that no bulk limits are applicable to the site. Within the Ocean Avenue NCT zoning district a Conditional Use authorization is required for projects that propose to develop on a lot greater than 10,000 sf (Section 737.11). The project proposes development on a 10,236-square-foot lot and thereby requires the project sponsor to seek a Conditional Use authorization. The project's compliance with San Francisco *Planning Code* (*Planning Code*) requirements is discussed further under Section C. Compatibility with Existing Zoning and Plans.

Figure 1
Project Location Map

Source: San Francisco Planning Department

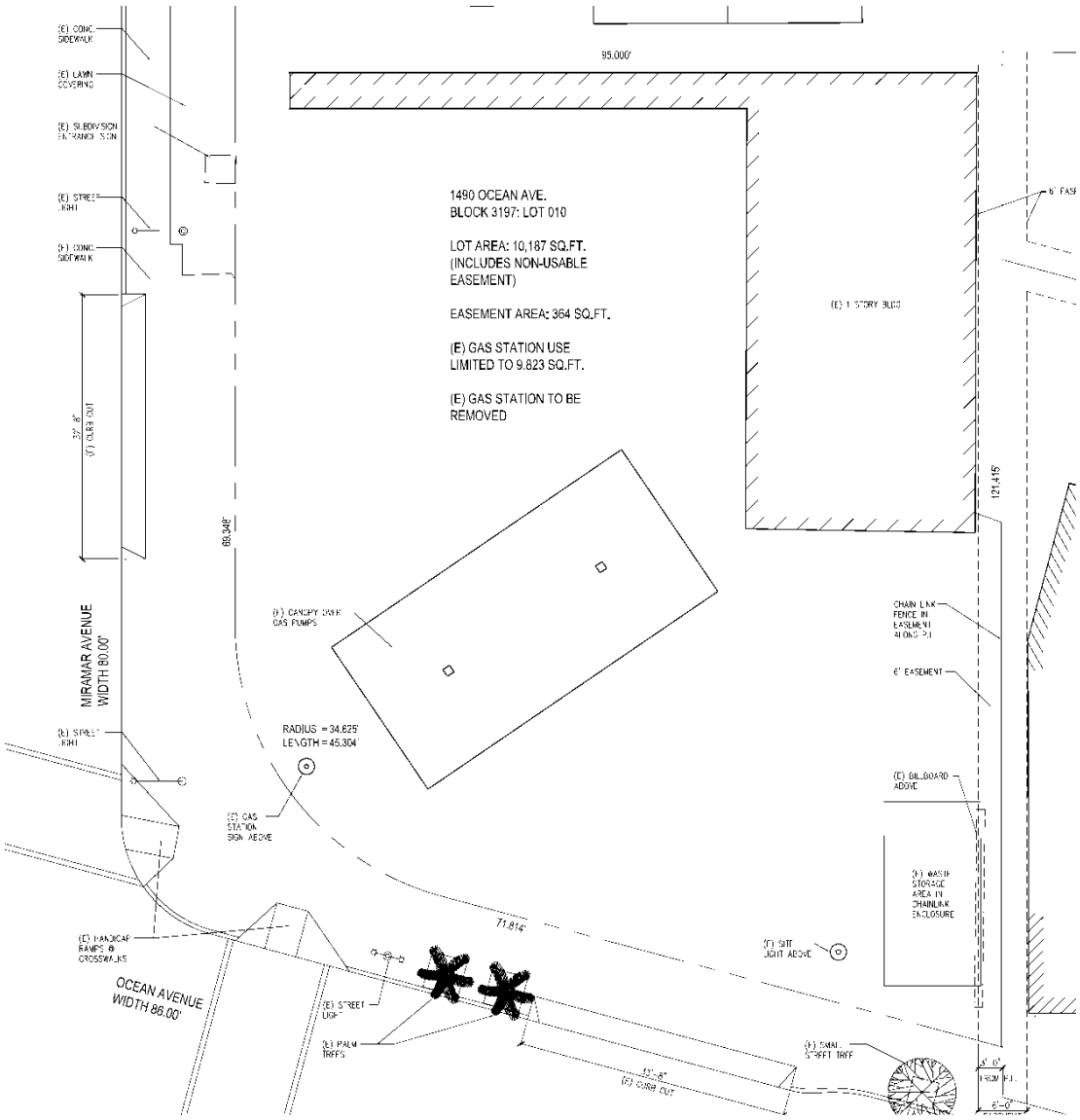


Figure 2
Site Plan

Source: Shatara Architecture, Inc.

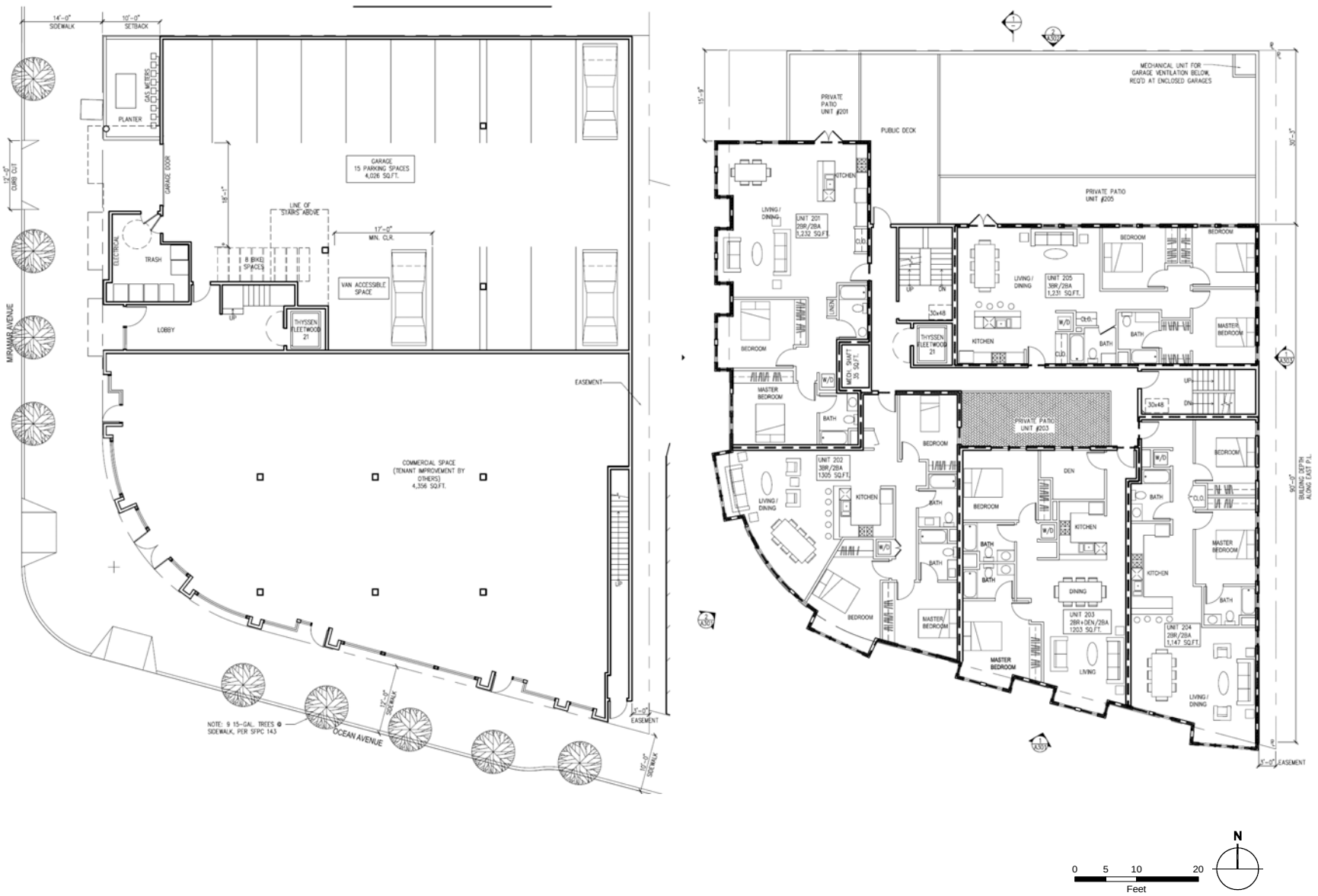
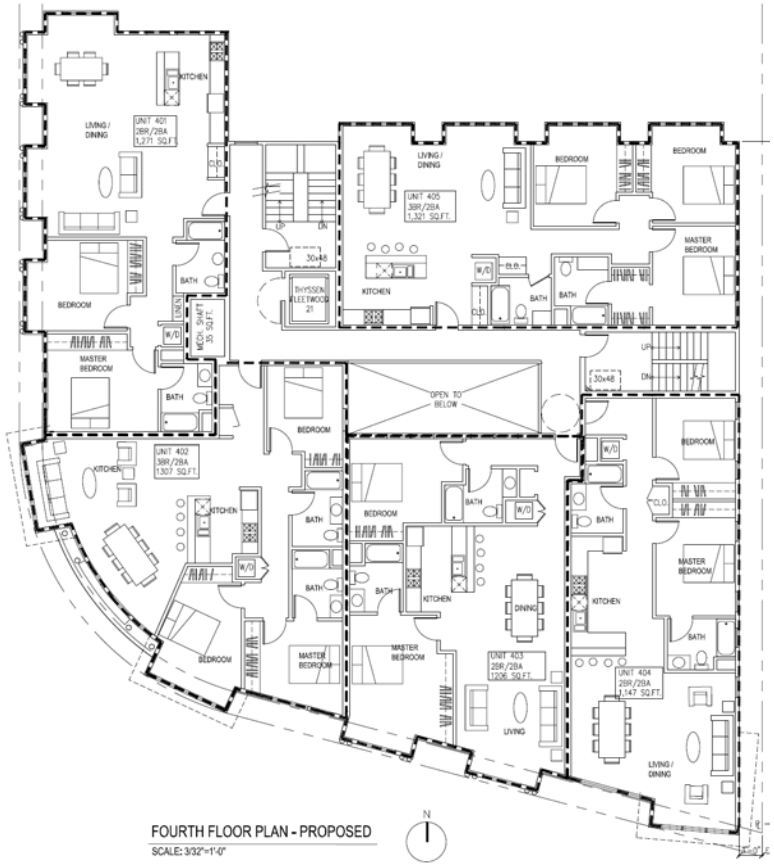


Figure 3
Ground and Second Floor Plan

Source: Shatara Architecture, Inc.



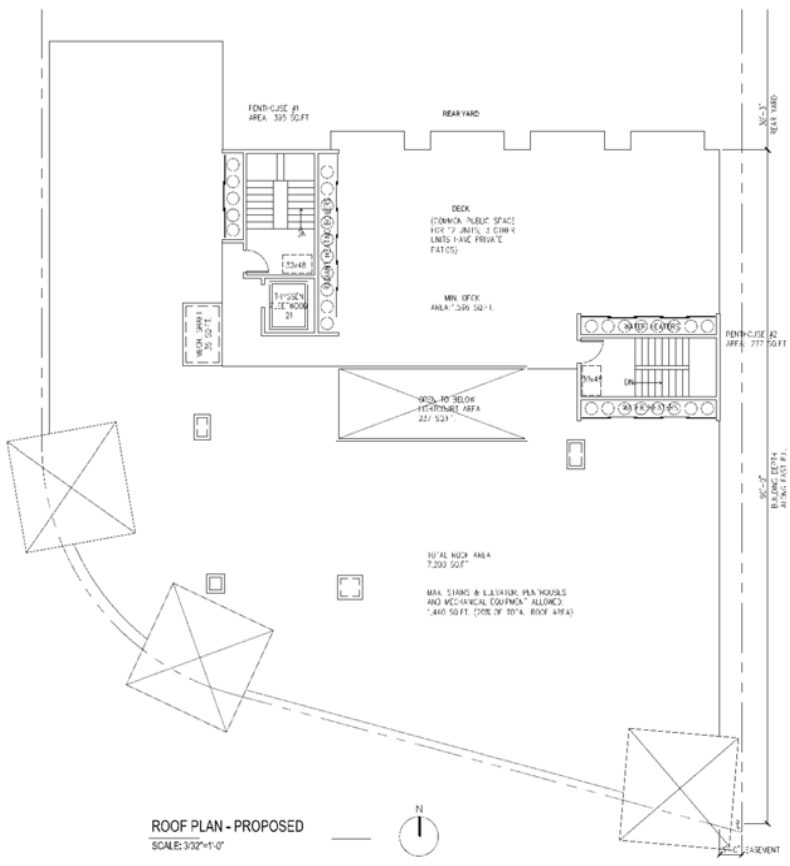


Figure 4
Third and Fourth Floors and Roof Plan

Source: Shatara Architecture, Inc.

Figure 5
South and Southwest Elevations

Source: Shatara Architecture, Inc.
May not be to scale

Figure 6
West and North Elevations

Source: Shatara Architecture, Inc.
May not be to scale

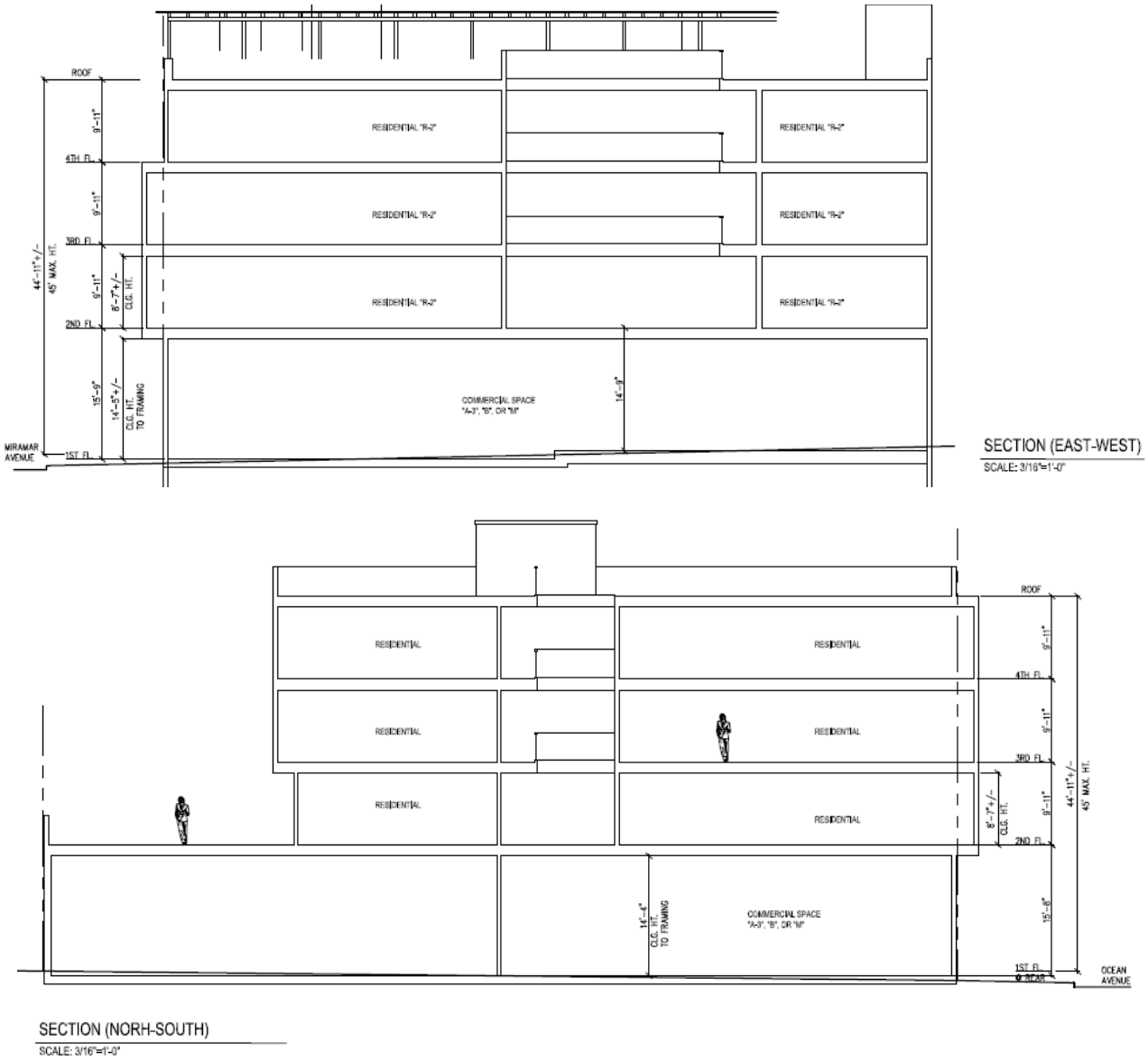


Figure 7
Building Sections

Source: Shatara Architecture, Inc.
May not be to scale

B. PROJECT SETTING

The project site is located within the Ocean Avenue NCT zoning district of the West of Twin Peaks neighborhood, and adjacent to the Ocean View neighborhood. In April 2009, the Board of Supervisors adopted the Balboa Park Station Area Plan which generally encompasses approximately 210 acres surrounding Balboa Park Station along Geneva, Ocean, and San Jose Avenues. The goals of the Area Plan are to direct various transportation/infrastructure and public space improvements, and define zoning changes aimed at enhancing the existing neighborhood, as well as potential future development around the underutilized Balboa Park Station Area. The project site is part of the Ocean Avenue Neighborhood Commercial District Subarea, which serves as the main commercial spine of the Balboa Park Station Area extending along Ocean Avenue from Phelan Avenue to Manor Drive. The 14-block commercial corridor is characterized by a mix of low- to medium-density uses, mainly neighborhood-serving commercial uses with some multi-family residential uses above the ground floor. These uses are interspersed with a few cultural/institution and light industrial uses, and surface parking lots. Muni's K-Ingleside Metro line runs on Ocean Avenue, providing transit service along the corridor and to surrounding neighborhoods, and other parts of the City, including downtown. To the west of Plymouth Avenue, including the project site, Ocean Avenue has active storefronts and a variety of neighborhood-serving retail shops and services such as restaurants, produce markets, clothing stores, personal services (i.e., laundry) and professional services (i.e., dentists, tax preparers). To the west of Plymouth, the retail street wall along Ocean Avenue is broken by large lots that are vacant, underused, or occupied by public utility and auto-oriented uses such as a fire station, Muni bus turnaround and layover area, and auto-oriented repair and retail uses with surface parking lots, as well as fast food outlets.

The project site consists of a gasoline service station on a corner lot. Lot 10 contains a service station, gasoline pumps and associated canopy, three underground gasoline storage tanks, and accessory parking spaces. The service station is located along the northeast edge of the lot and is. one story and approximately 1,600 sf. The site slopes slightly downward toward the southwest. Access to the site is located along Ocean Avenue and Miramar Avenue with loading access on site. There are currently two curb cuts allowing vehicular access onto the site, a 33'-8" curb cut on Ocean Avenue, and a 32'-8" curb cut along Miramar Avenue. The project would close the existing 33'-8" curb cut on Ocean Avenue and reduce the existing curb cut on Miramar Avenue from 32'-8" to 12'.

Buildings in the vicinity range from one to four stories and are generally two-story residential-over-commercial buildings, approximately 20-40 feet in height. Directly south of the project site, across Ocean Avenue, at the intersection of Miramar Avenue is the Menhong Clinic at the ground floor of a three-story residential building. West of the project site, is a two story commercial building, followed by one- to two-story commercial buildings along Ocean Avenue. North of the project site is the Westwood Park residential neighborhood, which is characterized by low-

density, single family homes. East of the project site on the project block are two-story commercial buildings and a four-story residential development across Granada Avenue.

The predominate scale of the built environment surrounding the project site is two-story commercial buildings, reaching approximately 20-35 feet in height, surrounded by a residential-over commercial corridor and a low-density residential development.

