PROJECT DESCRIPTION:

The project site is located on the southeast corner of Third Street and Cargo Way in the India Basin Industrial Park. The site is bound by Cargo Way to the north, Third Street to the west, Burke Street to the South and Mendel Street to the east. The site was previously developed, but it is currently a vacant lot and enclosed by a chain-link fence. The project sponsor, the United Brotherhood of Carpenters and Joiners of America Local Union 22 (Local 22), proposes to construct an approximately 65,981-square-foot (sf), five-story, mixed-use commercial building with surface parking. Covered parking would be provided for bicycles. The proposed project would include approximately 4,000 sf of union assembly/meeting hall, 2,000 sf of neighborhood-serving retail, and 30,717 sf of office space, 4,094 sf of roof decks, 9,915 sf of elevators and corridors, 1,069 sf of mechanical penthouse, 3,997 sf of landscaped area and 10,189 sf of parking area. The building would contain ground-level active-street-front commercial/retail along Third Street. It would rise 65 feet (ft) from the grade to the roof. The mechanical penthouse would add another 10 ft. There would be surface parking for 34 vehicles, including 32 standard parking spaces and 2 van parking spaces. Primary pedestrian access would be by an entry courtyard from Third Street to the parking lot, and secondary pedestrian access would be from Cargo Way. The proposed building would be setback from the Third Street and Cargo Way property lines. Construction of the project would require removal of several existing trees.

FINDING:

This project could not have a significant effect on the environment. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached. Mitigation measures are included in this project to avoid potentially significant effects. See pages 102 through 109.
In the independent judgment of the Planning Department, there is no substantial evidence that the project could have a significant effect on the environment.

SARAH B. JONES  
Environmental Review Officer  

May 29, 2014  
Date of Issuance of Final Mitigated Environmental Review Officer  

cc: Patrick Mulligan, Carpenters Local No. 22 International Brotherhood  
Kevin Wilcock, David Baker and Partners  
Julian Banales, San Francisco Planning Department  
Malia Cohen, San Francisco Board of Supervisors, District 10  
Master Decision File  
Sue Hestor
PROJECT DESCRIPTION:

The project site is located on the southeast corner of Third Street and Cargo Way in the India Basin Industrial Park. The site is bound by Cargo Way to the north, Third Street to the west, Burke Street to the South and Mendell Street to the east. The site was previously developed, but it is currently a vacant lot and enclosed by a chain-link fence. The project sponsor, the United Brotherhood of Carpenters and Joiners of America Local Union 22 (Local 22), proposes to construct an approximately 65,981-square-foot (sf), five-story, mixed-use commercial building with surface parking. Covered parking would be provided for bicycles. The proposed project would include approximately 4,000 sf of union assembly/meeting hall, 2,000 sf of neighborhood-serving retail, and 30,717 sf of office space, 4,094 sf of roof decks, 9,915 sf of elevators and corridors, 1,069 sf of mechanical penthouse, 3,997 sf of landscaped area and 10,189 sf of parking area. The building would contain ground-level active-street-front commercial/retail along Third Street. It would rise 65 feet from the grade to the roof. The mechanical penthouse would add another 10 feet (ft) to the building height, bringing it to 75 ft. There would be surface parking for 34 vehicles, including 32 standard parking spaces and 2 van parking spaces. Primary pedestrian access would be by an entry courtyard extending from Third Street to the parking lot, and secondary pedestrian access would be from Cargo Way. The proposed building would be five-story and have an approximate 8,780 sf footprint, with setbacks from the Third Street and Cargo Way property lines. Construction of the project would require removal of several existing trees.

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 and improvement measures are included in this project to avoid potentially significant effects. See pp. 102 - 109.

cc: Patrick Mulligan, Carpenter Local No. 22
    Malia Cohen, San Francisco Board of Supervisor, District 10
    Julian Banales, San Francisco Planning Department
    Master Decision File
    Sue Hestor
TABLE OF CONTENT

A. PROJECT DESCRIPTION 3
   Project Location 3
   Project Description 3

B. PROJECT SETTING 14

C. COMPATIBILITY WITH EXISTING ZONING AND PLANS 14

D. SUMMARY OF ENVIRONMENTAL EFFECTS 17

E. EVALUATION OF ENVIRONMENTAL EFFECTS 17
   1. LAND USE AND LAND USE PLANNING 18
   2. AESTHETICS 20
   3. POPULATION AND HOUSING 22
   4. CULTURAL AND PALEONTOLOGICAL RESOURCES 24
   5. TRANSPORTATION AND CIRCULATION 32
   6. NOISE 43
   7. AIR QUALITY 47
   8. GREENHOUSE GAS EMISSIONS 63
   9. WIND AND SHADOWS 72
   10. RECREATION 74
   11. UTILITIES AND SERVICE SYSTEMS 76
   12. PUBLIC SERVICES 79
   13. BIOLOGICAL RESOURCES 81
   14. GEOLOGY AND SOILS 84
   15. HYDROLOGY AND WATER QUALITY 89
   16. HAZARDS AND HAZARDOUS MATERIALS 92
   17. MINERAL AND ENERGY RESOURCES 96
   18. AGRICULTURE AND FOREST RESOURCES 98
   19. MANDATORY FINDINGS OF SIGNIFICANCE 99

F. MITIGATION MEASURES AND IMPROVEMENT MEASURES 100

G. PUBLIC NOTICE AND COMMENT 108

H. DETERMINATION 109

I. INITIAL STUDY AUTHORS AND PROJECT SPONSOR 110

FIGURES

Figure 1: Site Location 6
Figure 2: Site Plan 7
Figure 3: Conceptual Design 8
Figure 4: Building Sections Looking North 9
Figure 5: Building Sections Key Plan Section 10
Figure 6: South Elevation 11
Figure 7: North Elevation 12
Figure 4: Elevations 13
List of Tables

Table 1: Proposed Land Uses 4
Table 2: Typical Commercial Construction Noise Levels 45
Table 3: Criteria Air Pollutant Threshold 48
Table 4: Off-Road Equipment Compliance Step-down Schedule 56
Table 5: Off-Road Equipment Compliance Step-down Schedule 66
A. PROJECT DESCRIPTION

PROJECT LOCATION

The proposed project is located at the southeast corner of Third Street and Cargo Way, Lot 083 of Assessor’s Block 5203, in San Francisco (See Figure 1). The site is bordered by a commercial building to the east, Third Street to the west, Cargo Way to the north, and a vacant lot to the south; all are within the India Basin Industrial Park. The project site is a relatively flat 25,968-square feet (sf) unpaved lot. It is currently vacant and enclosed with a chain-link fence. The site was previously used as a car wash and service station. The car wash and service station were demolished and removed in 1999.¹

PROPOSED PROJECT

The United Brotherhood of Carpenters and Joiners of America Local Union 22 (Local 22) proposes to construct an approximately 65,981 gross square feet building, to house office, commercial and meeting hall uses, at the corner of Third Street and Cargo Way. The proposed project would include approximately 4,000 sf of union assembly/meeting hall, 2,000 sf of neighborhood-serving retail, and 30,717 sf of office space, 4,094 sf of roof decks, 9,915 sf for elevators and corridors, 1,069 sf mechanical penthouse, 3,997 sf of landscape and hardscape, and 10,189 sf for parking area (“the project”). The building would contain ground-level active-street-front commercial/retail along Third Street. It would rise 65 feet (ft) from the grade to the roof. The mechanical penthouse would add another 10 ft to the building, bringing the height to 75 ft. There would be off-street surface parking for 34 vehicles, including 32 standard parking spaces and 2 van parking spaces. Vehicular access would be from Cargo Way, approximately 300 ft east of Third Street, near Amador Street/Cargo Way. Primary pedestrian access would be by way of an entry courtyard which would extend from Third Street to the parking lot, and secondary access would be from Cargo Way to the office, retail space, and the meeting hall. The primary entry courtyard would also contain five covered parking spaces for bicycles.

As shown on Figure 2, Site Plan, the proposed five-story building would have an 8,780 sf building footprint. It would be generally set 15 ft away from both the north (Cargo Way) and west (Third Street) property lines, consistent with the intersection angle. As shown on Figure 3,

¹ Earth Mechanics Consulting Engineers, Geotechnical Investigation, Proposed Development on Lot 23, Block 5203, Third and Burke Streets, San Francisco, CA, 03/03/00.
Conceptual Design, the design would have horizontal window patterns around the building. The north side (along Cargo Way) would be broken up by a 44-foot-long “pop out” that would enclose the stairwell and balcony/service area. The south side would have a pop out of about 22 ft in width. The upper stories of the building would project over the first and second stories, on the north and east of the building (see Figure 4, Project Elevations). The building massing would be articulated by awnings on the top four stories on the south face, and an array of photovoltaic panels that would look like awnings on the upper four stories of the building’s west face. The building would be clad in metal panels, cement fiber shingles, cement plaster, and aluminum windows. The proposed color palette would be primarily hues of blue-green and silver metal, with small sections of contrasting colors. For additional project details, please refer to Figure 4 through Figure 8 of this document.