The nearest open spaces are Aptos Park (half-mile west of the project site), Minnie and Lovie Ward Recreation Center and Oceanview Park (half-mile south of the project site, Lakeview and Ashton Mini Park (half-mile southwest of the project site), and Brooks Park (one mile southwest of the project site).

C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

	Applicable	Not Applicable
Discuss any variances, special authorizations, or changes proposed to the *Planning Code* or Zoning Map, if applicable.	☒	☐
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	☒	☐
Discuss any approvals and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from Regional, State, or Federal Agencies.	☒	☐

Planning Code

The San Francisco *Planning Code*, which incorporates by reference the City's Zoning Maps, governs permitted uses, densities and the configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless either the proposed project conforms to the *Planning Code*, or an exception is granted pursuant to provisions of the *Planning Code*. Approval of the proposed project would result in the demolition of a gasoline service station on Assessor's Block 3197, Lot 10, including removal of three underground storage tanks. In its place, the proposed project would construct a 15-unit residential building over ground-floor retail space and an at-grade parking garage.

Allowable Uses

The project site is within the Ocean Avenue NCT (Neighborhood Commercial Transit) Zoning District. According to *Planning Code* Section 737.1: Ocean Avenue Neighborhood Commercial Transit District, the district is intended to provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market. The range of comparison goods and services offered is varied and often includes specialty retail stores, restaurants, and neighborhood-serving offices. Buildings may range in height, with height limits generally allowing up to four or five stories. Lots are generally small to medium in size and lot consolidation is prohibited to preserve the fine grain character of the district, unless the consolidation creates a corner parcel that enables off-street parking to be accessed from a side street. Rear yard requirements above the ground story and at residential levels preserve open space corridors of interior blocks. Commercial uses are required at the ground level and permitted at the second story. Large Fast Food uses are not permitted. Housing development in new buildings is encouraged above the ground story. Existing residential units are protected by limitations on demolition and upper-story conversions. The proposed residential-over-commercial use of the project site is a compatible and permitted within this district.

As currently proposed, the project would require a Conditional Use authorization for the conversion/change of use of a gasoline service station (*Planning Code* Section 228.3: Criteria for Planning Commission Conditional Use Authorization). Conditional Use authorization would also be required for a proposed commercial use space of greater than 4,000 square feet (*Planning Code* Section 737.21: Ocean Avenue NCT Use Size (Non-Residential]).

Height and Bulk

The project site is located in the 45-X height and bulk district (*Planning Code* Section 270). The project site's 45-ft height limit permits the maximum height up to 45 feet, and the "X" bulk district indicates no bulk limits are applicable at this site. The proposed project would be 45 feet tall; therefore the project complies with the height limits of this district.

Open Space and Rear Yard Configuration

The proposed project would provide on-site usable open space in two forms: three private patios and a common rooftop deck. Per *Planning Code* Table 135A: Minimum Usable Open Space for Dwelling Units and Group Housing Outside the Eastern Neighborhoods Mixed-Use District, private usable open space shall be provided at 100 sf per dwelling unit. Common usable open space may be substituted for private usable open space at a ratio of 1.33 to 1.

The proposed project provides at least 260 sf of private open space for two dwelling units, and 1,690 sf of common open space for 12 dwelling units, thereby meeting the *Planning Code's* usable open space requirements of at least 1,950 sf for this project.

Planning Code Section 134: Rear Yards in R, NC, C, SPD, M, MUG, MUO, MUR, UMU, RSD, SLR, SLI AND SSO Districts, requires that every building in the Ocean Avenue NCT Zoning District have a minimum rear yard depth equal to 25 percent of the total depth of the lot on which the building is situated, but in no case less than 15 feet. The proposed project would meet the required 25 percent rear yard setback.

Density

Housing density is limited not by lot area, but by the regulations on the built envelope of buildings, including height, bulk, setbacks, and lot coverage, and standards for residential uses, including open space and exposure, and urban design guidelines. The proposed project would provide 15 dwelling units on a 10,236-sf site within the buildable envelope.

Inclusionary Housing

Planning Code Section 315: Housing Requirements for Residential Development Projects, sets forth the requirements and procedures for the Residential Inclusionary Affordable Housing Program. Under Section 315.4(a)(2), these requirements would apply to projects that consist of five or more units or require a Conditional Use authorization (CU).[1] The proposed project, with

[1] On August 1, 2006, the Board of Supervisors adopted several amendments to *Planning Code* Section 315, including increasing the percentage of required inclusionary housing units to 15 percent on-site or 20 percent off-site, and lowering the threshold that triggers implementation of Section 315 from 10 new dwelling units to 5 new dwelling units. However, pursuant to *Planning Code* Section 315.3(b)(2), the new requirements are not applicable to projects for which an environmental evaluation application was filed prior to July 18, 2006, and which do not require zoning map amendments or *Planning Code* text amendments that would result in a net increase in the number of permissible residential units. The proposed project filed an environmental evaluation application after July 18, 2006. Therefore, the inclusionary housing requirements will be calculated under the requirements in place after August 1, 2006.

15 units, is therefore subject to the inclusionary housing requirement and would be required to provide two affordable housing units.

Parking and Loading

Planning Code Section 151 lists the parking requirement per use or activity. For residential use the requirement is a maximum of one off-street parking space for each dwelling unit. Any additional parking is not permitted. For commercial use, no parking is required. The project proposes 15 dwelling units. The maximum parking allowed would be 15 spaces per *Planning Code* Section 151.1. The project is proposing a total of 15 parking spaces which is the maximum amount permitted by the *Planning Code*.

For buildings of four to 50 dwelling units, one Class 1 bicycle space[2] is required for every two dwelling units regardless of whether off-street car parking is available. The use of residential bicycle parking shall be provided at no cost or fee to building occupants and tenants. The project sponsor is providing eight bicycle parking spaces for 15 dwelling units in the at-grade parking garage accessible from Miramar Avenue. This provision meets *Planning Code* requirements. No bicycle parking would be required for the commercial use at the ground floor.

Planning Code Section 152: Schedule of Required Off-Street Freight Loading Spaces in Districts Other than C-3, Eastern Neighborhoods Mixed Use Districts, or South of Market Mixed Use Districts, required an off-street loading space for residential uses above 100,000 sf or commercial uses above 10,000 sf. Since the project's proposed residential or commercial uses would not exceed those amounts, the project would not be required to provide an off-street loading space.

Plans and Policies

Priority Policies

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the *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 13a-d, Geology, Soils, and Seismicity); (7) landmark and

[2] Planning Code Section 155.1(a)(6) defines a Class 1 bicycle parking space as facilities which protect the entire bicycle, its components and accessories against theft and against inclement weather, including wind-driven rain. Examples of this type of facility include (1) lockers, (2) check-in facilities, (3) monitored parking, (4) restricted access parking, and (5) personal storage.

historic building preservation (Question 4a, Cultural Resources); and (8) protection of open space (Questions 8a and b, Wind and Shadow, and Questions 9a and c, Recreation). Prior to issuing a permit for any project which requires and Initial Study under the California Environmental Quality Act (CEQA), 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 would be 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, providing information for use in the case report for the proposed project. The case report and approval motions for the proposed project would contain the Department's comprehensive project analysis and findings regarding consistency of the proposed project with the Priority Policies. In addition to the *General Plan*, some areas of the city are also addressed in specific area plans, included as elements of the *General Plan*, or included as part of a Redevelopment Plan.

Balboa Park Area Plan

The project site at 1490 Ocean Avenue is within the Balboa Park Station Area Plan. The Balboa Park Station Area Plan area comprises approximately 210 acres and includes the Ocean Avenue Campus of City College of San Francisco (CCSF), the Ocean Avenue Neighborhood Commercial District, Balboa Park, and the Balboa Park BART station. The Plan's objectives and policies are informed by three key principles: improve the area's public realm; make the transit experience safer and more enjoyable, and improve the economic vitality of the Ocean Avenue Neighborhood Commercial District. The Area Plan contains objectives and policies concerning land use, transportation, parking, housing, streets and open space, built form, historic preservation, and public art.

The goals of the Area Plan are to transform the currently underutilized Balboa Park Station Area into an efficient and vital transit hub that supports the development of a mix of complementary uses, including residential, retail, cultural/institutional uses and publicly-accessible open space, in the vicinity of the Station and along the nearby Geneva, Ocean, and San Jose Avenues. The transportation/infrastructure and public space improvements in the plan are expected to occur within a 20-year timeframe. Implementation of the area plan would result in a net increase of about 1,780 new residential units and about 104,620 net new gross square feet of commercial development in the area by 2025. A net increase of about 200-250 jobs is also expected in the area by 2025 as a result of implementation of the area plan.

The plan area is characterized by four distinct areas; the Transit Station Neighborhood, City College of San Francisco, the Reservoir, and the Ocean Avenue Commercial District. The project site at 1490 Ocean Avenue is included in the Ocean Avenue Neighborhood Commercial District which extends east-west along Ocean Avenue from Phelan Avenue to Manor Drive. The project at 1490 Ocean Avenue addresses two of the program-level objectives of the Area Plan by increasing the community's supply of housing by developing infill housing affordable to individuals and families of various income levels, and by strengthening the economic base of the community by increasing neighborhood-serving retail and service businesses. The project at 1490

Ocean Avenue would not conflict with the objectives or policies in the Balboa Park Station Area Plan.

Approvals Required

As discussed above, the project would require Conditional Use authorization for gasoline service station conversion and commercial use size. The Department of Building Inspection (DBI) would require building permits for the project because it would involve demolition of the existing on-site buildings and construction of a new building. Following demolition of the on-site structures, removal of the Underground Storage Tanks would require permits from the Hazardous Materials Unified Program Agency and San Francisco Fire Department. Soil samples would be required and reviewed by the Department of Public Health (DPH) to determine if further remediation is required. Based on DPH review, a Site Mitigation Plan may be required. Remediation activities would be coordinated with DPH until closure objectives are reached and the case is closed. The specific impacts and mitigation measures are discussed below under the relevant environmental topic headings.

D. SUMMARY OF ENVIRONMENTAL EFFECTS

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor.

☐ Land Use	☒ Air Quality	☐ Biological Resources
☐ Aesthetics	☐ Greenhouse Gas Emissions	☐ Geology and Soils
☐ Population and Housing	☐ Wind and Shadow	☐ Hydrology and Water Quality
☒ Cultural and Paleo. Resources	☐ Recreation	☒ Hazards/Hazardous Materials
☐ Transportation and Circulation	☐ Utilities and Service Systems	☐ Mineral/Energy Resources
☐ Noise	☐ Public Services	☐ Agricultural and Forest Resources
		☐ Mandatory Findings of Significance

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 topic. A discussion is included for those issues checked "Less than Significant Impact" and for most items checked "No Impact" or "Not Applicable". For all of the items checked "Not Applicable" or "No Impact" without a 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 Database and maps, published by the California Department of Fish and Game. For each checklist item, the evaluation has considered the impacts of the proposed project, both individually and cumulatively.

E. EVALUATION OF ENVIRONMENTAL EFFECTS

E.1 Land Use and Land Use Planning

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

Land use impacts are considered significant if a project would divide an established community; conflict with plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect; or have a substantial adverse impact upon the existing character of the vicinity.

The project site is located on the block bound by Granada Avenue to the east, Southwood Drive to the north, Miramar Avenue the west and Ocean Avenue to the south. The project site is located within the West of Twin Peaks neighborhood adjacent to the Ocean View neighborhood. To the north lies the Westwood Park neighborhood, with Ocean Avenue Neighborhood Commercial Transit District directly to the south, east and west. The Ocean Avenue Neighborhood Commercial Transit District extends along Ocean Avenue from approximately Manor Drive to Phelan Avenue. To the east are City College of San Francisco and I-280, to the south and southwest is the Ocean View neighborhood.

The proposed project would entail demolition of an existing gasoline service station on lot 10 and construction of a four-story building with 15-unit residential units over 4,410 sf of ground-floor commercial space, and a 15-vehicle at-grade parking garage. The existing curb cut on Ocean Avenue would be eliminated and the existing curb cut along Miramar Avenue would be reduced from 32′-8″ to 12′ in width. Vehicular and pedestrian access for residents would be provided off Miramar, while the ground-floor commercial use would be limited to pedestrian access along Ocean Avenue.

The predominate scale of development surrounding the project site is two-story commercial buildings, reaching approximately 20-35 feet in height, surrounded by a residential-over commercial corridor and a low-density residential development. The area is characterized by a mix of residential and commercial uses.

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

The project is in the Ocean Avenue Neighborhood Commercial Transit District of San Francisco, which is characterized by a mix of residential and commercial uses. The project site is currently occupied by a gasoline service station, which would be replaced with moderate density residential and commercial uses with development of the proposed project. With project development, the on-site service station and associated underground storage tanks (USTs) would be removed and the site would be developed with an approximately 20,805-gsf, four-story mixed-use residential building. Ground-floor uses would include a commercial space totaling 4,410 sf, a residential lobby with pedestrian access along Miramar Avenue, and an at-grade parking garage with 15 vehicular spaces and eight bicycle parking spaces. The area surrounding the project site is comprised of a mix of residential and commercial uses; thus, the proposed mixed-use project would not physically divide the existing community. Similar residential and commercial uses are present to the east, west and south of the project site along Ocean Avenue. Residential uses, at a lower density, are also prevalent to the north of the project site in the Westwood Park neighborhood. With its proposed residential and commercial uses, the project would therefore be consistent with the mixed-use character of Ocean Avenue and the predominantly residential character of the area surrounding of the Ocean Avenue Neighborhood Commercial Transit District.

The surrounding uses and activities would continue at their respective sites and would interrelate with each other as they do at present without significant disruption from the proposed project. The project would not divide or disrupt an established community but would continue the same pattern of mixed residential and commercial uses characteristic of the project vicinity. Thus, the project would not divide or disrupt an established community, and results in a ***less than significant*** impact.

Impact LU-2: The proposed project would not conflict with applicable land use plans, policies, or regulations 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. (Less than Significant)

The proposed project, as discussed in Section C. Compatibility with Existing Zoning and Plans, above, would conform to and not conflict with local plans, policies and code requirements as they relate to environmental effects. Environmental plans and policies are those, like the *Bay Area Air Quality Plan*, that 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. Therefore, the proposed project's potential to conflict with a plan or policy adopted for the purpose of mitigating an environmental effect, would be ***less than significant.***

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

The project site is located within the Ocean Avenue NCT (Neighborhood Commercial Transit) zoning district and within a 45-X Height and Bulk district. *Planning Code* Section 737.1 describes this district as "intended to provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market. The range of comparison goods and services offered is varied and often includes specialty retail stores, restaurants, and neighborhood-serving offices. Buildings may range in height, with height limits generally allowing up to four or five stories. Lots are generally small to medium in size and lot consolidation is prohibited to preserve the fine grain character of the district, unless the consolidation creates a corner parcel that enables off-street parking to be accessed from a side street. Rear yard requirements above the ground story and at residential levels preserve open space corridors of interior blocks. Commercial uses are required at the ground level and permitted at the second story…Housing development in new buildings is encouraged above the ground story…."

The project site consists of a one-story gasoline service station on a corner lot. Within the Ocean Avenue NCT zoning district, conversion of a gasoline service station and commercial use greater than 4,000 sf are subject to Conditional Use authorization (*Planning Code* Sections 228.3 and 737.21). While the proposed project would include the demolition of the gasoline service station construction of a four-story residential building over ground-floor commercial space that is larger than the development currently on the site, the proposed project would not conflict with the land use character within its vicinity, which consists of one- to four-story residential and commercial buildings. The proposed project would be developed within the allowable height and bulk limits of the area, and would include principally permitted land uses. The proposed development would not introduce a new use to the area. As residential and commercial mixed use, the project would be consistent with the surrounding Ocean Avenue NCT uses previously discussed in Section B. Project Setting. Therefore, the proposed project would not result in a substantial impact to land use character; the proposed project's impact on land use character would be considered ***less than significant***.

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

Cumulative impacts occur when significant impacts from a proposed project combine with similar impacts from other past, present, or reasonably foreseeable projects in a similar geographic area. "Reasonably foreseeable" projects include the projected changes in land use area based on growth allocations developed by the Planning Department for the Balboa Park Station Area Plan.[3] These include two main projections for land use allocation: pipeline projects (those recently constructed or approved) and development potential based on soft site analysis.[4]

With respect to land use, the Balboa Park Station Area Plan EIR analyzed the impact of the development of 1,790 new residential units and about 104,620 sf of commercial use in the next 20 years within the 210-acre area surrounding Balboa Park Station. The Area Plan was found not to divide or disrupt the Balboa Park community. Implementation of the Area Plan is intended to change the existing character of Balboa Park area by providing opportunities for higher density infill housing, minimizing auto-dependant uses, and creating new and different types of open space throughout the area, and establishing the framework for a pedestrian-oriented neighborhood commercial area. The changes in land use character would improve and enhance the existing character of the Balboa Park community, and would not be considered adverse. The Area Plan EIR concluded that the implementation of the Area Plan would not result in significant land use impacts. The 15 units proposed by the project at 1490 Ocean Avenue would account for a small percentage of the projected growth and would not be considered cumulatively considerable.

The program-level EIR for the Balboa Park Station Area Plan also included project-level analysis of the environmental effects associated with the projects at the Phelan Loop Site and the Kragen Auto Parts Site (1150 Ocean Avenue). These two development sites are adjacent to the Ocean Avenue Neighborhood Commercial District. The Phelan Loop Site development would involve construction of approximately 80 affordable housing units with 15,000 sf of ground-floor neighborhood-serving retail, 25,000 sf of public open space in the form of a plaza, a maximum of 80 parking spaces, and extension of Harold and Lee Avenues. The Kragen Auto Parts store would involve construction of 175 residential units above 35,000 sf of ground-floor retail uses with up to about 292 parking spaces, and extension of Brighton Avenue through the site. The Phelan Loop Site has received Planning Department approvals but has not filed any building permit applications. The Kragen Auto Parts Site is under construction and should be completed by mid-2012.

[3] San Francisco Planning Department, *Balboa Park Station Area Plan Final Environmental Impact Report*, Case No. 2004.1059E, (State Clearinghouse Number 2006072114), certified December 4, 2008.

[4] Soft sites were defined by the Planning Department as sites where existing development is five percent or less than zoning development potential.

In addition, impacts of the City College of San Francisco Master Plan (CCSF Master Plan) were examined in combination with the implementation of the Balboa Park Station Area Plan and development of the Phelan Loop Site and Kragen Auto Parts Site. The CCSF Master Plan would result in approximately 670,000 sf of new development on the City College campus by 2015. As discussed in the Area Plan EIR, the proposed development projects on the Phelan Loop and Kragen Auto Parts Sites would not have a significant impact on land use. Because implementation of the CCSF Master Plan would occur entirely within the City College campus and is a continuation of an existing institutional use, cumulative land use impacts of development on these three sites would not be significant. These projects, in addition to the Plan, would not divide an established community or substantially alter the character of the surrounding neighborhood. Therefore cumulative impacts on land use would be less than significant.

The project at 1490 Ocean Avenue would not result in any significant cumulative land use or planning impacts, since it would not divide an established community or cause a substantial adverse change in land use character in the project vicinity, and thus could not contribute to any overall cumulatively considerable change in land use character. The proposed project would also not conflict with any applicable environmental plans. Thus, land use impacts, both project-specific and in combination with the above mentioned projects and Area Plan, would be ***less than significant.***

E.2 Aesthetics

Topics:		*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
2.	**AESTHETICS—Would the project:**					
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐

A visual quality/aesthetic analysis is inherently 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 demonstrable negative

change. The proposed project, a demolition of a gasoline service station to construct a four-story building with 15-unit residential units over 4,410 sf of ground-floor commercial space, and a 15-vehicle at-grade parking garage, would not cause such a change because the type and scale of uses proposed by the project would comply with the Planning Code and would not have an adverse impact on the surrounding neighborhood character.

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

As previously discussed, the predominate scale and character of development within the project vicinity are two-story commercial buildings reaching approximately 20-35 feet in height, surrounded by a residential-over commercial corridor and a low-density residential development. Given the relatively moderately dense urban development surrounding the site, there are no scenic views accessible from public areas adjacent to site on Ocean or Miramar Avenues. At the project site's ground level elevation, 360 degree public views are primarily views of similarly-sized commercial buildings.

The General Plan characterizes the quality of street view along Miramar Avenue, adjacent to the project site, as "average". There is no information in the General Plan on the quality of Ocean Avenue street view. Views toward the project site consist of commercial buildings ranging from approximately 20-35 feet in height, with all lots containing developed structures. The proposed development of a four-story mixed-use building could result in a new visual element for persons walking or traveling along Ocean or Miramar Avenues. However, given the already developed surrounding area, the proposed project would not obstruct any existing views of any scenic vistas from publicly accessible points within the project vicinity.

The closest residential areas are located adjacent to the project site to the north. However, the development of the project would not obstruct any public southerly view. Therefore, impacts on scenic vistas would be considered ***less than significant.***

Impact AE-2: The proposed project would not substantially damage any scenic resources. (Less than Significant)

The project site is an existing gasoline service station and is not considered a scenic resource. There are two 15- to 20-foot-tall Queen Palm trees (*Syagrus romanzoffiana*) planted in the southwestern sidewalk frontage of the project site along Ocean Avenue. These two street trees would be removed for the project and replaced with nine new street trees. The removal of the two existing street trees would not require preventative measures. Neither of the trees proposed for removal are considered "significant" under *Public Works Code* Article 16, Urban Forestry Ordinance, Section 810A, Significant Trees, because they do not meet the size requirements stated in Section 810A. Removal of the street trees would not be considered a scenic resource, because they do not contribute to a scenic public setting. The project sponsor would plant nine new street trees lining the project frontage along Ocean and Miramar Avenues. Thus, the project would comply with existing code requirements related to scenic resources, including trees, and would

have a less-than-significant impact on scenic resources. Therefore, impacts to scenic resources of the built or natural environment would be ***less than significant.***

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

The visual setting of the project area is of a moderately-dense urban nature with predominantly commercial and mixed use structures along the Ocean Avenue corridor, single-family residential buildings along streets to the north such as Miramar Avenue, and moderate-density residential buildings to the south of Ocean Avenue. Building heights in the project vicinity range from one to four stories, or 20 to 35 feet, with early- to mid-20th century buildings along Ocean Avenue, and some late 20th-century buildings interspersed throughout the corridor. Most buildings in the project vicinity along Ocean Avenue have solid massing, are generally built to the property line along the street frontage with storefront or commercial openings, and rise uniformly above street level with minimal setbacks. Residential buildings along Miramar Avenue to the north of the project site have front setback while buildings directly across from the project site along Miramar Avenue to the south of Ocean Avenue are generally built to the property line and create a continuous street wall.

The proposed project would be a four-story building developed to the property lines along Ocean and Miramar Avenue. The building would extend to the western property line and the code-compliant approximately 30-foot-deep rear yard would be set back from the northern property line. A common open space would be centrally located on the roof and set back from the Ocean and Miramar Avenue façades of the project. The project design would include façades that employ a combination of terracotta, wood, stucco, metal and stone materials. Existing buildings in the vicinity are a mix of wood, steel, concrete, and stucco structures. Construction of the proposed mixed-use building would not result in a substantial, demonstrable negative aesthetic effect, because it would be constructed in an area that contains a variety of building types constructed during the early twentieth century to the present. The proposed building would be compatible with the low to mid-rise scale of the existing surrounding development and overall consistent with the existing visual context.

Views of the project site as seen from private residences and nearby roads would be slightly altered with the project's development. Due to the site's location in a developed and dense urban setting and the presence of intervening development, the proposed building's incremental contribution to the Ocean Avenue corridor skyline would not result in a substantial change to the prevalent visual setting of the project area. Overall, though evaluations of visual quality are to some extent subjective, it is reasonable to conclude that overall the project would have less-than-significant negative visual impacts because it would not substantially degrade the existing visual character or the quality of the project site and its surroundings.

Given that the proposed addition would be within the height limit of the corridor, and that commercial and residential buildings of similar size dominate the visual character of the project vicinity, the proposed project would not result in a substantial demonstrable negative effect on

the visual character or quality of the project site or its vicinity. Therefore, the proposed project's impact on visual character or quality would be ***less than significant***.

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

Exterior lighting of the proposed project would be restricted to illumination of the building's pedestrian and vehicular access points. The proposed project would not include any reflective glass and would not cause any glare impacts on nearby pedestrians or vehicles. The proposed project would comply with City Planning Commission Resolution No. 9212, which prohibits the use of mirrored or reflective glass. The environmental effects of light and glare would be less-than-significant. Therefore, the proposed project would have a ***less than significant*** impact on light and glare.

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

As discussed previously, the project is within the Balboa Park Station Area Plan. The Area Plan would result in visual changes to the area because it would intensify the extent of development in the Plan Area. The proposed new development is intended to enhance the overall urban environment of the area and its vicinity by encouraging development of a well-designed built environment. Within the Area Plan, new development, including 1490 Ocean Avenue, would be appropriately scaled for the surrounding low- to mid-rise context.

As called for in the Area Plan's architectural and urban design guidelines, proposed new development in the area would be expected to be compatible with dominant architectural features of the existing built environment, including massing, articulation, and architectural features prevalent in the area. Although visual quality is subjective, new development in the Area Plan vicinity would incorporate features that contribute to and enhance the best characteristics of the area, as well as help strengthen the neighborhood character of the existing built environment. Proposed new development would be appropriately scaled to fit in with existing development. Therefore, implementation of the Area Plan is not expected to result in a substantial, demonstrable adverse aesthetic effect. The Area Plan is also not expected to substantially degrade the visual character of the area and its surroundings.

The development that would result due to implementation of the Area Plan, such as the project at 1490 Ocean Avenue, would be constructed within an increasingly dense built urban area. The visibility of this proposed development would be somewhat limited due to the intervening topography and existing development. The proposed development is not expected to be visible from mid- to long-range vantage points such as John McLaren Park and Mount Davidson. The

new developments resulting from the Area Plan would appear among other similarly-scaled buildings forming the surrounding built environment. Although developments resulting from the Area Plan would be visible from surrounding areas and other viewpoints, the Area Plan would not obstruct existing publicly accessible views nor have a substantial adverse effect on the existing scenic vista.

In addition, implementation of the Area Plan and the project at 1490 Ocean Avenue would be in an urban setting that already has numerous lighting sources, and implementation is not expected to result in a substantial increase in the amount of outdoor lighting or glare. Developments including the project site would be required to comply with all applicable City standards related to lighting. Overall, visual impacts associated with the increase in light sources in the Area Plan have been considered to be less than significant.

The project at 1490 Ocean Avenue would not result in any significant impact with respect to aesthetics since it would not obstruct a scenic view, would not substantially damage a resource of the natural or scenic environment, would not result in substantial demonstrable impacts to visual character and quality and would not create new sources of light and glare that could adversely affect day or nighttime views, and thus would not contribute to any overall cumulatively considerable change in aesthetics. Thus, aesthetic impacts, both project-specific and cumulative, would be ***less than significant.***

E.3 Population and Housing

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

Currently, the project site is occupied by a gasoline service station. The service station employs approximately six people. There are no residents on the site. The proposed development of 15 dwelling units would result in an on-site population increase of approximately 41 residents, and the 4,410 sf retail component of the proposed project would employ approximately 13 people

using standard calculations.[5] As noted, the existing parking lot employs six people. The project would thus result in the addition of seven net new jobs and 41 new residents on the project site.

The project's residential use would contribute to the City's broader need for additional housing given that job growth and in-migration outpace the provision of new housing. In June 2008, the Association of Bay Area Governments (ABAG) projected regional needs in its Regional Housing Needs Determination (RHND) 2007–2014 allocation. The projected need of the City and County of San Francisco from 2007 to 2014 is 31,193 total new dwelling units, or an average annual need of 4,456 net new residential units.[6] The proposed project would add 15 residential units to the City's housing stock, thereby helping to meet the City's overall housing demands.

There is a particular need for units affordable to very low-, low-, and moderate-income households, which is addressed by the City's Inclusionary Affordable Housing Program in the *Planning Code*. The project is subject to the provisions of *Planning Code* Section 315: Residential Inclusionary Housing Program, which requires projects of five or more residential units to contribute to the creation of Below Market Rate (BMR) housing, either through direct development of BMR dwellings within the project (equal to 15% of the project's overall dwelling units), within a separate building within one mile of the project site (equal to 20% of the project's overall dwellings), or through and in-lieu payment to the Mayor's Office of Housing. The project would add 15 new residential units to the City's housing stock. Of the units provided by the project, two of these units would be affordable on-site units, as required by the *Planning Code*, Section 315. The proposed project would not have an adverse impact on affordable housing, and would contribute to the provision of affordable housing in the City.

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

The proposed project includes the demolition of a gasoline service station and construction of a four-story building with 15-unit residential units over 4,410 sf of ground-floor commercial space, and a 15-vehicle at-grade parking garage. In general, a project would be considered growth-inducing if its implementation were to result in substantial population increases, and/or new development that might not occur if the project were not implemented. As stated above, based on the project's provision of 15 dwelling units, the proposed development is estimated to accommodate approximately 41 residents. The 2000 U.S. Census indicates that the population of the subject property's immediate vicinity, Census Tract 310, is 3,556 persons. The proposed project's 41 residents would contribute to an increase in the population in Census Tract 310 of less than 0.01 percent. The insubstantial population growth resulting from the project would be a

[5] The project's estimated residential occupancy is based on 2.76 persons per household, based on the US Census Bureau's Average Household Size (P17) information for Census Tract 310. The estimated number of retail employees is based on the project's proposed retail space (4,410 sf) divided by 350 employees per square foot, derived from Table C-1 of the *Transportation Impact Analysis Guidelines*, San Francisco Planning Department, October 2002.

[6] Association of Bay Area Governments, San Francisco Bay Area Housing Needs Plan, 2007-14, June 2008. For more information see: http://www.abag.ca.gov/planning.

less-than-significant impact to population growth rates and indirect development in the project area.[7]

The proposed project would increase net employment at the site by seven jobs, from six to 13. That employment increase would be small and would not generate a substantial demand for additional housing in the context of Citywide employment growth and housing demand. In addition, the demand for housing by the seven net new employees would be more than offset by the 15 dwelling units that would be constructed on-site under the proposed project.

Compared to existing conditions, the project would increase population and employment at the site. Project-specific impacts would, however, be less-than-significant relative to the existing number of area-wide residents and employees in the project vicinity. Overall, project-related increases in housing and employment would be less than significant in relation to the expected increases in the population and employment of San Francisco. The project would not directly or indirectly result in a substantial increase in population. Therefore, the proposed project would not result in a substantial increase in housing demand in the City or region and the proposed project's potential to induce population growth would be ***less than significant***.

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

There are currently no housing units on the project site; therefore, no residential displacement would result from the project. The existing on-site gasoline service station currently employs about six people. The temporary job loss of six employees in the city would therefore be offset by the creation of 13 new jobs at the new retail component of the proposed project. Thus, the project would have a less-than-significant impact in displacing residents or employees.

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

The Balboa Park Area Plan allowed for the potential development of up to 1,780 residential units, a net increase of 4,095 residents, and a net increase of up to 250 new jobs at full build-out within the 210-acre Area Plan by 2025. The Area Plan EIR concluded that the Plan was not expected to result in adverse physical impacts because it would focus the potential new housing development in an established urban, neighborhood commercial area with a high level of transit and other public amenities and services that could accommodate this increase in residents. The Plan would also not result in a net increase in City growth not accounted for in citywide

[7] The calculation is based on the estimated Census 2000 population of 776,733 persons in the City and County of San Francisco. In this case, 45 residents/776,733 residents = 0.000052 = 0.0052 percent.

projections. Increased employment would not create a substantial demand for additional housing, or necessitate new residential development beyond what is anticipated to be provided under the Plan. The project at 1490 Ocean Avenue accounts for 15 of these units, approximately 41 new residents and about seven net new jobs. The project's contribution would not be cumulatively considerable and its impacts on population and housing would be ***less than significant.***

E.4 Cultural and Paleontological Resources

Topics:		*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
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 *Planning Code*?	☐	☐	☐	☒	☐
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐	☐
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐	☐
d)	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐	☐

Impact CP-1: The proposed project would not cause a substantial adverse change to historic architectural resources. (No 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 proposed project includes demolition of a gasoline service station and construction of a four-story building with 15-unit residential units over 4,410 sf of ground-floor commercial space, and a 15-vehicle at-grade parking garage. The project site is located within the potential Ocean Avenue Neighborhood Commercial Historic District. The potential Historic District includes the

blocks fronting Ocean Avenue between Fairfield Way to the west and Plymouth Avenue to the east. The District is characterized by a large number of early twentieth century commercial buildings ranging from the 1920s to 1940s. This era coincides with increased development in the area brought about by streetcar corridors and an increase in the general population of San Francisco. The potential Historic District's significance is due to its association with residential development patterns in the City and its uniform architectural type. A Carey & Co. Report examining the potential Historic District excluded buildings constructed less than 50 years ago from consideration as contributors to the potential district in addition to structures that do not possess sufficient physical integrity. The existing gasoline service station was constructed circa 1966 and would therefore not qualify as a potential historic resource under CEQA. Therefore, demolition of the building would have ***no impact*** on historic resources. Department staff evaluated the potential for the proposed project to affect off-site historic resources, including the potential Historic District. This evaluation determined that the proposed project would not have a significant impact on any eligible off-site historic resources.[8] Given all of the above, the proposed project would have ***no impact*** on on-site or off-site historic resources.

Impact CP-2: The proposed project would 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)

A preliminary review for potential impacts to archeological resources was conducted for the proposed project.[9] Since the proposed project would convert the land use on the project site from a gasoline service station to a mixed-use building with residential use over ground-floor commercial use, the on-site underground storage tanks (USTs), would be removed as part of the project. Excavation for the removal of the USTs would be to the depth of approximately 18 feet below ground surface. The proposed building would be supported on a two-foot-deep mat slab. No subterranean levels are proposed.

The project site's soil composition consists of alluvium from the early Pleistocene Era. The proposed project has the potential to disturb soils with the proposed excavation of about 2,000 cubic yards of material up to a depth of 18 feet below ground surface (bgs). This has the potential to adversely affect subsurface archaeological resources. Implementation of Mitigation Measure M-CP-1, below, would ensure that significant impacts to archeological resources would be reduced to less-than-significant levels.

Implementation of **Mitigation Measure M-CP-1,** requiring archeological testing at the project site will reduce the low potential of the proposed project to adversely affect archeological resources

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[8] Communication between Michael Smith, Historic Preservation Technical Specialist, and Andrea Contreras, Planning Department, February 24, 2011.

[9] Randall Dean/Don Lewis. *MEA Preliminary Archeological Review: Checklist for 1446-1490 Ocean Avenue*. January 15, 2009. A copy of this document is available for public review at the Planning Department, 1650 Mission Street, 4th Floor, San Francisco, CA 94103 as part of Case File No. 2008.0538E.

to a less than-significant-level. The project sponsor has agreed to implement **Mitigation Measure M-CP-1**, detailed below and within Section F. Mitigation Measures and Improvement Measures, at the end of this Initial Study. With implementation of **Mitigation Measure M-CP-1**, 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: Accidental Discovery of Archeological Resources

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 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 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 archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall

be consistent with the Major Environmental Analysis (MEA) division guidelines for such programs. 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 that evaluates the historical significance of any discovered archeological resource and describes 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 for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological 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 MEA division of the Planning Department shall receive three 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 may require a different final report content, format, and distribution than that presented above.

Impact with Mitigation Measure M-CP-1 Incorporated: Less than Significant.

Impact CP-3: The proposed project would result in damage to, or destruction of, as-yet unknown paleontological resources, should such remains exist beneath the project site. (Less than Significant with Mitigation)

Paleontological resources include fossilized remains or traces of animals, plants and invertebrates, including their imprints, from a previous geological period. Collecting localities and the geologic formations containing those localities are also considered paleontological resources; they represent a limited, nonrenewable, and impact sensitive scientific and educational resource. As discussed in Section B. Setting, there are no geologic features that would indicate the presence of paleontological resources.

Should paleontological resources be present, excavation associated with construction activities could affect such resources. Therefore, it is possible that construction of the proposed project could affect paleontological resources. However, implementation of mitigation measure **M-CP-2: Accidental Discovery of Paleontological Resources,** presented below and in Section F. Mitigation Measures and Improvement Measures, would ensure that the proposed project would not result in significant impacts to paleontological resources. Implementation of mitigation measure M-CP-2 would reduce any impact to paleontological resources to ***less than significant*** with mitigation.

Mitigation Measure M-CP-2: Accidental Discovery of Paleontological Resources

The encounter of any feature of apparent potential to be a paleontological resource (fossilized invertebrate, vertebrate, plant, or micro-fossil) during soils disturbing activities associated with the project, requires the immediate cessation of any soils or rock-disturbing activity within 25 feet of the feature, notification of the Environmental Review Officer (ERO), and notification of a qualified paleontologist in accordance with the Society of Vertebrate Paleontology standards (SVP 1996). The paleontologist will identify and evaluate the significance of the potential resource, and document the findings in an advisory memorandum to the ERO. If it is determined that avoidance of effect to a significant paleontological resource is not feasible, the paleontologist shall prepare an excavation plan that includes curation of the paleontological resource in a permanent retrieval paleontological research collections facility, such as the University of California (Berkeley) Museum of Paleontology or California Academy of Sciences. The Major Environmental Analysis division of the Planning Department shall receive two copies of the final paleontological excavation and recovery report.

Impact with Mitigation Incorporated: Less than Significant.

Impact CP-4: The proposed project would result in less than significant impacts to human remains. (Less than Significant)

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, the lead agency is required to work with the appropriate Native Americans, as identified by the California Native American Heritage Commission (NAHC). The CEQA lead agency may develop an agreement with the appropriate Native Americans 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 *Preliminary Archeological Review*, discussed above, determined that the proposed project is not anticipated to affect archeological resources, including buried human remains. As such the project is not anticipated to disturb any human remains, including Native American burials, and the project's potential to affect human remains would be ***less than significant***.

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

The project would not result in any significant impact with respect to cultural and paleontological resources. The building proposed for demolition as part of the proposed project is not historic resources; however the project site is located within an historic district. The proposed addition would not affect 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 that extend into subsurface soils on the project site, has the potential to affect archeological and paleontological resources. However, impacts to archeological and paleontological resources are reduced to less than significant impacts with implementation of mitigation measures M-CP-1 and M-CP-3, discussed above. However, as with the proposed project, any future projects in the project vicinity would be subject to guidelines similar to Mitigation Measures M-CP-1 and M-CP-3. Implementation of Mitigation Measures M-CP-1 and M-CP-3, would reduce potential project-related impacts to archeological and paleontological resources, individually and cumulatively, to ***less than significant***.

E.5 Transportation and Circulation

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

The project site is not located within an airport land use plan area or in the vicinity of a private airstrip. The proposed building, at approximately 45 feet tall, would not interfere with air traffic patterns. Therefore, criterion E.5c is not applicable to the proposed project.