<table>
<thead>
<tr>
<th>USE</th>
<th>TOTAL (in square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking Area</td>
<td>10,189</td>
</tr>
<tr>
<td>Landscape and Hardscape Surface</td>
<td>3,997</td>
</tr>
<tr>
<td>Retail Space</td>
<td>2,000 (ground floor only)</td>
</tr>
<tr>
<td>Office Space</td>
<td>30,717</td>
</tr>
<tr>
<td>Meeting Hall</td>
<td>4,000</td>
</tr>
<tr>
<td>Roof Decks</td>
<td>4,094</td>
</tr>
<tr>
<td>Service and Core: elevators and corridors</td>
<td>9,915</td>
</tr>
<tr>
<td>Mechanical Penthouse</td>
<td>1,069</td>
</tr>
<tr>
<td><strong>Total Building Square Footage</strong></td>
<td><strong>65,981</strong></td>
</tr>
</tbody>
</table>

**PARKING AND BICYCLE SPACES (in units)**

| Parking Spaces                  | 34                     |
| Bicycle Parking Spaces          | 10                     |

*Source: Project Description prepared by Atkins in October 2008.*

**Required Approvals**

The proposed project would require the following approvals, with approval of the conditional use authorization as the Approval Action per Chapter 31 of the San Francisco Administrative Code.

- *Planning Commission* – Approval for an Office Allocation is required per Planning Code Section 321, since the project would seek to authorize more than 25,000 gross square feet (gsf) of office space; and a Conditional Use is required for a Plan Unit Development per Planning Code Section 304.
- **Department of Building Inspection** – Approval of site permit. Demolition, grading, and building permits for the demolition of the existing buildings and construction of the new building.

- **San Francisco Municipal Transportation Agency** – Approval of the proposed curb modifications.

- **Bureau of Streets and Mapping, Department of Public Works** – Street and sidewalk permits for any modifications to public streets, sidewalks, protected trees, street trees, or curb cuts.

- **San Francisco Public Utilities Commission** – Approval of any changes to sewer laterals and the stormwater control plan, required because the project would result in ground disturbance of an area greater than 5,000 square feet.

- **Waste Water Enterprise, San Francisco Public Utilities Commission** – Approval of a project’s compliance with the Stormwater Control Guidelines.

- **Bay Area Air Quality Management District** – Issuance of permits for installation and operation of the emergency generator.

**INTENTIONALLY LEFT BLANK SPACE**
FIGURE 1: SITE LOCATION

3433 Third Street

http://cityplan-03sdc/locationmap/locationmap.html?Title=3433+3rd+Street&x=136&y=123&z=5&v=2014-8-42-55 AM
FIGURE 2: SITE PLAN

Source: David Baker + Partner
FIGURE 3 – CONCEPTUAL DESIGN

Source: David Baker + Partner
FIGURE 4: BUILDING SECTIONS THROUGH MEETING HALL

Source: David Baker + Partners
FIGURE 5: BUILDING SECTIONS LOOKING NORTH

Source: David Baker + Partners
FIGURE 6: BUILDING SECTIONS KEY PLAN

Source: David Baker + Partners
FIGURE 7: SOUTH ELEVATIONS

Source: David Baker + Partners
FIGURE 8: NORTH ELEVATIONS

Source: David Baker + Partners
B. PROJECT SETTING

The approximately 25,968 sf project site consists of a relatively level lot located at the southeast corner of Third Street and Cargo Way in the India Basin Industrial Park neighborhood of San Francisco. The India Basin Industrial Park is a low-to-moderate-density urban neighborhood located in the southeastern quadrant of San Francisco. The neighborhood is roughly bounded by Cargo Way, Third Street, Evans and Innes Avenues to the Hunters Point Naval Shipyard.

The project site is located in a Core Production, Distribution, and Repair (PDR-2) Zoning District. The project site is in a 65-J height and bulk district, which extends to all blocks within the neighborhood’s boundaries. The 65-J height and bulk district permits building heights up to 65 ft, with some exemptions for items such as stairwell and mechanical penthouses (per Planning Code Section 263.13).

Buildings in the vicinity are generally one- to three-story industrial buildings, approximately 25-40 ft in height. Directly west of the site, across 3rd Street, at the intersection of Arthur Avenue, there is an industrial building complex, the Bay Park Business Center (3450 3rd Street). Tenants of the business complex include the Angus Meat Outlet and Rubicon General Contracting. Bordering the site, on the east, there is a warehouse occupied by the San Francisco Municipal Transportation Agency (SFMTA). To the northeast of the site there is a building material recycling/resale outlet and a grain silo. South of the project site, across Burke Street, there is a warehouse occupied by Independent Electric Supply, Inc. (1575 Burke Avenue). Immediately north of the project there is a vacant lot. Further north, across Cargo Way there is undeveloped industrial land.

The closest residential uses to the project site are located along Hudson Avenue, approximately 2,000 ft south of the project site. The Third Street Light Rail services the area with the nearest rail stop located a half-mile south of the project site on Third Street between La Salle and Kirkwood avenues. Parks, open spaces and recreational facilities located within 1,000 ft from the project site include Islais Creek Park, which is located north-east of the site at Arthur Avenue and Third Street and Tulare Park, located north-west of the site, between Illinois and Third streets.

C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

<table>
<thead>
<tr>
<th>Application</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.</td>
<td>☒</td>
</tr>
<tr>
<td>Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.</td>
<td>☒</td>
</tr>
<tr>
<td>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.</td>
<td>☐</td>
</tr>
</tbody>
</table>
The San Francisco Planning Code, which incorporates the City’s Zoning Maps, governs permitted land uses, densities, and the arrangements of buildings within the City. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless (1) the proposed project conforms to the Planning Code, (2) allowable exceptions are granted pursuant to provisions of the Planning Code, or (3) amendments to the Planning Code are included as part of the proposed project. Approval of the proposed project would result in construction of a 65 ft tall building, with an additional 10 ft tall mechanical penthouse, with approximately 65,981 sf that would include office and commercial spaces in the current vacant lot.

Uses. The project site is within the PDR-2 (Core Production, Distribution, and Repair) Use District. According to Planning Code Section 210.11, PDR-2 districts are intended for a wide range of light and contemporary industrial activities. Thus, this district prohibits new housing, large office developments, large-scale retail, and the heaviest of industrial uses, such as incinerators. Generally, all other uses are permitted. The conservation of existing flexible industrial buildings is also encouraged. These districts permit certain non-industrial, non-residential uses, including small-scale retail and office, entertainment, certain institutions, and similar uses that would not create conflicts with the primary industrial uses or are compatible with the operational characteristics of businesses in the area. The proposed office and retail uses of the project site are compatible and permitted uses in this district.

Height and Bulk. The project site is located in the 65-J height and bulk district. The site’s 65-J height limit permits the maximum height up to 65 ft. Per Planning Code Section 270, the maximum dimensions under the 65-J bulk district are 250 ft length and 300 ft diagonal applicable at a height above 40 ft. The proposed project would rise 65 ft from grade to roof. The mechanical penthouse would be an additional 10 ft high; however, penthouses are exempt from the height limit. The proposed project is approximately 187 ft long with diagonal measurements of approximately 195 feet. Thus, the proposed project would comply with the Planning Code’s height and bulk requirements.

Special Use District. The proposed project is situated in the India Basin Industrial Park Special Use District (SUD), which prohibits new office space exceeding 50,000 gross square feet (gsf) and retail uses exceeding 5,999 sf. The proposed project would construct 30,717 sf of office space and 2,000 sf of neighborhood-serving retail. Thus, the proposed project meets these SUD requirements.

Parking. Planning Code Sections 249.42, 204.3 and 151 outline the parking requirements for the project. Since the project is located in the India Basin Industrial Park SUD there is no required minimum parking requirement; however, a maximum parking limit applies in accordance to Planning Code Sections 204.3 and 151. The maximum allowable number of spaces would be of 130
The project is proposing 34 parking spaces and it is within the Planning Code requirements.

**Showers.** Planning Code Section 155.3(d)(2) requires two showers and four lockers for new commercial buildings where the floor area exceeds 20,000 sf but is no greater than 50,000 sf. The project would provide two showers and four lockers on the building’s second floor.

**Bicycle Parking.** Planning Code Section 155.4(d)(2) requires six bicycle parking spaces for new commercial buildings where the floor area exceeds 20,000 sf but is no greater than 50,000 sf. The project would provide ten bicycle parking spaces located near the main entry of the building.

**Loading.** Planning Code Section 152 requires that a retail use over 10,000 gsf have one freight loading space. The proposed project includes 2,000 sf of retail space, and therefore is not required to provide a freight loading space. No freight loading is provided as part of the project.

### PLANS AND POLICIES

**San Francisco General Plan.** The City’s General Plan provides general policies and objectives to guide land use decisions. Any conflicts between the proposed project and policies that relate to physical environmental issues are discussed in Section E, Evaluation of Environmental Effects. The compatibility of the proposed project with General Plan policies that do not relate to physical environmental issues will also be considered by decision-makers as part of their decision regarding whether to approve the proposed project. Any potential conflicts identified as part of this process would not alter the physical environmental effects of the proposed project.