The project site is located at 1490 Ocean Avenue, on the block bound by Granada Avenue to the east, Southwood Drive to the north, Miramar Avenue to the west and Ocean Avenue to the south. The proposed project would demolish an existing gasoline service station on a corner lot and construct a four-story building with 15 residential units over 4,410 sf of ground-floor commercial space, and a 15-vehicle at-grade parking garage. Access to the site is currently provided at two locations: one curb cut located on Ocean Avenue, and one on Miramar Avenue. The proposed project would close the existing curb cut on Ocean Avenue and would reduce the existing curb cut along Miramar Avenue from 32'-8" to 12' in width. Vehicular and pedestrian access for residents would be provided off Miramar Avenue, while the ground-floor commercial space would be accessible to pedestrians along Ocean Avenue. Off-street loading access would be not be required but would be provided on Miramar Avenue.

Regional access to the project site is provided by Interstate 280 (I-280) and United States Highway 101 (U.S. 101). I-280 connects to I-80 which connects San Francisco to the East Bay and other locations east via the San Francisco-Oakland Bay Bridge. I-280 and U.S. 101 serve San Francisco and the Peninsula/South Bay and U.S. 101 provides access north via the Golden Gate Bridge.

The local roadway network within the project vicinity is primarily composed of Ocean Avenue, which runs east-west along the southern border of the project site; Granada Avenue, which runs north-south along the eastern border of the project site until it intersects with Southwood Drive, which runs east-west along the northern border of the project site. Miramar Avenue runs north-south along the western side of the project block. Within the project vicinity Ocean Avenue is designated as major arterial.[10,11] Ocean Avenue is also designated as a transit important street, part of the pedestrian network, and part of the citywide bicycle network.[12] Ocean Avenue is part of Bicycle Route 90 which runs east-west from San Francisco State University to Bayshore Boulevard. Within the immediate project vicinity, the K Ingleside, K Owl, 8X Bayshore Express, 8BX Bayshore 'B' Express, 43 Masonic, and 49 Van Ness-Mission Muni lines run within a four-block radius of the project. The K Ingleside and K Owl run adjacent to the project site, east-west along Ocean Avenue, with two stops in both directions at Miramar Avenue and Ocean Avenue. The 43 Masonic line links the Marina District with City College of San Francisco campus near the project site. The 49 Van Ness-Mission line connects the project site with Aquatic Park via the Mission District and Civic Center. The 8X-Bayshore Express runs along Bayshore Boulevard and

[10] San Francisco General Plan, Transportation Element, Map 6 and Map 7.

[11] Major arterials are defined as cross-town thoroughfares whose primary function is to link districts within the city and to distribute traffic from and to the freeways; these are routes generally of citywide significance; of varying capacity depending on the travel demand for the specific direction and adjacent land uses.

[12] San Francisco General Plan, Transportation Element Map 9, Map 11, and Map 12.

links City College to the Downtown and Fisherman's Warf, with a stop at Bayshore Boulevard and Jerrold Avenue.

Within the project vicinity, Ocean Avenue runs east-west with two lanes in each direction with a Muni light rail line in the center. Sidewalks are present on both sides of Cesar Chavez Street and parking is generally allowed on both the north and south sides of the street. Some street trees are present along the sidewalks along Ocean Avenue.

Miramar Avenue runs north-south along the western border of the project site. Within the project vicinity, Miramar Avenue has one lane in each direction and on-street parking on both sides of the street. Sidewalks are present on both sides of the street and there is a large median north of Ocean Avenue in which five mature trees are planted.

Southwood Drive runs east-west along the northern border of the project site and has one lane in each direction with parallel parking available on the north side of the street. Southwood Drive has sidewalks on both sides of the street and no street trees, although residential properties are well landscaped.

Granada Avenue runs approximately north-south from Southwood Drive until it ends at Lakeview Avenue several blocks south. Granada Avenue, within the project vicinity is a one-way street with traffic traveling south and parking available on both sides of the street. There are few street trees present but residences abutting the street are landscaped with vegetation.

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, taking into account all modes of transportation, nor would the proposed project conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures. (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 proposed project's effects on intersection operations, transit demand, impacts on pedestrian and bicycle circulation, parking and freight loading, as well as construction impacts.

Trip Generation

As set forth in the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002 (*Transportation Guidelines*), the Planning Department evaluates traffic conditions for the weekday PM peak period to determine the significance of an adverse environmental impact. Weekday PM peak hour conditions (between the hours of 4 PM to 6PM) typically represent the worst-case conditions for the local transportation network. Using the *Transportation Guidelines* and traffic counts performed at the project site on Tuesday, April 13, 2010, the existing gasoline service station generates approximately 1,259 daily vehicle trips and a

total of 107 PM peak hour vehicle trips.[13] Construction of the new mixed use development is anticipated to generate approximately 333 daily vehicle trips and 38 PM peak hour vehicle trips.[14] Table 1, below, shows the project's calculated daily and PM peak hour trip generation by mode split.

As shown in Table 1, total PM peak hour person trips are estimated to be approximately 86. Of these person trips, about 59 would be by auto, 12 trips by transit, 14 pedestrian trips, and 1 trip by "other" modes (including bicycles, motorcycles, and taxis). The trip generation calculations conducted for the proposed project estimates PM peak hour vehicle trips at 38. The trip generation estimates prepared for the proposed project may be slightly overstated because trips from the existing gasoline service station use on the project site proposed for demolition were not deducted from the trip generation estimates, resulting in a conservative (worst-case) estimate of vehicle trips.

Table 1. Daily and PM Peak Hour Trip Generation

Trip Generation Mode Split	Daily Trips	PM Peak Hour Trips
Auto	543	59
Transit	109	12
Walk	147	14
Other	12	1
Total	**811**	**86**
Vehicle Trips	333	38
Parking Demand	**Short Term**	**Long Term**
Parking Spaces	19	30
Loading Demand	**Average Hour**	**Peak Hour**
Loading Spaces	0.06	0.08

Source: *Transportation Impact Analysis Guidelines, Transportation Calculations.* This document is available for public review as part of Case No. 2008.0538E at 1650 Mission Street, Suite 400, San Francisco, CA 94103.

Although the proposed project is calculated to generate approximately 86 PM peak hour person trips, with approximately 38 PM peak hour vehicle trips, these vehicle trips are not anticipated to substantially affect existing levels of service within the project vicinity. The intersection of Ocean Avenue and Miramar Avenue would most likely be affected by project-generated traffic and this intersection, analyzed as part of the *Balboa Park Station Area Plan EIR,* operates at LOS B.[15] The operational impact on signalized intersections (such as Ocean Avenue and Miramar Avenue) is

[13] John Wilson Engineering, *Turning Movement Counts for Gas Station Driveways at Miramar and Ocean Avenues, April 13, 2010.* This document is available for public review as part of Case No. 2008.0538E at 1650 Mission Street, Suite 400, San Francisco, CA 94103.

[14] *Transportation Impact Analysis Guidelines, Transportation Calculations.* This document is available for public review as part of Case No. 2008.0538E at 1650 Mission Street, Suite 400, San Francisco, CA 94103.

[15] Korve Engineering. *Balboa Park Station Area Plan Transportation Study, December 19, 2006*. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, Ca 94103, as part of Case File No. 2004.1059!.

considered significant when project-related traffic causes the intersection level of service to deteriorate from LOS D or better to LOS E or F, or from LOS E to LOS F. The addition of 38 PM peak hour vehicles would not substantially worsen the LOS of the intersection of Ocean Avenue and Miramar Avenue such that the intersection would deteriorate to LOS E or LOS F. The proposed project is not anticipated to adversely affect other nearby intersections. Therefore, the proposed project's impact on existing vehicular traffic is considered ***less than significant***. The proposed project is also not anticipated to result in a considerable contribution to cumulative traffic impacts within the project vicinity.

Parking

The additional vehicle trips generated by the proposed project would also generate a short-term parking demand of 19 spaces and a long term parking demand of 30 spaces. The total square footage for the new development as proposed includes about 12,805 sf of residential use and 4,410 sf of retail space at the ground floor. *Planning Code* Section 151 describes the parking requirement for residential use as a maximum of one off-street parking space for each dwelling unit. Any additional parking is not permitted. For commercial use, no parking is required. The maximum parking allowed would be 15 spaces per *Planning Code* Section 151.1. The project is proposing a total of 15 parking spaces which is the maximum amount permitted by the *Planning Code*.

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 K Ingleside and K Owl run along Ocean Avenue adjacent to the project site with stops in both directions at the intersection of Ocean and Miramar Avenues. In addition, the 8X Bayshore Express, 8BX

Bayshore 'B' Express, 43 Masonic, and 49 Van Ness-Mission Muni lines run within four blocks of the project. Also adjacent to the project site is Bicycle Route 90 which runs along Ocean Avenue.

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

The proposed residential and commercial development would generate a peak hour loading demand of 0.08 delivery trucks. *Planning Code* Section 152: Schedule of Required Off-Street Freight Loading Spaces in Districts Other than C-3, Eastern Neighborhoods Mixed Use Districts, or South of Market Mixed Use Districts, requires an off-street loading space for residential uses above 100,000 sf or commercial uses above 10,000 sf. Since the project's proposed residential or commercial uses would not exceed those amounts, the project would not be required to provide an off-street loading space. Commercial and residential loading would occur on Miramar Avenue. There is a 20-foot commercial loading zone on the south side of Ocean Avenue, directly across from the project site, which is currently used for commercial loading in the immediate area. In frequent project-related loading/unloading activities are anticipated to occur, including tenants move-in and out, taxi drop-off and pick-up, residential drop-off and pick-up airport shuttle services, and retail-related small-scale deliveries. The proposed project would avoid the potential for impacts to adjacent roadways by limiting all long-term and short-term construction loading/staging operations to Miramar Avenue. Residents would have all movers obtain temporary parking permits for loading and unloading operations on Miramar Avenue. Therefore, the proposed project would not result in significant loading impacts and loading impacts are considered ***less than significant***.

Construction Impacts

During the projected 14- to 18-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***.

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

The proposed project does not include features that would substantially increase traffic-related hazards, including with the proposed design. The proposed project retains one of the two existing access points, eliminating one access point on Ocean Avenue. Eliminating an access point on Ocean Avenue could reduce the potential for traffic-related conflicts at the project site. The project does not propose new access points to the site. In addition, as discussed in Section E.1, Land Use and Land Use Planning, under Question 1e, the project does not include incompatible uses. Therefore, transportation hazards 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)

As discussed above, access to the site would be provided at one location: the driveway located along Miramar Avenue. These points provide adequate access from public streets. The proposed project would not be expected to affect emergency response times or access to other sites. Emergency vehicles would be able to reach the project site from one location along the city streets. 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

As discussed above, the project site is well served by transit. The K-Ingleside and K-Owl run along Ocean Avenue adjacent to the project site with stops in both directions at the intersection of Ocean and Miramar Avenues. In addition, the 8X-Bayshore Express, 8BX-Bayshore 'B' Express, 43-Masonic, and 49-Van Ness-Mission Muni lines run within four blocks of the project. The proposed project would generate approximately 12 PM peak hour transit trips, which would easily be accommodated by the existing transit system. Thus, impacts to the City's transit network would be considered ***less than significant***. 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.

Bicycle Conditions

Bicycle Routes within the project vicinity include Bicycle Route 90, which runs along Ocean Avenue adjacent to the project site. The proposed project would generate up to one PM peak hour trip by "other" modes, some of which may be bicycle trips. The proposed project is not anticipated to adversely affect bicycle conditions in the project vicinity. The majority of traffic would access the project site from Miramar Avenue instead of Ocean Avenue. As such, the proposed project would not adversely affect bicycle lanes in the project vicinity, including Bicycle Route 90, which runs along Ocean Avenue. 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***. 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.

For buildings of four to 50 dwelling units, one Class 1 bicycle space is required for every two dwelling units regardless of whether off-street car parking is available. No bicycle parking would be required for the commercial use at the ground floor. The project sponsor is providing eight bicycle parking spaces for 15 dwelling units in the at-grade parking garage accessible from Miramar Avenue. This provision meets *Planning Code* requirements.

Pedestrian Conditions

Pedestrian sidewalks are provided on all streets within the immediate project vicinity, including Ocean Avenue, Miramar Avenue, Southwood Drive, and Granada Avenue. Sidewalks adjacent to the project site have adequate capacity as evidenced by the ease with which pedestrians in the project vicinity can use the sidewalks. The proposed project would generate approximately 14 PM peak hour pedestrian trips. The proposed project would not cause a substantial amount of pedestrian and vehicle conflict since there are currently limited pedestrian volumes on Ocean Avenue and primary vehicular access to the site would be from Miramar Avenue. 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 TR-5: The proposed project in combination of past, present, and reasonably foreseeable future projects, would have less-than-significant cumulative transportation impacts. (Less than Significant)

The proposed project would not cause a substantial increase in traffic, in relation to the existing traffic load and capacity of the street system. As reflected in the trip generation explained in

above, the project would result in less than significant impacts related to increases in vehicle traffic in the project vicinity and surrounding intersections. The proposed project would not include any hazardous design features or incompatible uses that could result in hazardous conditions and the proposed project would not result in inadequate emergency access to the site, or any surrounding sites. The proposed project would not cause a substantial increase in transit demand that could not be accommodated by existing and proposed transit capacity, and alternative travel modes. With the addition of 38 PM peak hour vehicle trips, the proposed project would have a less-than-significant cumulative traffic impact, because it would add a negligible number of PM peak hour vehicle trips and would not result in a deterioration of LOS at surrounding intersections.

Project construction activities, in combination with other major development in the vicinity of the project area, could temporarily result in cumulative construction-related transportation effects on local or regional roads, but would not result in permanent, cumulatively considerable, transportation impacts. Cumulative projects within the vicinity were analyzed as part of the San Francisco County Transportation Authority (SFCTA) countywide travel demand forecasting model run conducted for the Balboa Park Station Area Plan EIR. The model takes into account the anticipated development expected in the vicinity of the Area Plan, plus the expected growth in housing and employment for San Francisco and the region. Significant cumulative traffic impacts have been identified at the intersections of Ocean Avenue/Junipero Serra Boulevard and Ocean Avenue/San Jose Avenue, where the future baseline LOS would be unacceptable E or F and would deteriorate further with contributions of traffic generated by Area Plan development. However, the project at 1490 Ocean Avenue would contribute 38 trips to the overall anticipated traffic growth in the Area Plan through 2025, which would not be cumulatively considerable as it does not contribute more than 5% to the traffic volumes of the failing intersections mentioned above. Therefore, the proposed project's cumulative impact on the transportation network would be ***less than significant.***

E.6 Noise

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
6. NOISE—Would the project:					
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐	☐
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	☐
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	☐
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	☐

Topics:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
e)	For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	☐	☐	☐	☐	☒
f)	For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☐	☒
g)	Be substantially affected by existing noise levels?	☐	☐	☐	☒	☐

The project site is not located within an airport land use plan area, or within the vicinity of a private airstrip. Therefore, criteria E.6e and E.6f are not applicable to the proposed project.

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)

The proposed project includes demolition of a gasoline service station and construction a four-story building with 15-unit residential units over 4,410 sf of ground-floor commercial space and a 15-vehicle at-grade parking garage. The project site is located within Ocean Avenue Neighborhood Commercial District. Background noise levels along Ocean Avenue are estimated at above 70 dBA (Ldn).[16,17] The Environmental Protection Element of the *San Francisco General Plan* contains guidelines for determining the compatibility of various land uses with different noise environments. The *General Plan* recognizes that some land uses are more sensitive to ambient noise levels than others due to the amount of noise exposure (in terms of both exposure duration and insulation from noise) and the types of activities typically involved. For residential uses such as dwelling units and group housing, the guidelines indicate that a noise environment of the Day Night Average Noise Levels (Day-Night Sound Level [DNL])[18] of 60 dBA[19] or less is

[16] 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).

[17] Existing noise levels along Ocean Avenue and at the property line were determined 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.

[18] Day Night Average Noise Levels (DNL) is a 24-hour time-averaged sound exposure level with a 10 decibel nighttime (10 pm to 7 am) weighting.

generally considered "satisfactory" with no special noise insulation requirements, and approximately 67.5 dBA for commercial uses such as retail.[20] Therefore, the proposed project would locate the proposed new residential units, considered to be sensitive receptors, in an environment with noise levels above those considered normally acceptable for residential use and near the threshold acceptable for retail use per *General Plan* standards. The proposed project would be subject to the requirements of Title 24 of the California Code of Regulations, which require an interior standard of DNL 45 dBA in any habitable room, and require an acoustical analysis demonstrating how the residential units have been designed to meet this interior standard. To meet this standard, incorporation of adequate noise insulation features into the project's design would be required to provide a noise level reduction sufficient enough to reach the 45 dBA interior noise level. Design and construction in accordance with Title 24 standards, and enforced through DBI's permit review process, would reduce the impact of the existing noise environment on future residents of the development to a less-than-significant level. This would ensure that future residents of the proposed project would not be substantially affected by existing noise levels. Thus, this impact would be ***less than significant***.

In general, traffic must double in volume to produce a noticeable increase in ambient noise levels. Based on the transportation analysis prepared for the project (see Section 5, Transportation and Circulation), the proposed project would generate approximately 333 daily vehicle trips, with 38 of those trips occurring in the PM peak hour, which are fewer trips than the existing gasoline service station. Existing traffic volumes along Ocean and Miramar Avenues are approximately 1,253 daily vehicle trips at the project site and therefore the proposed project's generation of vehicle trips would not double vehicle trips or result in a noticeable increase in ambient noise levels.

In order to minimize effects on development in noisy areas, for new residential uses, the Planning Department would, through its building permit review process, require that open space required under the *Planning Code* be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.

In addition to vehicle-related noise, building equipment and ventilation are also noise sources. Mechanical equipment produces operational noise, such as heating and ventilation systems. Mechanical equipment would be subject to Section 2909 of the Noise Ordinance. As amended in November 2008, this section of the ordinance establishes a noise limit from mechanical sources,

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[19] dBA refers to "A-weighted decibel(s)", which is the unit used to measure the relative intensity of sound. The dBA scale ranges from zero (denotes the average least perceptible sound) to about 130 (denotes the average pain level in humans).

[20] San Francisco General Plan. Environmental Protection Element. Land Use Compatibility Chart for Community Noise.

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. Compliance with Article 29, Section 2909, serves to minimize noise from building operations. The proposed residential and commercial development would include one rooftop mechanical unit (Heating, Ventilation and Air Conditioning [HVAC] unit). This noise source would be required to comply with Section 2909 of the Noise Ordinance. Given that the proposed project's vehicle trips would not result in a noticeable increase in noise, that the proposed project's HVAC unit would be required to comply with the noise ordinance, and that the closest noise-sensitive receptors are located more than 700 feet from the project site, the proposed project would not result in a noticeable increase in ambient noise levels, and this impact would be ***less than significant.***

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)

Demolition, minor excavation and building construction would temporarily increase noise, and possibly vibration, in the project vicinity. During the construction phase, the amount of construction noise generated would be influenced by equipment type and duration of use, distance between noise source and listener, and presence or absence of barriers (including subsurface barriers). Construction equipment would generate noise and possibly vibrations that could be considered an annoyance by occupants of nearby properties. There would be times when noise and vibration could interfere with indoor activities in nearby residences and businesses. The closest sensitive noise receptors to the project site are the residences that are located directly north of the project site. Other uses in the immediate vicinity are not considered sensitive to noise and vibration. According to the project sponsor, the construction period would last approximately 18 months. Construction noise and vibration impacts would be temporary and intermittent in nature and limited to the 18-month construction period. Noise from construction activities associated with the proposed project would be regulated by the *San Francisco Noise Ordinance*. Sections 2907 and 2908 of the *San Francisco Police Code* regulate construction noise and provide that:

- Construction noise is limited to 80 dBA at 100 feet from the source equipment during daytime hours (7 a.m. to 8 p.m.). Impact tools such as pile drivers are exempt provided that they are equipped with intake and exhaust mufflers to the satisfaction of the Director of Public Works or the Director of Building Inspection.
- Nighttime construction (8 p.m. to 7 p.m.) that would increase ambient noise levels by 5dBA or more is prohibited unless a permit is granted by the Director of Public Works or the Director of Building Inspection.