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

---

2 San Francisco Planning Department. Email correspondence and Calculation Table prepared by Diego Sanchez on 07/31/13. This information is on file and available for review as part of Planning Department Case File 2009.0065E. The maximum parking allowable for the India Basin Industrial Park is 1.5 times the parking requirements, by use, under Section 151 of the Planning Code.
(7) landmark and 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 an Initial Study under CEQA, and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action which requires a finding of consistency with the General Plan, the City is required to find that the proposed project or legislation is consistent with the Priority Policies. The consistency of the proposed project with the environmental topics associated with the Priority Policies is discussed in Section E, Evaluation of Environmental Effects. The case report and approval motions for the proposed project will contain the Planning Department’s comprehensive project analysis and findings regarding consistency of the proposed project with the Priority Policies.

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

E. EVALUATION OF ENVIRONMENTAL EFFECTS

This Initial Study examines the project to identify potential effects on the environment. 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 with “No Impact” or “Not Applicable”. For all items checked “Not Applicable” or “No Impact” without discussion, the conclusions regarding potential significant adverse environmental effects are based upon field observation, staff experience and expertise on similar projects, and/or standard reference material available within the Department, such as the Department’s Transportation Impact Analysis Guidelines for Environmental Review, or the California Natural Diversity Database and maps, published by the California Department of Fish and Game.
On the basis of this study, cultural resources are the only CEQA resource that could result in project-specific effects that have been determined to be potentially significant. The issues associated with the topics are discussed in Section E.16 below. This Initial Study identifies mitigation measures which would reduce impacts to a less-than-significant level. These mitigation measures are referred to in the environmental analysis, presented at the end of the individual Check List topic of discussion, and in Section F of this document.

For each Check List topic analyzed, the evaluation has considered the impacts of the proposed project both individually and cumulatively. The items checked, in Section D above, have been determined to be “Less than Significant with Mitigation Incorporated”.

<table>
<thead>
<tr>
<th>Topics:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. LAND USE AND LAND USE PLANNING—Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Physically divide an established community?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) Have a substantial impact upon the existing character of the vicinity?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

The proposed project would have significant land use impacts under CEQA if it were to physically 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 within the India Basin Industrial Park Special Use District. To the north lies the Potrero Hill neighborhood and Islais Creek channel. The India Basin and Hunter’s Point Shipyard lie in the southeast. The Bayview neighborhood extends to the south. US 101 and I-280 lie to the west.
In general, the predominant scale of development surrounding the project site is one to three-story industrial buildings, approximately 25-40 ft in height, with many lots currently vacant and used for outdoor storage of vehicles and/or materials.  

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

The proposed construction of a new building to accommodate offices, commercial spaces, union meeting hall and 34 parking spaces in a vacant lot, would result in an increase in population and activity on the project site. However, the proposed project would not disrupt or divide the physical arrangement of an established community. The project would be incorporated within the established street network and would not create any impediment to the passage of persons or vehicles. Primary pedestrian access via the proposed entry courtyard would extend from Third Street to the parking lot, and secondary access would be from Cargo Way to the office, retail space, and the meeting hall. Parking lot access would be from Cargo Way.

The surroundings uses and activities would continue on their own sites and would interrelate with each other as they do presently without significant disruption from the proposed project. The project would not divide or disrupt an established community but would continue the same pattern of uses characteristic of the project vicinity. Therefore, the proposed project would not disrupt or divide the physical arrangement of the neighborhood and this impact would be less than significant.

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

Land use impacts are considered to be significant if the proposed project would conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Environmental plans and policies are those, like the Bay Area Air Quality Plan, that address environmental issues and/or contain targets or standards, to meet 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 in a manner that an adverse physical change would result.

3 Observations based on Planning Department’s staff site visit, September 7, 2011.
Furthermore, the proposed project would not conflict with the San Francisco General Plan policies that relate to physical environmental issues. 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 vicinity. (Less than Significant)

The proposed project includes the construction of a new 65,981 gross square feet building to accommodate offices, commercial spaces, a union meeting hall and 34 parking spaces in a vacant lot zoned PDR-2 (Core Production, Distribution and Repair) zoning district and within a 65-J height and bulk district in the India Basin Industrial Park Special Use District (SUD). PDR districts permit certain non-industrial, non-residential uses, including small-scale retail and office, entertainment, certain institutions, and similar uses that would not create conflicts with the primary industrial uses or are compatible with the operational characteristics of businesses in the area. The SUD was established with the intent “to provide continued enhancement and protection of certain retail, office, and social service uses in the India Basin Industrial Park area.” Office use, not exceeding 50,000 sf and retail uses not exceeding 5,999 sf, such as the proposed project, are principally permitted uses in this SUD.

The site consists of a vacant lot that is not currently used for PDR activities. The proposed project, the construction of a new building to accommodate offices, commercial spaces, union meeting hall and 34 parking spaces, would be consistent with the uses in the project vicinity. This area of the India Basin Industrial Park is predominantly industrial and zoned for PDR-2 and M-2 uses. The PDR-2 cluster extends from Cargo Way, on the south side, to Evans Avenue between Mandell and Quint Streets. The M-2 cluster extends from Cargo Way, north to Arthur Avenue, and across Islais Creek Channel. Generally, buildings in the vicinity are large one story sprawling warehouses and one to three story industrial buildings.