During the construction phase, the amount of construction noise generated would be influenced by equipment type and duration of use, distance between noise source and listener, and presence or absence of barriers (including subsurface barriers). The project sponsor has indicated that they would use a mat slab foundation, and would not use pile driving.[21] Therefore, the noisiest construction activities associated with the project would likely be exterior finishing, which can generate noise levels up to 89 dBA (see Table 2, below). Noise generally attenuates (decreases) at a rate of 6 to 7.5 dBA per doubling of distance. Therefore, the exterior noise level at the sensitive receptors identified above could be greater than 80 dBA during the noisiest construction activities. All construction activities would be required to comply with the San Francisco Noise Ordinance, as discussed above. The Department of Building Inspection (DBI) is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Since the proposed project would be constructed to the lot line with residential structures adjacent to construction activities, construction activities would be prohibited from 8:00 p.m. to 7:00 a.m. During the construction period for the proposed project, occupants of the nearby properties could be disturbed by construction noise. The project sponsor would implement construction practices regulated by the *Noise Ordinance* which would reduce the impact of construction noise on nearby residents to less-than-significant levels.

Table 2.
Typical Commercial Construction Noise Levels (dBA)[22]

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

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

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

The proposed project does not include any subterranean uses that could potentially expose people to excessive groundborne vibration nor would the mixed-use project generate any excessive groundborne vibration or noise. While there would be temporary and intermittent noise with the potential for minimal vibration from the removal of underground storage tanks

[21] Randall Dean/Don Lewis. MEA Preliminary Archeological Review: Checklist for 1446-1490 Ocean Avenue. January 15, 2009. A copy of this document is available for public review at the Planning Department, 1650 Mission Street, 4th Floor, San Francisco, CA 94103 as part of Case File No. 2008.0538E.

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

(USTs) during construction, this would not be a permanent condition. Therefore, the exposure of nearby residents and workers to groundborne vibration and noise would be **less than significant**.

Impact NO-3: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would result in less-than-significant 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. The Phelan Loop Site has not begun construction. The Kragen Auto Parts Site will end construction in mid-2012. It is likely that the project at 1490 Ocean Avenue will begin construction by or after mid-2012. As such, construction noise effects associated with the proposed project are not anticipated to combine with the Kragen Auto Parts Site. It is possible that there may be some construction phase overlap between the Phelan Loop Site and the 1490 Ocean Avenue project. However, given the temporary nature of the effects, they would be considered less than significant. Therefore, 1490 Ocean Avenue's cumulative construction-related noise impacts would be ***less than significant***.

Localized traffic noise would increase in conjunction with foreseeable residential and commercial growth in the project vicinity. However, because neither the proposed project nor the other cumulative projects 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 would be required to comply with the Noise Ordinance and would therefore not be expected to contribute to any cumulative increases in ambient noise as a result of building equipment. Therefore, the proposed project would not result in cumulatively considerable noise impacts, and cumulative noise impacts are considered ***less than significant***.

E.7 Air Quality

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

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐	☐

The Bay Area Air Quality Management District (BAAQMD) is the regional agency with jurisdiction over the nine-county Bay Area Air Basin. BAAQMD is responsible for attaining and maintaining air quality in the Air Basin within federal and State air quality standards. Specifically, BAAQMD has the responsibility to monitor ambient air pollutant levels throughout the Air Basin and to develop and implement strategies to attain the applicable federal and State standards. 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 April 3, 2009 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 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

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

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, removal of underground storage tanks and the construction of a four-story, mixed-use building. The project would be required to comply with the Building Code's dust control requirements.

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

[24] *Ibid*, Section 4.2.1.

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 (NOx), 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 greenfield[28] 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.

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[25] The thresholds for criteria air pollutants have generally been lowered with the exception of PM_{10}. The threshold for PM_{10} 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.

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 15 units and 4,410 sf 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 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, PM_{10} 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 15 dwelling units and 4,410 sf 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 contaminates (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 two permitted stationary sources of air pollutants within 1,000 feet (zone of influence) of the project site.[30] As presented in Table 3, 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 one roadway within 1,000 feet of the project site with daily traffic over 10,000 vehicles per day. This roadway, Ocean Avenue, does not exceed the BAAQMD's individual health risk significance thresholds (cancer risk of 10

Table 3: Summary of Screening Level Health Risk Analysis

Source	Cancer Risk*	PM2.5**	Non-Cancer Risk (Hazard Index)	Individual Source Exceeds Thresholds
Cafe D'Melanio (Stationary Source)	0.01	0.19	0	No
Ingleside Auto Station (Stationary Source)	0.30	0	0.0038	No
Ocean Avenue (Roadway Source)	5.34	0.19	N/A	No
Sum of all sources within 1,000 feet	5.65	0.38	0.0038	-
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.

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). 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)

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[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 May 2011.

[30] BAAQMD, Permitted Stationary Sources with 1,000 feet of 1490 Ocean Avenue. A copy of this is available for public review at the Planning Department, 1650 Mission Street, 4th Floor, as part of Case File No. 2008.0538E.

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 contaminates (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.[31]

Table 4: Summary of Construction Health Risk Analysis

Mitigation Strategy	PM2.5 Concentrations	Cancer Risk	Percentage Reduction
No Mitigation	0.16	18.27	N/A
Tier 3 Engines and Particulate Filters	0.07	8.17	55%

* Controls assumed on backhoe, rubber-tired bulldozer, and concrete pump.

Based on the analysis, presented in Table 4, 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. 99 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 sponsor shall ensure that the project's construction equipment achieves a minimum of a 55% reduction in diesel particulate matter (DPM) emissions as compared to the construction fleet analyzed for the purposes of CEQA. A 55% reduction in DPM emissions can be accomplished by requiring that the project's backhoe, rubber-tired bulldozer, and concrete pump 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

[31] 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.

minimum of a 55% 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 AQ-8: 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 AQ-9: 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 5.65 for cancer, 0.38 for $PM_{2.5}$, and 0.0038 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 AQ-10: 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 13.82 for cancer, 0.45 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.

E.8 Greenhouse Gas Emissions

Topics:		*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
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?	☐	☐	☒	☐	☐
b)	Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	☐

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 (CO_2), methane (CH_4), and nitrous oxide (N_2O) 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 (CO_2E).[32]

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.[33]

The Air Resources Board (ARB) estimated that in 2006 California produced about 484 million gross metric tons of CO_2E ($MMTCO_2E$), or about 535 million U.S. tons.[34] 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.[35] In the Bay Area, fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) and the industrial and commercial sectors are the two largest sources of GHG emissions, each accounting for approximately 36% of the Bay Area's 95.8 $MMTCO_2E$ emitted in 2007.[36] 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%.[37]

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

[32] 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.

[33] 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.

[34] 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.

[35] *Ibid.*

[36] 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.

[37] *Ibid.*

Solutions Act. AB 32 requires ARB to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25 percent reduction in emissions).

Pursuant to AB 32, ARB adopted a Scoping Plan in December 2008, outlining measures to meet the 2020 GHG reduction limits. In order to meet these goals, California must reduce its GHG emissions by 30 percent below projected 2020 business as usual emissions levels, or about 15 percent from today's levels.[38] The Scoping Plan estimates a reduction of 174 million metric tons of CO_2E ($MMTCO_2E$) (about 191 million U.S. tons) from the transportation, energy, agriculture, forestry, and high global warming potential sectors, see Table 4, below. ARB has identified an implementation timeline for the GHG reduction strategies in the Scoping Plan.[39] 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 5. GHG Reductions from the AB 32 Scoping Plan Sectors[40]

GHG Reduction Measures By Sector	GHG Reductions ($MMT CO_2E$)
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**

[38] 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.

[39] 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.

[40] *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 CO_2, CH_4, and N_2O.[41] 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 expansion could also result in an increase in discarded landfill materials. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased 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.[42] 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 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.

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[41] 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.

[42] 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.

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) CO_2E and 2005 GHG emissions are estimated at 7.82 $MMTCO_2E$, 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."[43]

Based on the BAAQMD's 2010 *CEQA Air Quality Guidelines*, projects that are consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions* would result in a less than significant impact with respect to GHG emissions. Furthermore, because San Francisco's strategy is consistent with AB 32 goals, projects that are consistent with San Francisco's strategy would also not conflict with the State's plan for reducing GHG emissions. As discussed in San Francisco's *Strategies to Address Greenhouse Gas Emissions*, new development and renovations/alterations for private projects and municipal projects are required to comply with San Francisco's ordinances that reduce greenhouse gas emissions. Applicable requirements are shown below in Table 6.

[43] 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.

Table 6. Regulations Applicable to the Proposed Project

Regulation	Requirements	Project Compliance	Discussion
Transportation Sector			
Commuter Benefits Ordinance (Environment Code, Section 421)	All employers must provide at least one of the following benefit programs: 1. A Pre-Tax Election consistent with 26 U.S.C. § 132(f), allowing employees to elect to exclude from taxable wages and compensation, employee commuting costs incurred for transit passes or vanpool charges, or (2) Employer Paid Benefit whereby the employer supplies a transit pass for the public transit system requested by each Covered Employee or reimbursement for equivalent vanpool charges at least equal in value to the purchase price of the appropriate benefit, or (3) Employer Provided Transit furnished by the employer at no cost to the employee in a vanpool or bus, or similar multi-passenger vehicle operated by or for the employer.	☐ Project Complies ☒ Not Applicable ☐ Project Does Not Comply	The retail component of the project that would have fewer than 20 employees and would not be required to comply with the commuter benefits ordinance.
Transit Impact Development Fee (Administrative Code, Chapter 38)	Establishes the following fees for all commercial developments. Fees are paid to the SFMTA to improve local transit services.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would include retail uses, which are required to comply with these regulations.
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.	☒Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project would include eight bicycle lockers to be located in the garage of the mixed use building. The project is required to provide eights spaces for 15 dwelling units (1 space for every 2 dwelling units).
Parking requirements for San Francisco's Mixed-Use zoning districts (*Planning Code* Section 151.1)	The *Planning Code* has established parking maximums for many of San Francisco's Mixed-Use districts.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project site is located in the Ocean Avenue Neighborhood Commercial District, which is required to comply with this section of the Code. With 15 off-street parking spaces for 15 dwelling units, the project complies with the parking maximums of the

Regulation	Requirements	Project Compliance	Discussion
			zoning district.
Energy Efficiency Sector			
San Francisco Green Building Requirements for Energy Efficiency (SF Building Code, Chapter 13C)	Commercial buildings greater than 5,000 sf will be required to be at a minimum 14% more energy efficient than Title 24 energy efficiency requirements. By 2008 large commercial buildings will be required to have their energy systems commissioned, and by 2010, these large buildings will be required to provide enhanced commissioning in compliance with LEED® Energy and Atmosphere Credit 3. Mid-sized commercial buildings will be required to have their systems commissioned by 2009, with enhanced commissioning by 2011.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Although below the square footage threshold, the proposed project, with 4,410 square feet of retail space at the ground floor, would voluntarily comply with the Green Building Ordinance, which would increase energy efficiency by a minimum of 15% beyond the 2005 Title 24 energy efficiency requirements.
San Francisco Green Building Requirements for Energy Efficiency (SF Building Code, Chapter 13C)	Under the Green Point Rated system and in compliance with the Green Building Ordinance, all new residential buildings will be required to be at a minimum 15% more energy efficient than Title 24 energy efficiency requirements.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would be required to comply with the Green Building Ordinance, which would increase energy efficiency by a minimum of 15% beyond the 2005 Title 24 energy efficiency requirements.
San Francisco Green Building Requirements for Stormwater Management (SF Building Code, Chapter 13C) Or San Francisco Stormwater 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.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would disturb over 5,000 square-feet, which would 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.
San Francisco Green Building Requirements for water efficient landscaping (SF Building Code, Chapter 13C)	All new commercial buildings greater than 5,000 square feet are required to reduce the amount of potable water used for landscaping by 50%.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Although below the square footage threshold, the proposed project, with 4,410 square feet of retail space at the ground floor, would voluntarily comply with the Green Building Ordinance for water efficient landscaping.

Regulation	Requirements	Project Compliance	Discussion
San Francisco Green Building Requirements for water use reduction (SF Building Code, Chapter 13C)	All new commercial buildings greater than 5,000 sf are required to reduce the amount of potable water used by 20%.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Although below the square footage threshold, the proposed project, with 4,410 square feet of retail space at the ground floor, would voluntarily comply with the Green Building Ordinance for water use reduction.
Residential Water Conservation Ordinance (SF Building Code, Housing Code, Chapter 12A)	Requires all residential properties (existing and new), prior to sale, to upgrade to the following minimum standards: 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. 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.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project is a mixed-use building with residential and retail uses. Therefore, the proposed project would be required to comply with the Residential Conservation Ordinance.
Renewable Energy Sector			
San Francisco Green Building Requirements for renewable energy (SF Building Code, Chapter 13C)	By 2012, all new commercial buildings will be required to provide on-site renewable energy or purchase renewable energy credits pursuant to LEED® Energy and Atmosphere Credits 2 or 6. Credit 2 requires providing at least 2.5% of the buildings energy use from on-site renewable sources. Credit 6 requires providing at least 35% of the building's electricity from renewable energy contracts.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project is the construction of a mixed-use building which would be required to comply with the San Francisco Green Building Code.
Waste Reduction Sector			
San Francisco Green	Pursuant to Section 1304C.0.4 of the	☒ Project Complies	The proposed project is the construction

Regulation	Requirements	Project Compliance	Discussion
Building Requirements for solid waste (SF Building Code, Chapter 13C)	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.	☐ Not Applicable ☐ Project Does Not Comply	of a mixed-use building which would be required to comply with the San Francisco Green Building Code.
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 refuse.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project is the construction of a mixed-use building which would be required to comply with the Mandatory Recycling and Composting Ordinance.
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.	☒ Project Complies ☐ Not Applicable ☐ 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.
Environment/Conservation Sector			
Street Tree Planting Requirements for New Construction (*Planning Code* Section 428)	*Planning Code* Section 143 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.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	*Planning Code* Section 143 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. In conformance with *Planning Code* section 143, the proposed project would plant the required number of trees along Ocean and Miramar Avenues for every 20 feet along the property lines.
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: • Pellet-fueled wood heater • EPA approved wood heater • Wood heater approved by the Northern Sonoma Air Pollution Control District	☒ Project Complies ☐ Not Applicable ☐ 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.*[44] As such, the proposed project would result in a ***less than significant impact*** with respect to GHG emissions.

E.9 Wind and Shadow

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

Impact WS-1: The proposed project would result in less-than-significant impacts on wind patterns. (Less than Significant)

Wind impacts are generally caused by large building masses, generally ten stories or more, extending substantially above their surroundings, and by buildings oriented so that a large wall catches a prevailing wind, particularly if such a wall includes little or no articulation. The proposed project would demolish an existing gasoline service station and construct a 45-foot-tall, four-story mixed-use building. The predominate scale of development surrounding the project site is two-story commercial buildings, reaching approximately 20-35 feet in height, surrounded by a residential-over commercial corridor and a low-density residential development. Although about 10 feet taller than the existing structures along the Ocean Avenue corridor, the proposed project is not substantially greater in height such that it would result in adverse effects on ground level winds. Thus, the implementation of the proposed project would result in a ***less-than-significant*** impact to wind patterns in the vicinity of the Project.

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[44] Greenhouse Gas Analysis: Compliance Checklist. February 10, 2011. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400.

Impact WS-2: The proposed project in combination with other past, present or reasonably foreseeable projects would result in less-than-significant cumulative impacts on wind patterns. (Less than Significant)

Based on the information provided above, the proposed project, along with other potential and future development in the vicinity, such as the projects proposed or under construction at 281 Granada Avenue, 1760 Ocean Avenue, and 1150 Ocean Avenue, would not result in a significant wind impact in the project vicinity. It is anticipated that design of these developments would limit building height to be consistent 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***.

Impact WS-3: 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 in November 1984) in order to protect public open spaces under the jurisdiction of the Recreation and Park Commission from shadowing by new and altered structures during the period between one hour after sunrise and one hour before sunset, year round. Section 295 restricts new shade and shadow upon public open spaces under the jurisdiction of the Recreation and Parks Department by any structure exceeding 40 feet in height unless the Planning Commission finds the shadow to be an insignificant effect. The proposed project, which would demolish a gasoline service station and construct a 45-foot tall mixed-use building, would be subject to Section 295 of the *Planning Code.*

The closest public open spaces in the vicinity of the project site that falls under the jurisdiction of the Recreation and Park Department are Aptos Park (half-mile west of the project site), Minnie and Lovie Ward Recreation Center and Oceanview Park (half-mile south of the project site, Lakeview and Ashton Mini Park (half-mile southwest of the project site), and Brooks Park (one mile southwest of the project site). A shadow fan was developed by the Planning Department to determine the shadow impact of the project on properties protected by Section 295. The proposed building would not be tall enough to result in additional shading on any of these open spaces. Because the proposed building would be constructed in a densely developed urban area similarly scaled to the surrounding structures, and because Recreation and Park Department public open spaces are not in the project vicinity, the proposed project is expected to result in less-than-significant shadow effects.

It is the intent of CEQA to address shadow of all public open spaces, not just those under the jurisdiction of the Recreation and Parks Department. There is one public open space within the project vicinity that is not under Recreation and Parks Department jurisdiction. That is City College of San Francisco east of Phelan Avenue and north of Ocean Avenue. The Department's shadow fan showed that the proposed building would not result in additional shading on that

public open spaces outside of Recreation and Parks Department jurisdiction; all public open space in the vicinity would remain usable, and the proposed project would thus result in no impact.

The proposed project could, however, add new shade to portions of the public right-of-way (streets and sidewalks) within the project vicinity because the proposed building would be larger in massing than the existing gasoline service station. New shading that would result from the proposed project is expected to be limited in scope and would not increase the total amount of shading above levels that are common and generally accepted in urban areas. As such, increased shadow as a result of the proposed project would be considered ***less than significant*** under CEQA.

Impact WS-3: The proposed project, in combination with other past, present or reasonably foreseeable projects would result in less-than-significant shadow impacts. (Less than Significant)

The proposed project, along with the development included as part of the Balboa Park Area Plan, Phelan Loop and Kragen Auto Parts Sites, and CCSF, 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***.

E.10 Recreation

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

Impact RE-1: The proposed project would result in less-than-significant impacts related to an increase in the use of existing parks and recreational facilities, the deterioration of such facilities, or require the expansion of recreational facilities. (Less than Significant)

The closest public open spaces in the vicinity of the project site that falls under the jurisdiction of the Recreation and Park Department are Aptos Park (half-mile west of the project site), Minnie and Lovie Ward Recreation Center and Oceanview Park (half-mile south of the project site, Lakeview and Ashton Mini Park (half-mile southwest of the project site), and Brooks Park (one mile southwest of the project site). City College of San Francisco, east of Phelan Avenue and north of Ocean Avenue, is not under Recreation and Parks Department jurisdiction but is a public open space.