The proposed building would be taller than nearby buildings, but would be built within the height allowed for that zoning district. As previously discussed in Section B. Project Setting, the proposed project would not introduce new uses to the area. Furthermore, ground floor retail could encourage pedestrian movement in the area from the nearby Bayview neighborhood.

The proposed project would not result in a substantial adverse change in the character of the project vicinity, and therefore would result in a less than significant impact.

4 In M-1 Districts, most industries are permitted, with the large or noxious ones excluded.
Impact C-LU-1: The proposed project, in combination with past, present and reasonably foreseeable future projects in the vicinity, would result in less-than-significant cumulative land use impacts. (Less than Significant)

Cumulative projects within a quarter-mile from the project site include two Planning Department’s active cases: (1) 1375 Evans Street, which proposes an approximate 6,500 sf commercial building with an accessory dwelling unit; and (2) 1901 Cesar Chavez, which proposes the demolition of an existing 50,000 sf industrial building and the construction of a new, 120,000 sf home improvement store (Home Depot). Given the nature of these projects and the distance from the project site, it is unlikely that they would have land use impacts that could combine with the impacts of the proposed project. Further, even if these projects did have land use impacts, the proposed project would not contribute in a cumulatively considerable way to divide an established community; conflict with plans, policies, and regulations; or change neighborhood character. For the reasons described above, land use impacts, both project specific and cumulative, would be less than significant.

---

### Topics: Potentially Significant Impact

<table>
<thead>
<tr>
<th>Topics</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. AESTHETICS—Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Have a substantial adverse effect on a scenic vista?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c) Substantially degrade the existing visual character or quality of the site and its surroundings?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>
An aesthetic analysis or assessment of visual quality is somewhat subjective and considers the project design in relation to the visual character of the surrounding area. This includes heights and building types of surrounding uses, the potential of the proposed project to obstruct scenic views or vistas, and its potential for light and glare.

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, “aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.” Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

a) The project is in a transit priority area;
b) The project is on an infill site; and
c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics in determining the significance of project impacts under CEQA.5

---

<table>
<thead>
<tr>
<th>Topics:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. POPULATION AND HOUSING—Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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)?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

The proposed project would have a significant impact on population and housing under CEQA if it were to induce substantial population growth in an area, either directly or indirectly; if it were to displace substantial numbers of existing housing units or create demand for additional housing; or if it were to displace a substantial number of people, necessitating construction of

---

5 San Francisco Planning Department. *Transit-Oriented Infill Project Eligibility Checklist for 3433 3rd Street*, March 25, 2014. This document is available for review as part of Case File No. 2009.0065E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.
replacement housing elsewhere.

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

The proposed project’s meeting hall would have a maximum capacity of 120 people, but accommodating these 120 union members for a monthly meeting would neither directly nor indirectly induce substantial growth in the area. It is estimated that the proposed 30,717 sf of office space and 2,000 sf of commercial space would create a demand for approximately 116 net new employees.\(^6\) The new positions are likely to be filled by Bay Area residents; however, some of these new positions could attract new employees to San Francisco. If these new employees needed to relocate to the Bay Area, the number of new employees would not be substantial in the context of San Francisco’s population and would not necessitate the construction of new housing in San Francisco or the region. Therefore, the proposed project would have less than significant impacts on population growth.

Impact PH-2: The proposed project would not displace substantial numbers of existing housing units or create demand for additional housing. (Less than Significant)

The proposed project would be developed on a site that is currently an empty lot. There is no housing on the site, and no housing would be displaced due to the construction or operation of the proposed project. The proposed project would not displace any existing housing units nor create demand for additional housing units. As previously stated, the new jobs generated by the proposed project are likely to be filled by current Bay Area residents; thus construction of the proposed project would not necessitate the construction of additional housing. Therefore the proposed project would have a less than significant impact with respect to displacement of existing housing or the demand for additional housing.

\(^6\) San Francisco Planning Department, 3433 3rd Street Trip Generation Screencheck Spreadsheet, prepared by Monica Pereira on March 2012 and available for review at the San Francisco Planning Depart as part of the files for Case No.2009.0065E.
Impact C-PH-1: 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)

Cumulative projects within the vicinity include two cases: (1) 1375 Evans Street, which proposes an approximate 6,500 sf commercial building with an accessory dwelling unit; and (2) 1901 Cesar Chavez, which proposes the demolition of an existing 50,000 sf industrial building and the construction of a new, 120,000 sf home improvement store (Home Depot). Given the nature of these projects and the distance from the project site, it is unlikely that they would have population and housing impacts that could combine with the impacts of the proposed project. Further, even if these projects did have population and housing impacts, the proposed project would not contribute in a cumulatively considerable way to substantial population growth or a substantial increase in housing demand. Therefore, the proposed project would not contribute to any cumulative impacts to population and housing; thus impacts to population and housing, both project-specific and cumulative, would be less than significant.

---

4. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:

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

The analysis considers the project impact to historic architectural and archeological resources. This includes:

- Impacts to cultural and paleontological resources that would be caused by substantial adverse change in the significance of a historical resource;
- Impacts to archeological resources that would be caused by a substantial adverse change in the significance of an archeological resource; or
- Impacts to unique paleontological resource or site or unique geologic feature; or
• Disturbance of any human remains.

Impact CP-1: The proposed project could not 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. (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 a 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.

As discussed in Section A. Project Description, the proposed project includes construction of a new 65,981 sf building to accommodate offices, commercial spaces, union meeting hall and 34 parking spaces on a vacant lot. The project site is not a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code, nor is it located within or near an existing or potential historic district. Therefore, the proposed project would have no impact on historic resources.

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

Factors considered in determining the potential for encountering archeological resources include the location, depth, the amount of excavation proposed, as well as any existing information about known resources in the area.

The project site is located in a highly developed industrial urban area that has been historically used for industrial purposes. According to the Department’s Preliminary Archeological Review, by the early 1870s, the project area housed slaughterhouses and it was known as Butchertown. The

7 San Francisco Planning Department, Environmental Planning Preliminary Archeological Review, May 1, 2014. Available for review at the Planning Department, 1650 Mission Street, under Case No. 2009.0065E.
project site was more recently used as a service station and the soils at the site were disturbed during a 1999 UST removal.\textsuperscript{8}

Based on the geotechnical report prepared in 2007,\textsuperscript{9} the site is blanketed by 13 to 14 feet of fill consisting of loose to medium dense sand and soft to stiff clay with various amounts of brick, concrete and wood debris. The fill is underlain by a soft to medium stiff, highly compressible marine clay deposit (Bay Mud). The Bay Mud extends to 56 ft below ground surface (bgs) and is underlain by 22-foot-thick layer of dense to very dense sand of the Colma Formation. The report recommended that a deep foundation system consisting of driven concrete piles should be used for support, and the piles should be driven to a point where they cannot reasonably be driven deeper in the very dense Colma sand layer (about 70 ft bgs).

Because nearby archeological investigations along Evans Street have identified structural remains associated with Butchertown, proposed pile driving at the project site has the potential to adversely affect archeological resources that are associated with Butchertown. However, with the implementation of Mitigation Measure M-CP-2: Testing, the potential for the proposed project to affect any archeological resources that might be encountered at the project site during excavation will be avoided. The project sponsor has agreed to implement Mitigation Measure M-CP-2, 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-2, the proposed project would result in \textit{less than significant} impacts to archeological resources.

\textbf{Mitigation Measure M-CP-2: Testing}

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant’s work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this

\textsuperscript{8} ACC Environmental Consultants, \textit{Phase I Environmental Site Assessment 3433 Third Street 1570/1580 Burke Avenue, San Francisco, CA. January 24, 2000.}

\textsuperscript{9} Earth Mechanics Consulting Engineers, \textit{Geotechnical Investigation Proposed Development on Lot 23, Block 5203 Third and Burke Streets, San Francisco, California, March 3, 2000.}
measure could suspend construction of the project for up to a maximum of four weeks. At the
direction of the ERO, the suspension of construction can be extended beyond four weeks only if
such a suspension is the only feasible means to reduce to a less than significant level potential
effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

Consultation with Descendant Communities: On discovery of an archeological site10 associated with
descendant Native Americans, the Overseas Chinese, or other descendant group an appropriate
representative11 of the descendant group and the ERO shall be contacted. The representative of
the descendant group shall be given the opportunity to monitor archeological field investigations
of the site and to consult with ERO regarding appropriate archeological treatment of the site, of
recovered data from the site, and, if applicable, any interpretative treatment of the associated
archeological site. A copy of the Final Archaeological Resources Report shall be provided to the
representative of the descendant group.

Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO
for review and approval an archeological testing plan (ATP). The archeological testing program
shall be conducted in accordance with the approved ATP. The ATP shall identify the property
types of the expected archeological resource(s) that potentially could be adversely affected by the
proposed project, the testing method to be used, and the locations recommended for testing. The
purpose of the archeological testing program will be to determine to the extent possible the
presence or absence of archeological resources and to identify and to evaluate whether any
archeological resource encountered on the site constitutes an historical resource under CEQA.