The proposed project would demolish a gasoline service station and construct a four-story mixed-use building with 15 residential units and 4,410 sf of ground-floor commercial space. As described in Section E.3, Population and Housing, the proposed development of 15 dwelling units would result in an on-site population increase of approximately 41 residents, and the 4,410 sf retail component of the proposed project would employ approximately 13 people using standard calculations.[45] As noted, the existing parking lot employs six people. The project would thus result in the addition of seven net new jobs and 41 new residents on the project site. Given the size of the project, this would result in a less-than-significant impact on existing recreational facilities in the project vicinity. Residents of the proposed project would likely use Aptos Park, Minnie and Lovie Ward Recreation Center and Oceanview Park, Lakeview and Ashton Mini Park, and Brooks Park. Based on the number of parks and the small increase in population due to the proposed project, the parks in the project vicinity would accommodate this demand. Residents could also use other parks and recreational facilities throughout the City and Bay Area.

The proposed project would provide on-site open space for passive recreational use for project residents through a combination of private decks and a common roof deck. The provision of private and common open space would provide recreation and outdoor opportunities on site, thereby reducing the demand of the project on surrounding recreation areas.

Therefore, the proposed project is unlikely to result in a substantial increased use of existing regional and neighborhood parks or other recreational facilities within the project vicinity. The proposed project would also not require the construction or expansion of recreational facilities, nor would it physically degrade existing recreational resources. The proposed project would have no effect on recreational resources within the project vicinity and this impact would be considered ***less than significant***.

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[45] The project's estimated residential occupancy is based on 2.76 persons per household, based on the US Census Bureau's Average Household Size (P17) information for Census Tract 310. The estimated number of retail employees is based on the project's proposed retail space (4,410 sf) divided by 350 employees per square foot, derived from Table C-1 of the *Transportation Impact Analysis Guidelines*, San Francisco Planning Department, October 2002.

Impact RE-2: The proposed project, in combination with other past, present, or reasonably foreseeable projects would result in less-than-significant impacts to recreational resources. (Less than Significant)

The Balboa Park Area Plan EIR accounts for the projected population increase of about 4,095 net new residents. The Plan anticipated the overall demand for recreational facilities, inclusive of the residents of the project at 1490 Ocean Avenue, as part of the foreseeable increase in park and recreational facility use. This includes use of Balboa Park, a 24-acre site that includes a park, a public swimming pool, a children's playground, a stadium, baseball diamonds, tennis courts and the Ingleside police station. The Area Plan EIR did not identify any significant impacts to recreational facilities in the Area Plan. The project's 41 additional residents would not have a cumulatively considerable impact on the recreational facilities of the Balboa Park Station Area Plan. Thus, the proposed project would not result in cumulatively considerable impacts to recreational resources and this impact would be considered ***less than significant***.

E.11 Utilities and Service Systems

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

Impact UT-1: The proposed project would not exceed the wastewater treatment requirements of the Regional Water Quality Control Board, require or result in the construction of new, or

expansion of existing, water, wastewater treatment facilities, or stormwater drainage facilities and the proposed project would be adequately served by the City's wastewater treatment provider. (Less than Significant)

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 Pacific Ocean. The project site is entirely covered with impervious surfaces and would therefore not affect the amount of stormwater stormwater discharged from the project site. The proposed demolition of the existing service station and construction of an approximately 21,000 sf mixed-use building would incrementally increase the demand for wastewater treatment; however, 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. Therefore, the proposed project would have a ***less than significant*** impact on San Francisco's wastewater and stormwater systems.

Impact UT-2: The proposed project would increase the amount of water used on the site, but would be adequately served by existing entitlements and water resources. (Less than Significant)

The proposed project would increase the amount of water required to serve mixed-use development. However, the proposed project would also demolish a gasoline service station, which would also decrease the amount of water required to serve the project as those uses would cease to exist. Regardless, 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 Watershed Management Plan*.[46] Additionally the project 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 increase the amount of solid waste generated on the project site, but would be adequately served by the City's landfill and would comply with federal, state and local statutes and regulations related to solid waste. (Less than Significant)

San Francisco's solid waste, following the sorting of recyclable materials at the Norcal transfer station near Candlestick Park, is disposed of at the Altamont Landfill in Alameda County and is required to meet federal, state and local solid waste regulations. San Francisco residents currently divert approximately 77 percent of their solid waste to recycling and composting, meeting the City's goal of 75 percent diversion by 2010.[47] With waste diversion and expansions that have occurred at the Altamont Landfill, there is adequate capacity to accommodate San Francisco's

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[46] 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.

[47] San Francisco Department of the Environment. Zero Waste. Website available at:: http://sfgov.org/site/frame.asp?u=http://www.sfenvironment.org. Accessed September 17, 2010.

solid waste. The solid waste associated with the proposed project's demolition of the existing buildings on-site would be required to divert 75 percent of all non-hazardous construction waste for recycling and reuse, as required by the Construction, Demolition and Debris Ordinance. Therefore, solid waste generated from the project's demolition and operation would not substantially affect the projected life of the landfill and impacts from solid waste generation or impacts on solid waste facilities would be ***less than significant.***

Impact UT-4: The proposed project in combination with other past, present, or reasonably foreseeable projects would result in less-than-significant impacts to utilities and service systems. (Less than Significant)

Cumulative development in the project area, including the proposed forecasted development and projects in the Balboa Park Area Plan, would incrementally increase demand on Citywide utilities and service systems. Given that the City's existing service management plans address anticipated growth in the region, the proposed project would not be expected to have a considerable effect on utility service provision or facilities under cumulative conditions.

E.12 Public Services

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

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

Impact PS-1: The proposed project would result in less-than-significant impacts to public services including police and fire protection and schools and parks. (Less than Significant)

Police and Fire Protection

The project site currently receives police and fire protection services from the San Francisco Police Department (SFPD) and the San Francisco Fire Department (SFFD), respectively. The proposed project would result in demolition of an existing gasoline service station and construction of a four-story building with 15 residential units over 4,410 sf of ground-floor commercial space, and a 15-vehicle at-grade parking garage. As such, overall demand for fire suppression and police service in the area is not expected to increase substantially as a result of the proposed project.

The project site is within the Ingleside Police District. The police station that serves the site is located at 1 John V. Young Ln., approximately three-quarter miles east of the project site. Fire Station No. 33 would serve the project site and is located at 8 Capitol Avenue, approximately 1 mile south of the project site. The proposed project would be equipped with fire prevention systems, such as fire sprinklers, smoke alarms and fire alarms.

The proposed project is not anticipated to substantially increase the number of service calls received from the project site and immediate vicinity. Therefore, the proposed project would result in ***less than significant impacts*** to police and fire services.

Schools and Parks

The closest public schools to the project site are City College of San Francisco, located approximately a half-mile from the project site at 50 Phelan Avenue; Aptos Middle School at 150 Aptos Avenue, located approximately three-quarter miles northwest of the project site; Sunnyside Elementary School at 250 Foerster Street, located approximately three-quarter miles northeast of the project site; and James Denman Middle School, located at 241 Oneida Street approximately one mile east of the project site. The project's proposed residential use would generate about 41 residents and seven new employees and is not likely to attract new employees to San Francisco or substantially increase the population in the vicinity. Since the proposed project is not likely to generate a substantial number of new students, the project would not increase the need for new or expanded school facilities and the proposed project would have ***a less-than-significant impact*** on public schools.

As discussed in Section E.9, the closest open spaces to the proposed project are located approximately one-half mile from the project site. The proposed project would not result in substantial adverse physical impacts from the construction or need for new parks and the proposed project would have ***a less-than-significant impact*** on park services.

Impact PS-2: The proposed project in combination with other past, present or reasonably foreseeable projects would result in less-than-significant public services impacts. (Less than Significant)

Cumulative development in the project area, including the proposed forecasted development and projects in the Balboa Park Area Plan, 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.

E.13 Biological Resources

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

Impact BI-1: The proposed project would have no impact on special status species, avian species, 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 area around the project site are covered with structures and other impermeable surfaces. There are two 15- to 20-foot-tall Queen Palm trees (*Syagrus romanzoffiana*) planted in the southwestern sidewalk frontage of the project site along Ocean Avenue. These two street trees would be removed for the project and replaced with nine new street trees. No federally protected wetlands or riparian habitat occur on the project site or in the immediate vicinity. The project site does not fall within any local, regional, or state habitat conservation plans. Therefore, the proposed project would have ***no impact*** on wetlands, riparian habitat, and habitat conservation plans.

The project site and its immediate vicinity are highly developed with residential and commercial uses. Resident and migratory species, and rare, threatened, or endangered species are not

affected by the existing buildings and hence the proposed project would not interfere with any such species. Therefore, the proposed project would have no impact on sensitive species and resident and/or migratory birds, and would not conflict with any local policies or ordinances directed at protecting biological resources.

Because the proposed structure on the project site would be taller than adjacent structures, construction of the proposed building could result in some change in sunlight exposure for the rear yards of other properties on the same block as the project site. Such changes would be an unavoidable consequence of the proposed project and could be undesirable for those individuals affected by the proposed building. However, these neighboring rear yard areas do not provide habitat that supports any special status wildlife species or plant communities. Fully-developed blocks with buildings constructed with required rear yards, such as the project block, are common in a dense urban setting such as San Francisco. Given the conditions present on the project site and in the project vicinity, the project would not be expected to interfere with wildlife movement or impede the use of any wildlife nursery sites. While project-related changes in conditions for vegetation might be of concern to affected property owners or tenants, it would be considered ***less-than-significant*** pursuant to CEQA.

Impact BI-2: The proposed project would not interfere with the movement of native resident or wildlife species or with established native resident or migratory wildlife corridors. (Less than Significant)

The City has recognized the documented risks that structures in the urban setting may present for birds, and has adopted Standards for Bird-Safe Buildings to describe the issue and provide guidelines for birdsafe design within the City. The policy document was adopted by the Planning Commission on July 15, 2011. The City is currently drafting an ordinance to specify recommendations for bird-safe design within the City. These guidelines propose a three-pronged approach to the problem: 1) establishment of requirements for the most hazardous conditions; 2) use of an educational checklist to educate project sponsors and their future tenants on potential hazards; and 3) creation and expansion of voluntary programs to encourage more bird-safe practices including acknowledging those who pursue certification through a proposed new program for "bird-safe building" recognition.

The combination of project characteristics that present the greatest risk to birds are called "bird-hazards." For example, buildings located within or immediately adjacent to open spaces of more than two acres with lush landscaping or buildings located immediately adjacent to open water or on a pier may be considered to have a bird hazard. The proposed project would not create bird hazards such as those.

Another type of bird-hazard is called a "bird-trap," which is a building-specific feature unrelated to the location of the building that create hazards for birds in flight. Bird-traps include transparent building corners, clear sightlines through a building broken only by glazing, clear glass walls, or a greenhouse on rooftops and balconies that have large, unbroken glazed segments. The proposed project is not on a migration corridor and is in a moderately dense urban

commercial corridor. Therefore the proposed project would have a ***less-than-significant*** impact on native and migratory wildlife species.

Impact BI-3: The proposed project would not conflict with the City's local tree ordinance. (Less than Significant)

Article 16 of the *San Francisco Public Works* Code, the Urban Forestry Ordinance, provides for the protection of "landmark" trees, "significant" trees, and street trees. Landmark trees are formally designated by the Board of Supervisors upon recommendation of the Urban Forestry Council, which determines whether a nominated tree meets the qualifications for landmark designation by using established criteria (*San Francisco Public Works* Code, Section 810). Special permits are required to remove a landmark tree on private property or on City-owned property. A "significant tree" is a tree: (1) on property under the jurisdiction of the Department of Public Works, or (2) on privately-owned property within 10 feet of the public right-of-way that meet certain size criteria. To be considered significant, a tree must have a diameter at breast height in excess of 12 inches, a height in excess of 20 feet, or a canopy in excess of 15 feet (Section 810A(a)). Street trees are trees within the public right-of-way or on DPW's property. Removal of protected trees requires a permit, and measures to prevent damage to those trees.

There are no landmark or significant trees on the property. There are two 15- to 20-foot-tall Queen Palm trees (*Syagrus romanzoffiana*) planted in the southwestern sidewalk frontage of the project site along Ocean Avenue. None of the trees proposed for removal are considered "significant" under Public Works Code Article 16, Urban Forestry Ordinance, Section 810A, Significant Trees, as they do not meet the size requirements stated in Section 810A. Therefore, the project would not conflict with the City's local tree ordinances resulting in a ***less-than-significant*** impact.

Impact BI-4: The proposed project in combination with other past, present or reasonably foreseeable projects would not result in impacts to biological resources. (Less than Significant)

As described above, it is not likely that the project site contains or supports important biological resources. As stated above, the project would involve removal of sidewalk trees. Cumulative development in the project vicinity, which consists almost entirely of impervious surfaces, would not combine with the project to result in cumulative impacts to biological resources. Thus, the proposed project, in combination with forecasted development in the Balboa Park Area Plan, would not have cumulatively considerable impacts on biological resources.

E.14 Geology and Soils

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
14. GEOLOGY AND SOILS— Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
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.)	☐	☐	☒	☐	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	☐
iv) Landslides?	☐	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☐	☒
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?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
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?	☐	☐	☐	☐	☒
f) Change substantially the topography or any unique geologic or physical features of the site?	☐	☐	☐	☐	☒

The project site, as indicated in Section E.11 Utilities and Service Systems, is currently served by the City's combined sewer system. Therefore, the project site would not require the use of septic systems. The project site is not located on expansive soil, would not substantially alter the topsoil, topography or unique geological or physical features of the site. As such, topics E.14.b, E.14.e, and E.14.f are not discussed in detail below.

Impact GE-1: The proposed project would result in less-than-significant impacts related to exposure of persons or structures to seismic and geologic hazards. (Less than Significant)

The project site is not in an Alquist-Priolo Special Studies Zone, and no known active faults exist on or in the immediate vicinity of the project site. 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 ground shaking from earthquakes along the San Andreas and Northern Hayward faults and other faults in the San Francisco Bay Area (Maps 2 and 3 of the

Community Safety Element). The site is not located in a Seismic Hazards Study Zone in an area of liquefaction potential (Map 4) or in an area subject to landslide (Map 5 of the Community Safety Element) as designated by the California Division of Mines and Geology. [48] As such, the proposed project would have ***no impact*** with respect to potential landslide-induced hazards.

The proposed project would be required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. Decisions about appropriate foundation design and whether additional background studies are required would be considered as part of the Department of Building Inspection (DBI) review process. The project sponsor would use a two-foot-deep mat slab foundation. Background information provided to DBI would ensure the security and stability of adjoining properties as well as the subject property during project construction. Therefore, potential damage to structures from geologic hazards on the project site would be addressed through the DBI requirement for a geotechnical report and review of the building permit application pursuant to the project's implementation of the Building Code. Any changes incorporated into the foundation design required to meet the Building Code standards that are identified as a result of the DBI review process would constitute minor modifications of the project and would not require additional environmental analysis. In light of the above, the proposed project would result in ***less-than-significant*** effects related to seismic and geologic hazards.

In the process of implementing current site remediation, groundwater was encountered at depths ranging from 25.5 to 30.5 feet below ground surface (bgs).[49] Given the maximum depth of excavation for removal of three existing underground storage tanks, it is unlikely that groundwater would be encountered during project construction. However, any groundwater encountered during construction of the proposed project would be subject to requirements of the City's Industrial Waste Ordinance (Ordinance Number 199-77), requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system. The Bureau of Environmental Regulation and Management of the San Francisco Public Utilities Commission must be notified of projects necessitating dewatering, and may require water analysis before discharge. Should dewatering be necessary, the final soils report would address the potential settlement and subsidence impacts of this dewatering. Based upon this discussion, the report would contain a determination as to whether or not a lateral movement and settlement survey should be done to monitor any movement or settlement of surrounding buildings and adjacent streets. If a monitoring survey is recommended, the Department of Public Works would require that a Special Inspector (as defined in Article 3 of the Building Code) be retained by the project sponsor to perform this monitoring. Groundwater observation wells would be installed to monitor potential settlement and subsidence. If, in the judgment of the Special Inspector, unacceptable movement were to occur during dewatering, groundwater recharge would be used to halt this settlement. Costs for the survey and any necessary repairs to service lines under the street would be borne by the project sponsor.

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[48] United States Geological Survey and California Geological Survey, *Geologic Map*, August 2006.

[49] Delta Consultants, Inc., *Quarterly Status and Remedial Summary Report, Third Quarter 2008*. January 12, 2008.

Any potential geologic or seismic hazards would be addressed through the DBI requirement for a geotechnical report and review of the building permit application; thus, the project would result in ***less-than-significant*** impacts related to seismic and geologic hazards.

Impact GE-2: The proposed project would result in less-than-significant impacts related to soil erosion or substantial changes in the project site's topography or any unique geologic or physical features of the site. (Less than Significant)

The project site is generally flat with an elevation of approximately 260 ft above mean sea level (msl). The project site is almost entirely covered with impervious surfaces, except for a small landscaped are at the southwest corner of the project site. The upper one to 4.5' of subsurface on the eastern portion is underlain by fill material. The western portion of the site is underlain with fill material from one to 13 feet below ground surface (bgs). Below the fill is early Pleistocene alluvium.[50]

The proposed project would demolish an existing gasoline service station and construct a four-story building with 15 residential units over 4,410 sf of ground-floor commercial space, and a 15-vehicle at-grade parking garage. All improvements would be made on currently impervious surfaces and the proposed project would not increase the amount of impervious surfaces. Given that the site is already covered with impervious surfaces, the proposed project would not result in substantial soil erosion or the loss of topsoil and impacts resulting from soil erosion or loss of topsoil would be considered ***less than significant***.

Impact GE-3: The proposed project in combination with other past, present or reasonably foreseeable projects would result in less-than-significant impacts to geology and soils. (Less than Significant)

Geology impacts are generally site specific and in this setting would not have cumulative effects with other projects. Thus, the project would not contribute to any significant cumulative effects on geology or soils.

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[50] United States Geological Survey and California Geological Survey, *Geologic Map*, August 2006.

E.15 Hydrology and Water Quality

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?	☐	☐	☒	☐	☐
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐	☐
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion of siltation on- or off-site?	☐	☐	☒	☐	☐
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☒	☐	☐
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐	☐
f)	Otherwise substantially degrade water quality?	☐	☐	☒	☐	☐
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	☐	☐	☐	☒	☐
h)	Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☒	☐	☐
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?	☐	☐	☐	☒	☐
j)	Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	☐

Impact HY-1: The proposed project would not violate any water quality standards or waste discharge requirements and would result in less-than-significant impacts to water quality. (Less than Significant)

The proposed project would not substantially degrade water quality or contaminate a public water supply. As discussed in Section E.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, excavation, and expansion of the existing footings. 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 with groundwater recharge, or otherwise substantially alter the existing drainage pattern of the site resulting in erosion or flooding on- or off-site. (Less than Significant)

The proposed project would not substantially affect groundwater or alter the existing drainage pattern of the site. The proposed project does not involve the alteration of any hydrologic features, such as a stream or river. The proposed project would not increase impermeable surfaces on the project site and would therefore not increase the amount of surface runoff that drains into the City's combined sewer system. The project would require excavation to a depth of up to 18 feet to remove three existing underground storage tanks. Additionally, as discussed in Section E.16, Hazards and Hazardous Materials, additional excavation may be required to removed soils that contain hazardous materials. Previous site remediation encountered groundwater at approximately 25.5 to 30.5 ft bgs. Although groundwater is not likely to be encountered during construction, if it is encountered dewatering could be required. As previously discussed in Section E. 14 Geology and Soils, this dewatering would be minor and would not interfere substantially with groundwater resources, nor would it cause a lowering of the groundwater table level. Therefore, the proposed project would not substantially alter existing groundwater or surface flow conditions, and impacts on groundwater and site runoff would be ***less than significant.***

Impact HY-3: The proposed project would not result in an increase in risks from flood, tsunami, seiche or mudflow. (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 of San Francisco for review and comment by the City. The City has submitted comments on the preliminary FIRM to FEMA. FEMA anticipates publishing a revised preliminary FIRM in 2011, after completing the more detailed analysis that Port and City staff requested in 2007. After reviewing 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 the 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).[51] 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.

[51] City and County of San Francisco, Office of the City Administrator, National Flood Insurance Program Flood Sheet, http://www.sfgov.org/site/uploadedfiles/risk_management/factsheet.pdf, accessed July 31, 2008

According to the preliminary map, the project site is not located within a flood zone designated on the City's interim floodplain map. Therefore, the project would result in ***less than significant*** impacts related to placement of structures within a 100-year flood zone.

According to *General Plan's* Community Safety Element, the project site is not located within an area subject to tsunami run up or levee or dam failure.[52] The project site does not pose a significant risk from seiche or mudflow either. Therefore, the proposed project would have a ***less than significant*** impact with respect to risks from tsunami run up, dam failure, seiche or mudflow.

Impact HY-4: The proposed project in combination with other past, present, or reasonably foreseeable project would result in less-than-significant hydrology and water quality impacts. (Less than Significant)

The proposed project would have a less-than-significant impact on water quality standards, groundwater, drainage, or runoff, and thus would not contribute considerably to cumulative impacts in these environmental topic areas. Similarly, the project would not contribute considerably to any potential cumulative stormwater impacts. Flood and inundation hazards are site-specific; thus, the proposed project would have no cumulatively considerable impacts. Cumulative development, including the proposed forecasted development and projects in the Balboa Park Area Plan, could result in intensified uses and a cumulative increase in wastewater generation. The SFPUC, which provides wastewater treatment for the City, has accounted for such growth in its service projections. Thus, the project would not contribute to any cumulatively considerable impacts on hydrology or water quality.

E.16 Hazards and Hazardous Materials

Topics:		*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
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?	☐	☐	☒	☐	☐
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?	☐	☒	☐	☐	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒	☐

[52] San Francisco *General Plan*, Community Safety Element. Maps 6 and 7.

Topics:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
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?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☐	☒
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?	☐	☐	☐	☐	☒
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐	☐
h)	Expose people or structures to a significant risk of loss, injury or death involving fires?	☐	☐	☒	☐	☐

The project site is not located within an airport land use plan area, nor is it in the vicinity of a private airstrip. Therefore, criteria E.16e and E.16f are not applicable to the proposed project.

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 demolition of a gasoline service station and construction of a new mixed-use development containing residential and commercial uses, which would result in decreased use of quantities of hazardous materials for routine purposes. The project would likely result in additional handling of common types of hazardous materials, such as cleaners and disinfectants. These products are labeled to inform users of their 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 resulting from hazardous materials. Thus, the project would result in ***less-than-significant*** impacts related to the use of hazardous materials.

Impact HZ-2: The proposed project may create a significant hazard to the public or the environment through reasonably foreseeable conditions involving the release of hazardous materials into the environment. (Less than Significant with Mitigation)

The proposed project would demolish the existing gasoline service station and construct a new mixed-use development containing residential and commercial uses. Potential issues associated with hazards on the project site result from the property's current use as a gas station and the age of the existing onsite structure.

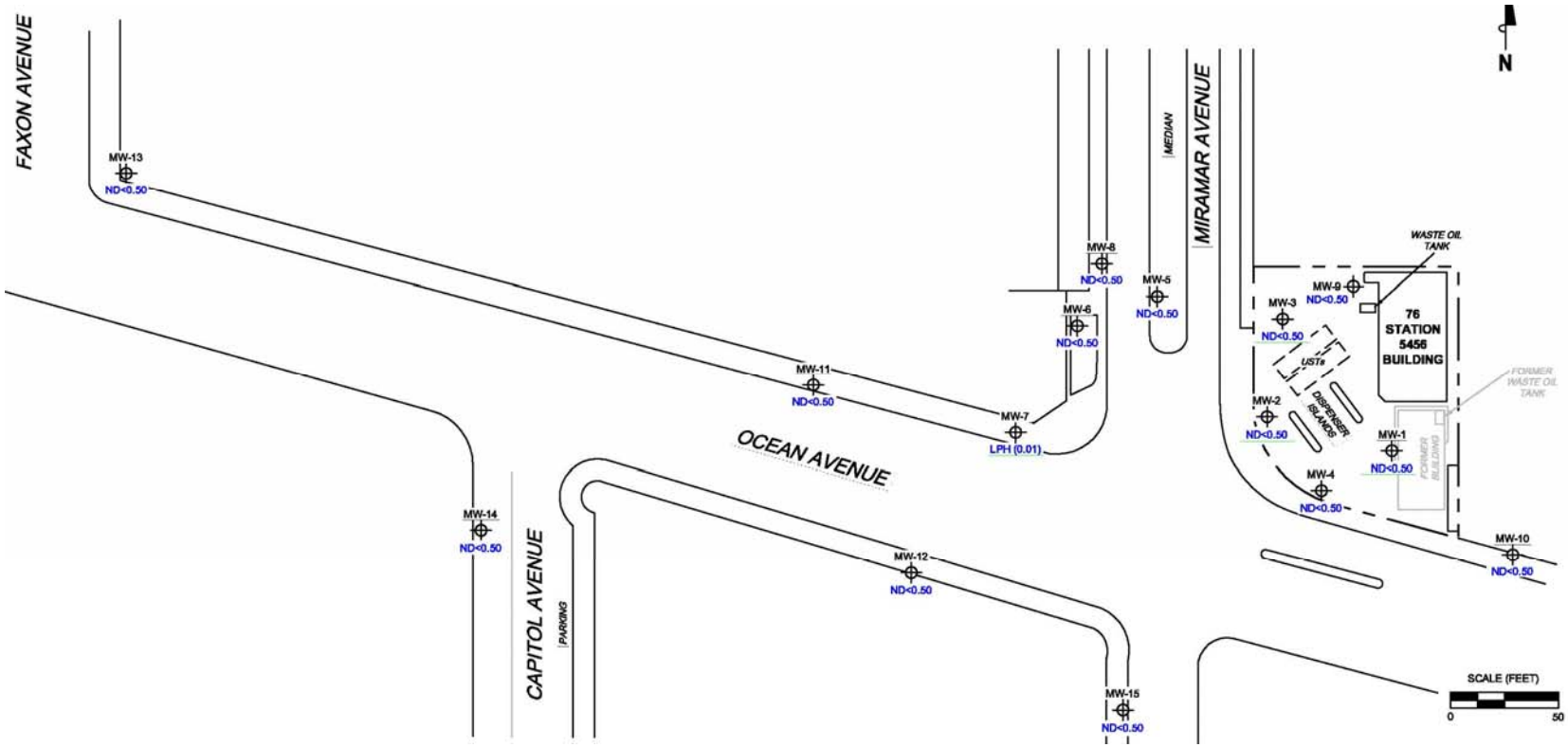
Site History

This site has been in operation as a gasoline service station since the mid 1960s. Environmental contaminants were discovered from a leaking underground storage tank on the project site in late 1989, and the San Francisco Department of Public Health-Local Oversight Program (DPH-LOP) has monitored these contaminants since 1990.[53] Contaminant types, levels, and remediation methods and effectiveness have been evaluated and documented in Quarterly Monitoring Reports since their discovery. This section addresses the historic and current contamination levels and remediation on and around the project site as described in the latest Quarterly Monitoring Report dated November 9, 2010.

According to the November 9, 2010 Quarterly Monitoring Report, three underground storage tanks (USTs), were removed from the project site in October 1989. During their removal no cracks or holes in the tanks were observed. However, soil samples taken from around the tank excavations at depths ranging from 14.5 feet to 20.5 feet bgs indicated the presence of total petroleum hydrocarbons as gasoline (TPHg), total petroleum hydrocarbons as diesel (TPHd), and total oil and grease (TOG). Concentrations of benzene, toluene, ethyl-benzene, and total xylenes (BTEX) were also found but below the laboratory's indicated reporting limits. Soil samples taken in November 1989 around product pipe trenches showed concentrations of TPHg and BTEX. In December 1989, further excavation was completed around the area of a previously excavated USTs to remove contaminated soil. More soil sampling was conducted in that area and TOG was discovered but at levels below the laboratory's indicated reporting limit.

As a result, ten monitoring wells were installed and six exploratory borings were taken over the next two years, from April 1990 to February 1992. The monitoring wells (MW) (see Figure 6, next page) were drilled to depths of about 40 feet bgs. The six exploratory borings were drilled to between 27.5 to 30.5 feet bgs. Groundwater was encountered during their drilling at depths ranging from 25.5 to 30.5 feet bgs. Soil samples collected from the monitoring wells showed TPHg and BTEX contamination at MW-2 through MW-8. Soil samples collected from the exploratory borings reported TPHd and TPHg with the highest concentrations of hydrocarbons occurring at 15 feet bgs.

[53] Antea Group. *Quarterly Monitoring Report – October through December 2010,* November 9, 2010. A copy of this report is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case File No. 2008.0538E.



LEGEND

MW-15 ⊕ Monitoring Well

Figure 8
Monitoring Well Locations

Source: Delta Consultants
May not be to scale

A soil vapor extraction (SVE) pilot test was conducted at the project site in January 1996 using MW-2 as the test extraction well. The SVE pilot test concluded that SVE was a feasible remediation method for removing petroleum hydrocarbons in the soil. In January 1999, two additional monitoring wells were installed (MW-11 and MW-12). Their boreholes were advanced to approximately 36 feet bgs with soil samples collected at five foot intervals from each borehole. Soil samples were analyzed for TPHg, BTEX, and methyl tertiary butyl ether (MTBE). BTEX was discovered in a sample collected at 20.5 feet deep in MW-11.

To remediate contamination at and around the site, ConocoPhillips installed a H2 Oil catalytic oxidizer (remediation equipment) during the second quarter of 1999 and began operation of a SVE system in November 1999. The SVE system drew vapor from wells MW-2, MW-3, MW-4, and MW-6. The extracted vapor went to a knock-out tank and then passed through a process blower equipped with a re-circulation valve, across a heat exchanger and through the catalyst. Processed air was then discharged into the atmosphere.

The SVE system was shut down pending repair and renewal of the air discharge permit that expired during the third quarter of 2004. In March 2005, the Bay Area Air Quality Management District approved the new air discharge permit and the SVE system began operation again. The SVE system was shut down in July 2009 to conduct further testing. The system would not restart due to equipment failure. The system has not been restarted and has been shut down since 2009. An evaluation of the operating parameters (i.e., influent hydrocarbon concentrations), indicate it is not cost effective to operate the existing system.

To date the SVE system had removed a total of 47,397 total pounds of TPHg, 572 pounds of benzene, and 6.2 pounds of MTBE. The removal of the SVE system has been recommended. In its place for remediation purposes, an enhanced biodegradation pilot test is under consideration.

In March 2000, the product dispensers, dispenser islands, and fiberglass product lines were removed. The product lines appeared to be in good condition, with no sign of holes, leaks or cracks. Four soil samples were collected from native soil immediately beneath the four dispenser locations at 3.5 to six feet bgs. These samples contained TPHg, benzene, and one sample contained MTBE.

Groundwater Contamination

The site has been monitored and sampled for groundwater contamination on a quarterly basis since 1993. The groundwater gradient has been primarily to the west and north-west. Historical groundwater analytical data indicates that dissolved-phase petroleum hydrocarbons have historically been present in wells MW-1 through MW-8 and MW-10 through MW-12. Separate-phase hydrocarbons (SPH) have been measured intermittently in MW-2, but no SPH have been measured in this well since February 2000. SPH have also been measured intermittently in MW-7. Monthly SPH bailing was implemented as remediation in both wells MW-2 and MW-7 in August 1995. Historically, MTBE has been reported in each of the site wells, but has not been

reported in the wells since June 2003 (or earlier in some wells), with the exception of well MW-10. Additional monitoring wells (MW-13, MW-14, MW-15) were installed in January 2009.

Monthly purging to remediate groundwater contamination in the amount of 50-gallons of groundwater took place between 1996 and 2007 in well MW-2 due to the historical presence of liquid phase hydrocarbons (LPH). Since February 2000, measureable LPH has not been observed in the well. MW-7 was also purged on a monthly basis between December 1996 and December 2003 due to the presence of LPH. LPH has not been observed in well MW-7 since the 2008. Overall, approximately 0.52 gallons and 0.98 gallons of LPH have been removed from wells MW-2 and MW-7.

Off-Site Migration

Results from sampling of recently installed monitoring wells MW-13, MW-14, and MW-15 indicate a petroleum hydrocarbon plume has been assessed south and west of the site in the direction of wells MW-13 and MW-15. The plume is comprised of primarily weathered gasoline with residual concentrations of benzene and toluene. These hydrocarbons appear to have migrated in the direction of groundwater flow along Ocean Avenue and are currently centered in the vicinity of MW-7.

Fourth Quarter 2010 Monitoring and Sampling Results

As previously mentioned, the project site has been monitored and sampled since the second quarter of 1990. Fifteen wells (MW-1 through MW-15) are monitored each quarter. Nine wells (MW-2, MW-4 through MW-8, MW-11, MW-12, and MW-14) are sampled quarterly and six wells (MW-1, MW-3, MW-9, MW-10, MW-13, and MW-15) are sampled on a semi-annual basis during the second and fourth quarters. Groundwater samples are analyzed for TPHg, BTEX, and MTBE by Environmental Protection Agency (EPA) Method 8260B. Since 2008, a full volatile organic compound (VOC) analysis by EPA Method 8260 has been performed as part of the sampling program. Fourth quarter 2010 monitoring and sampling was conducted in October 2010 during which 15 wells were gauged and 14 wells were sampled. Below are the reported contaminant levels:

- TPHg was found in eight of the 14 wells with a maximum concentration in monitoring well MW-14;
- Benzene was found in two of the 14 wells sampled with a maximum concentration in monitoring well MW-14;
- Toulene was found in two of the 14 wells sampled with a maximum concentration in monitoring well MW-11;
- Ethyl-benzene was found in four of the 14 wells sampled with a maximum concentration in monitoring well MW-11;
- Total xylenes were found in four of the 14 wells sampled with a maximum concentration in monitoring well MW-11;
- MTBE was below the laboratory's indicated reporting limit in all wells sampled; and

- Other VOCs, including tetrachloroethene (PCE), were found in all 14 wells sampled. Trichloroethene (TCE) was found in five of the 14 monitoring wells. 1,2,4-trimethylbenzene was found in five of the 14 wells. 1,3,5-trimethylbenzene was found in three of the 14 wells sampled.
- LPH was present in well MW-7.

General Trends

Review of historical groundwater analytical data indicated that concentrations of petroleum hydrocarbons, mainly THPg, have declined over time in the majority of the site wells. The highest TPHg concentrations over recent sampling have been reported in on-site well MW-2, and off-site wells MW-5, MW-6, MW-7, MW-8, MW-10, MW-11, and MW-14. Reported concentrations of TPHg in wells MW-2 and MW-5 through MW-8 have been stable and generally decreasing over time.

Hazardous Materials Contamination

In accordance with the California Health and Safety Code, Sections 101480-101490, DPH's Environmental Health-Hazardous Waste Unit has reviewed the proposed project and all pertinent documents related to potential hazardous materials on the project site, including, a Quarterly Summary Report based on a Quarterly Monitoring Report, and the latest remediation plan. Based on the LOP case which has determined that the total petroleum hydrocarbon as gasoline (TPHg) contamination that originated at the project site has moved off the project site in the underlying groundwater. Monitoring well MW-2 (see Figure 6) within the sidewalk has residual TPH-g in the groundwater. The DPH-LOP case worker has determined that the project site may be developed with the proposed residential and commercial uses while the off-site TPHg contamination is addressed.[54] Conoco Phillips, the responsible party for remediation, would still be required to cleanup the TPHg that has moved off site.[55]

Based on their review, DPH has determined that the proposed project would be required to complete the following:

- Properly remove the USTs with permits from the Hazardous Materials Unified Program Agency and the San Francisco Fire Department;

- Sample soils from the UST, dispenser, and piping excavation sites. Sampling results reviewed by DPH will determine if further remediation is required;

[54] Memorandum from Rajiv Bhatia, MD, MPH, San Francisco Department of Public Health, to Gina El Sineitti, September 17, 2010. A copy of this memorandum is available for public review at the Planning Department, 1650 Mission Street, 4th Floor, as part of Case File No. 2008.0538E.

[55] Email communication from Stephanie Cushing, Department of Public Health, to Andrea Contreras, Planning Department, December 7, 2008.

- Characterize fill material on site to ensure that soil on the project site meets the Regional Water Quality Board's Environmental Screening Levels for residential land use; and

- Based on sampling results, implement a site mitigation plan if required by DPH for excavation for foundations and utilities at the site.

The proposed project and all pertinent documents related to potential hazardous materials on the project site were reviewed by the San Francisco Department of Public Health (DPH). Based on this review, the Department of Public Health has determined that the proposed project would be required to remove the three existing USTs, sample soils surrounding the excavations sites and on-site fill, and possibly prepare a Site Mitigation Plan. Because the project site contains contaminated soils, additional testing would be required. Preparation of a Site Mitigation Plan and disposition of the hazardous materials may be required. Remediation activities would be coordinated with the San Francisco Department of Public Health until case closure objectives are reached and the case is closed. The project sponsor has agreed to implement the following **Mitigation Measures M-HZ-1** to **M-HZ-5**, which would reduce the impact of potentially contaminated soil to a ***less-than-significant*** level.

Mitigation Measure M-HZ-1: Removal of Underground Storage Tanks

The Underground Storage Tanks (USTs) must be properly removed with permits from the Hazardous Materials Unified Program Agency and the San Francisco Fire Department.

Mitigation Measure M-HZ-2: Sampling for Contaminated Soil

Sampling results from the UST, dispenser and piping removals will determine if further remediation is required. Fill material shall be characterized on site to ensure that soil on the project site meets the Regional Water Quality Board's Environmental Screening Levels for residential land use.

Mitigation Measure M-HZ-3: Handling of Contaminated Soil

Step 1: Preparation of Site Mitigation Plan

If DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, preparation of a Site Mitigation Plan (SMP) is warranted. 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, 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 as to why; 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 DPH for review and approval. A copy of the SMP shall be submitted to the Planning Department to become part of the case file.

Step 2: 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 alerted 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 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 3: 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-4: Disposal of Contaminated Soil/Site Health and Safety Plan

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 DPH.

If DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, a Site Health and Safety Plan shall be required by the California Division of Occupational Safety and Health 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).
- 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 at a minimum:

    1. Appropriate site security to prevent unauthorized pedestrian/vehicular entry, such as fencing or other barrier of sufficient height and structural integrity to prevent entry, based upon the degree of control required.
    2. Posting of "no trespassing" signs.
    3. 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.

Mitigation Measure M-HZ-5: Decontamination of Vehicles

If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, all trucks and excavation and soil handling equipment shall be decontaminated following use and prior to removal from the site. Gross contamination shall be first removed through brushing, wiping, or dry brooming. The vehicle or equipment shall then be washed clean (including tires). Prior to removal from the work site, all vehicles and equipment shall be inspected to ensure that contamination has been removed.

Compliance with Mitigation Measures M-HZ-1, M-HZ-2, M-HZ-3, M-HZ-4, and M-HZ-5 would ensure that effects from subsurface hazardous materials would be reduced to ***less than significant*** with mitigation incorporated.

Impact with Mitigation Measures M-HZ-1 to M-HZ-5 Incorporated: Less than Significant.

Hazardous Building Materials-Lead Based Paint

The existing buildings on the project site that are proposed for demolition may contain lead-based interior or exterior paint. Demolition of these structures must comply with Building Code Section 3423-Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Where there is any work that may disturb or remove lead paint on the exterior of any building built prior to December 31, 1978, or any steel structures to which lead-based paint disturbance or removal would occur, and exterior work would disturb more than 100 square or linear feet of lead-based paint, Chapter 34 requires specific notification and work standards, and identifies prohibited work methods and penalties.

Chapter 34 contains performance standards, including establishment of containment barriers, at least as effective at protecting human health and the environment as those in the Department of Housing and Urban Development (HUD) Guidelines (the most recent Guidelines for Evaluation and Control of Lead-Based Paint Hazards) and identifies prohibited practices that may not be used in disturbance or removal of lead-based paint. Any person performing work subject to the ordinance shall make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work, and any person performing regulated work shall make all reasonable efforts to remove all visible lead paint contaminants from all regulated areas of the property prior to completion of the work.

The ordinance also includes notification requirements, contents of notice, and requirements for signs. Notification includes notifying bidders for the work of any paint-inspection reports verifying the presence or absence of lead-based paint in the regulated area of the proposed

project. Prior to commencement of work, the responsible party must provide written notice to the Director of the Department of Building Inspection (DBI), of the location of the project; the nature and approximate square footage of the painted surface being disturbed and/or removed; anticipated job start and completion dates for the work; whether the responsible party has reason to know or presume that lead-based paint is present; whether the building is residential or nonresidential, owner-occupied or rental property, approximate number of dwelling units, if any; the dates by which the responsible party has or would fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. (Further notice requirements include Sign When Containment is Required, Notice by Landlord, Required Notice to Tenants, Availability of Pamphlet related to protection from lead in the home, Notice by Contractor, Early Commencement of Work [by Owner, Requested by Tenant], and Notice of Lead Contaminated Dust or Soil, if applicable.) The ordinance contains provisions regarding inspection and sampling for compliance by DBI, and enforcement, and describes penalties for non-compliance with the requirements of the ordinance.

These regulations and procedures established by the San Francisco Building Code would ensure that potential impacts of demolition, associated with lead-based paint disturbance during construction activities, would be reduced to a ***less-than-significant*** level.

Hazardous Building Materials-Asbestos

Due to the age of the existing buildings, constructed in approximately 1966, asbestos-containing materials may be found within the existing building proposed for demolition. Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable Federal regulations regarding hazardous air pollutants, including asbestos. The Bay Area Air Quality Management District (BAAQMD) is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified ten days in advance of any proposed demolition or abatement work.

Notification includes the names and addresses of operations and persons responsible; description and location of the structure to be demolished/altered including size, age and prior use, and the approximate amount of friable asbestos; scheduled starting and completion dates of demolition or abatement; nature of planned work and methods to be employed; procedures to be employed to meet BAAQMD requirements; and the name and location of the waste disposal site to be used. The District randomly inspects asbestos removal operations. In addition, the District would inspect any removal operation for which a complaint has been received.

The local office of the State Occupational Safety and Health Administration (OSHA) must be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in 8CCR1529 and 8CCR341.6 through 341.14 where there is asbestos-related work involving 100 square feet or more of asbestos containing material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. The owner of the property where abatement would occur must have a Hazardous

Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material are required to file a Hazardous Waste Manifest which details the hauling of the material from the site and the disposal of it. Pursuant to California law, the Department of Building Inspection (DBI) would not issue the required permit until the applicant has complied with the notice requirements described above.

These regulations and procedures, already established as a part of the permit review process, would ensure that any potential hazardous building materials impacts due to the presence of asbestos would be reduced to a ***less-than-significant l***evel.

Hazardous Building Materials-Polychlorinated biphenyls

In addition to asbestos containing building materials and lead-based paint, hazardous polychlorinated biphenyls (PCBs) were frequently used in fluorescent light fixtures manufactured prior to 1978. Although newer light fixtures would not contain PCB ballasts, for purposes of this analysis, it must be assumed that PCBs are present in the fluorescent light fixtures in the building. Fluorescent light bulbs are also regulated for mercury content for the purpose of disposal. Inadvertent release of such materials during building demolition could expose construction workers, occupants, or visitors to these substances and could result in various adverse health effects if exposure were of sufficient quantity. Although abatement or notification programs such as those described above for asbestos and lead-based paint have not been adopted for PCB and mercury testing and cleanup, items containing these or other toxic substances that are intended for disposal must be managed as hazardous waste and handled in accordance with OSHA worker protection requirements. Nonetheless, potential impacts associated with encountering PCBs, mercury, lead or other hazardous substances in building materials would be considered a potentially significant impact. Hazardous building materials sampling and abatement pursuant to existing regulations prior to renovation work, as described in mitigation measure M-HAZ-6, would reduce potential impacts associated with PCBs, mercury, lead, and other toxic building substances in structures to a ***less-than-significant*** level.

Mitigation Measure M-HZ-6: Other Hazardous Building Materials (PCBs, Mercury, Lead, and others)

> The project sponsor would ensure that pre-construction building surveys for PCB- and mercury-containing equipment, hydraulic oils, fluorescent lights, lead, mercury and other potentially toxic building materials are performed prior to the start of any demolition or renovation activities. Any hazardous building materials discovered during surveys would be abated according to federal, state, and local laws and regulations.

Impact with Mitigation Measure HZ-6 Incorporated: Less than Significant.

Impact HZ-3: The proposed project would not handle hazardous materials within a quarter-mile of a school. (No Impact)

No schools are present within one-quarter mile of the project site. The closest public schools to the project site are City College of San Francisco, located approximately a half-mile from the project site at 50 Phelan Avenue; Aptos Middle School at 150 Aptos Avenue, located approximately three-quarter miles northwest of the project site; Sunnyside Elementary School at 250 Foerster Street, located approximately three-quarter miles northeast of the project site; and James Denman Middle School, located at 241 Oneida Street approximately one mile east of the project site. Any hazardous materials on site, such as soil to be excavated during project construction, would be handled in compliance with the site mitigation plan. Thus, the proposed project would have ***no impact*** with respect to the handling of hazardous materials within one-quarter mile of a school.

Impact HZ-4: The proposed project is not located on a State hazardous materials database. (Less than Significant with Mitigation)

Due to the identification of a leaking UST on site, the project site is listed on the State Water Resources Control Board's list of leaking underground storage tank sites, which thereby meets Cortese List requirements compiled under Government Code Section 65962.5. Other hazardous materials databases include the Department of Toxic Substances Control's (DTSC's) Site Mitigation and Brownfields Reuse Program's EnviroStor database, which identifies sites that have known contamination or hazardous sites for which there may be reasons to investigate further. The database includes the following site types: Federal Superfund sites (National Priorities List); State Response, including Military Facilities and State Superfund; Voluntary Cleanup; and School sites. EnviroStor provides similar information to the information that was available in CalSites, and provides additional site information, including, but not limited to, identification of formerly-contaminated properties that have been released for reuse, properties where environmental deed restrictions have been recorded to prevent inappropriate land uses, and risk characterization information that is used to assess potential impacts to public health and the environment at contaminated sites. The project site is listed within the EnviroStor database and may create a significant hazard to the public or the environment. However, compliance with Mitigation Measures M-HZ-1, M-HZ-2, M-HZ-3, M-HZ-4, and M-HZ-5 would reduce any impacts associated with subsurface hazards to less than significant with mitigation incorporated and remove the project site from listing on a state database of hazardous materials sites.

Impact with Mitigation Measures HZ-1 through HZ-5 Incorporated: Less than Significant.

Impact HZ-5: The proposed project would not impair or interfere with an adopted emergency response or evacuation plan or expose people to a significant risk involving fires. (Less than Significant)

The proposed project does not contain any features that would result in additional exposure of people or structures to a significant risk of loss, injury or death involving fires. 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 building permit review process. Conformance with these standards would ensure appropriate life safety protections for the residential structures. Consequently, the project would have a less-than-significant impact on fire safety and emergency access.

Impact HZ-6: The proposed project in combination with other past, present or reasonably foreseeable projects would result in less-than-significant cumulative hazards and hazardous materials impacts. (Less than Significant with Mitigation)

Impacts from hazardous materials are generally site-specific and typically do not result in cumulative impacts. Any hazards at nearby sites would be subject to the same safety requirements discussed for the proposed project above, which would reduce any hazard effects to less-than-significant levels. Any off-site contamination originating from the project site's existing gasoline service station shall be remediated by ConocoPhillips. The Fourth Quarter 2010 Monitoring Report identified VOCs (PCE and TCE), which are common dry cleaning contaminants in monitoring wells MW-12 and MW-14. The source is likely a nearby dry cleaners. As these wells are not located on the project site, the identified VOCs are not likely to impact the project site. Overall, the project would not contribute to cumulatively considerable significant effects related to hazards and hazardous materials.

E.17 Mineral and Energy Resources

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

Impact ME-1: The proposed project would have no impact on mineral resources. (No Impact)

All land in San Francisco, including the project site, is designated Mineral Resource Zone 4 (MRZ-4) by the California Division of Mines and Geology (CDMG) under the Surface Mining and Reclamation Act of 1975 (CDMG, Open File Report 96-03 and Special Report 146 Parts I and II).

This designation indicates that there is not adequate information available for assignment to any other MRZ and thus the site is not a designated area of significant mineral deposits. However, because the project site is already developed, future evaluation or designation of the site would not affect or be affected by the project. There are no operational mineral resource recovery sites in the project vicinity whose operations or accessibility would be affected by the construction or operation of the project.

No known mineral deposits exist at the project site. Thus, the project would not result in the loss of availability of a locally- or regionally-important mineral resource, and the project would have ***no impact*** with respect to mineral resources.

Impact ME-2: The proposed project would consume additional energy, but not in large amounts or in a wasteful manner. (Less than Significant)

The development of the proposed project's residential and commercial uses would not consume large amounts of fuel, water, or energy. Electricity generation would consume additional natural gas and coal fuel. New construction in San Francisco is required to conform to current state and local energy conservation standards, including Title 24 of the California Code of Regulations. The Department of Building Inspection enforces Title 24 compliance, and documentation demonstrating compliance with these standards is submitted with the application for the building permit. As a result, the proposed project would result in a ***less-than-significant*** impact on the use of energy and other non-renewable natural resources.

Impact ME-3: The proposed project in combination with other past, present or reasonably foreseeable projects would result in less-than-significant impacts to mineral and energy resources. (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 California Energy Commission is currently considering applications for the development of new power-generating facilities in San Francisco, the Bay Area, and elsewhere in the state. These facilities could supply additional energy to the power supply grid within the next few years. These efforts, together with conservation, will be part of the statewide effort to achieve energy sufficiency. 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 not contribute to a cumulative impact. Overall, the project would result in less-than-significant cumulatively considerable impacts related to mineral and energy resources.

E.18 Agricultural Resources

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
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?	☐	☐	☐	☒	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	☐
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	☐	☐	☐	☒	☐
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	☐
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	☐	☐	☐	☒	☐

Impact AF-1: The proposed project would not convert farmland, conflict with existing zoning for agricultural uses or forest land, and would not result in the loss or conversion of forest land. (No Impact)

The project site is located within an urbanized area of San Francisco. The California Department of Conservation's Farmland Mapping and Monitoring Program identifies the site as "Urban and Built-up Land" (Department of Conservation, 2002). Because the 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 Act contract, nor would it involve any changes to the environment that could result in the conversion of farmland. No part of San Francisco falls under the State Public Resource Code definitions of forest land or timberland; therefore, the project would not conflict with zoning for, or cause rezoning of, forest land, result in the loss of forest land, or convert forest land to non-forest use. Thus, the proposed project would have ***no impact*** with respect to agricultural and forest resources.

Impact AF-2: The proposed project in combination with other past, present or reasonably foreseeable projects would not result in impacts to agricultural and forest resources. (No Impact)

As described above, the project would have no impact with respect to agriculture and forestry resources; therefore, the project would not contribute to any cumulatively considerable impact to agricultural and forest resources.

E.19 Mandatory Findings of Significance

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
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?	☐	☒	☐	☐	☐
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.)	☐	☐	☒	☐	☐
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☐	☒

E.18a The proposed project is located in an archeologically sensitive area and construction activities have the potential to result in significant impacts to any below ground archeological resources. Any potential adverse effect to CEQA-significant paleontological 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-1**, in Section F. Mitigation Measures and Improvement Measures, which addresses the accidental discovery of archeological resources. Therefore, 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.

As discussed the project would include ground disturbance. Although it is unlikely that the soils on the project site could contain paleontological resources, the potential for such resources within exists. Any potential adverse effect to CEQA-significant paleontological 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**, in Section F. Mitigation Measures and Improvement Measures, which addresses the accidental discovery of paleontological resources.

Accordingly, the proposed project would not result in a significant impact to paleontological resources.

As discussed in Section E.7, Air Quality, the proposed project would include construction activities that expose sensitive receptors to a significant health risk impact under BAAQMD's thresholds of significance. Implementation of Mitigation Measure **M-AQ-5**, in Section F. Mitigation Measures and Improvement Measures, would reduce this impact to a less-than significant-level**.** Therefore, the proposed project would not result in exposure of sensitive receptors to substantial pollutant concentrations and this air quality impact would be less than significant.

As discussed in Section E.13, Biological Resources, the proposed project would remove street trees that could be nesting sites for migratory birds protected under the Migratory Bird Treaty Act. Any potential adverse effect to CEQA-significant biological resources resulting from removal of street trees by the proposed project would be reduced to a less-than-significant level by implementation of mitigation measure **M-BI-1**, in Section F. Mitigation Measures and Improvement Measures, which reduces the project's impact on local policies or ordinances protecting biological resources, including tree preservation policy and nesting bird protection**.** Therefore, the proposed project would not result in a significant impact to biological resources.

E.18.b Both long-term and short-term environmental effects associated with the proposed project would be less than significant, as discussed under each environmental topic. Each environmental topic area includes an analysis of cumulative impacts. No significant cumulative impacts from the proposed project have been identified.

E.18.c The proposed project, as discussed in Section C (Compatibility with Existing Zoning and Plans) and Topic E.1 (Land Use and Land Use Planning) would be generally consistent with local land use and zoning requirements. Mitigation measures **M-HZ-1** through **M-HZ-6**, in Section F. Mitigation Measures and Improvement Measures, have been incorporated into the proposed project to address potentially contaminated soils and hazardous building material. Implementation of mitigation measures **M-HZ-1** through **M-HZ-6** would reduce any direct and indirect impact to humans from the release of hazardous materials to a less-than-significant level.

F. MITIGATION MEASURES AND IMPROVEMENT MEASURES

The following mitigation measures have been identified to reduce potentially significant environmental impacts resulting from the proposed project to less than significant levels. Accordingly, the project sponsor has agreed to implement all mitigation measures described below.

Mitigation Measure M-CP-1: Accidental Discovery of Archeological Resources

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 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 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 archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Major Environmental Analysis (MEA) division guidelines for such programs. 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 that evaluates the historical significance of any discovered archeological resource and describes 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 for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological 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 MEA division of the Planning Department shall receive three 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 may require a different final report content, format, and distribution than that presented above.

Mitigation Measure M-CP-2: Accidental Discovery of Paleontological Resources

The encounter of any feature of apparent potential to be a paleontological resource (fossilized invertebrate, vertebrate, plant, or micro-fossil) during soils disturbing activities associated with the project, requires the immediate cessation of any soils or rock-disturbing activity within 25 feet of the feature, notification of the Environmental Review Officer (ERO), and notification of a qualified paleontologist in accordance with the Society of Vertebrate Paleontology standards (SVP 1996). The paleontologist will identify and evaluate the significance of the potential resource, and document the findings in an advisory memorandum to the ERO. If it is determined that avoidance of effect to a significant paleontological resource is not feasible, the paleontologist shall prepare an excavation plan that includes curation of the paleontological resource in a permanent retrieval paleontological research collections facility, such as the University of California (Berkeley) Museum of Paleontology or California Academy of Sciences. The Major Environmental Analysis division of the Planning Department shall receive two copies of the final paleontological excavation and recovery report.

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

The project sponsor shall ensure that the project's construction equipment achieves a minimum of a 55% reduction in diesel particulate matter (DPM) emissions as compared to the construction fleet analyzed for the purposes of CEQA. A 55% reduction in DPM emissions can be accomplished by requiring that the project's backhoe, rubber-tired bulldozer, and concrete pump 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 55% reduction in DPM as compared to the construction fleet analyzed for purposes of CEQA.

Mitigation Measure M-HZ-1: Removal of Underground Storage Tanks

The Underground Storage Tanks (USTs) must be properly removed with permits from the Hazardous Materials Unified Program Agency and the San Francisco Fire Department.

Mitigation Measure M-HZ-2: Sampling for Contaminated Soil

Sampling results from the UST, dispenser and piping removals will determine if further remediation is required. Fill material shall be characterized on site to ensure that soil on the project site meets the Regional Water Quality Board's Environmental Screening Levels for residential land use.

Mitigation Measure M-HZ-3: Handling of Contaminated Soil

Step 1: Preparation of Site Mitigation Plan

DPH determined that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, and thus have determined that preparation of a Site Mitigation Plan (SMP) is warranted. 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, 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 as to why; 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 DPH for review and approval. A copy of the SMP shall be submitted to the Planning Department to become part of the case file.

Step 2: 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 1 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 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 3: 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-4: Disposal of Contaminated Soil/Site Health and Safety Plan

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 DPH.

If DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, a Site Health and Safety Plan shall be required by the California Division of Occupational Safety and Health 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).
- 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 at a minimum:

1. Appropriate site security to prevent unauthorized pedestrian/vehicular entry, such as fencing or other barrier of sufficient height and structural integrity to prevent entry, based upon the degree of control required.
2. Posting of "no trespassing" signs.
3. 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.

Mitigation Measure M-HZ-5: Decontamination of Vehicles

If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, all trucks and excavation and soil handling equipment shall be decontaminated following use and prior to removal from the site. Gross contamination shall be first removed through brushing, wiping, or dry brooming. The vehicle or equipment shall then be washed clean (including tires). Prior to removal from the work site, all vehicles and equipment shall be inspected to ensure that contamination has been removed.

Mitigation Measure M-HZ-6: Other Hazardous Building Materials (PCBs, Mercury, Lead, and others)

The project sponsor would ensure that pre-construction building surveys for PCB- and mercury-containing equipment, hydraulic oils, fluorescent lights, lead, mercury and other potentially toxic building materials are performed prior to the start of any demolition or renovation activities. Any hazardous building materials discovered during surveys would be abated according to federal, state, and local laws and regulations.

G. PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was sent out on April 3, 2009, to the owners and occupants of properties within 300 feet of the project site and interested parties. Several members of the public responded with concerns related to the following environmental topics: consistency with the Balboa Park Station Area Plan; the proposed residential density and building height; pedestrian safety; traffic; parking; wind and shadow; and hazardous materials and remediation activities. The proposed project's impact with respect to consistency with the Balboa Park Station Area Plan is discussed in Section C and Section E.1, Land Use. Proposed residential density and building height are discussed in Section E.1, Land Use, and E.2,

Aesthetics. Pedestrian safety, traffic, and parking are discussed in Section E.5, Transportation. Wind and shadow impacts are discussed in Section E.9, Wind and Shadow. Finally, hazardous material contamination and remediation activities are discussed in Section E. 16, Hazardous Materials. The proposed project would be generally consistent with applicable zoning controls. Comments that do not pertain to physical environmental issues and comments regarding the merits of the proposed project are more appropriately directed to the decision-makers. The decision to approve or disapprove a proposed project is independent of the environmental review process. While local concerns or other planning considerations may be grounds for modification or denial of the proposed project, in the independent judgment of the Planning Department, there is no substantial evidence that the proposed project could have a significant effect on the environment.

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 December 12, 2011

I. INITIAL STUDY PREPARERS

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