At the completion of the archeological testing program, the archeological consultant shall submit
a written report of the findings to the ERO. If based on the archeological testing program the
archeological consultant finds that significant archeological resources may be present, the ERO in
consultation with the archeological consultant shall determine if additional measures are
warranted. Additional measures that may be undertaken include additional archeological
testing, archeological monitoring, and/or an archeological data recovery program. No
archeological data recovery shall be undertaken without the prior approval of the ERO or the
Planning Department archeologist. If the ERO determines that a significant archeological resource
is present and that the resource could be adversely affected by the proposed project, at the
discretion of the project sponsor either:

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

---

10 By the term “archeological site” is intended here to minimally include any archeological deposit, feature, burial, or evidence of
burial.

11 An “appropriate representative” of the descendant group is here defined to mean, in the case of Native Americans, any individual
listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native
American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An
appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.
B. A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

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

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archeological resources and to their depositional context;

- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;

- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;

- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;

- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

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

The scope of the ADRP shall include the following elements:

- **Field Methods and Procedures.** Descriptions of proposed field strategies, procedures, and operations.
- **Cataloguing and Laboratory Analysis.** Description of selected cataloguing system and artifact analysis procedures.
- **Discard and Deaccession Policy.** Description of and rationale for field and post-field discard and deaccession policies.
- **Interpretive Program.** Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- **Security Measures.** Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- **Final Report.** Description of proposed report format and distribution of results.
- **Curation.** Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

**Human Remains and Associated or Unassociated Funerary Objects.** The treatment of human remains and associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner’s determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.
*Final Archeological Resources Report.* The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

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

_______________________

**Impact CP-3: The proposed project may directly or indirectly destroy a unique paleontological resource 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 resources and once destroyed they could not be replaced.

Paleontological resources are lithologically dependent; that is, deposition and preservation of paleontological resources are related to the lithological unit in which they occur. If the rock types representing a deposition environment conducive to deposition and preservation of fossils are not favorable, fossils will not be present. Lithological units which may be fossiliferous, include sedimentary and volcanic formations. Geologic materials underlying the project site would be disturbed during grading and excavation. The material would likely consist of artificial fill. According to the 2007 geotechnical investigation, the site is blanketed by 13 to 14 feet of fill consisting of loose to medium dense sand and soft to stiff clay with various amounts of brick, concrete and wood debris. The fill is underlain by Bay Mud that goes to 56 feet below ground surface (bgs) and is underlain by a 22-foot-thick layer of dense to very dense sand of the Colma Formation (about 68 to 76 feet bgs). The bedrock is estimated to be encountered at 150 to 200 feet.
bgs. Due to the site’s geological composite there is a likelihood of encountering fossil containing beds during construction.

The Department’s Preliminary Archeological Review determined that the proposal project has potential to adversely affect paleontological resources; and with the implementation of Mitigation Measure M-CP-2: Testing, the potential for the proposed project to affect any paleontological resources that might be encountered at the project site during excavation will be avoided. The project sponsor has agreed to implement Mitigation Measure M-CP-2, detailed above under question CP-2 and within Section F. Mitigation Measures and Improvement Measures, at the end of this Initial Study. With implementation of Mitigation Measure M-CP-2, the proposed project would result in less than significant impacts to paleontological resources.

Impact CP-4: The proposed project could disturb human remains including those interred outside formal cemeteries. (Less than Significant with Mitigation)

Impacts on Native American burials are considered under Public Resources Code (PRC) Section 15064.5(d)(1). When an Initial Study identifies the existence of, or the probable likelihood of, Native American human remains within the project, the lead agency is required to work with the appropriate tribal entity, as identified by the California Native American Heritage Commission (NAHC). The CEQA lead agency may develop an agreement with the appropriate tribal entity for testing or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials. By implementing such an agreement, the project becomes exempt from the general prohibition on disinterring, disturbing, or removing human remains from any location other than the dedicated cemetery (Health and Safety Code Section 7050.5) and the requirements of CEQA pertaining to Native American human remains. The project’s treatment of human remains and 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 determined that the proposal project has potential to adversely affect archeological resources, including buried human remains. In the event human remains are found during excavation, the Project Sponsor and construction company will follow Local, State, and Federal procedures. Additionally, the project sponsor has agreed to implement Mitigation Measure M-CP-2, detailed above under question CP-2 and within Section F. Mitigation Measures and Improvement Measures, at the end of this Initial Study. With implementation of Mitigation Measure M-CP-2, the proposed project would result in a less than significant impact to human remains.
Impact C-CP-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the site, would result in less-than-significant cumulative impacts to cultural resources. (Less than Significant)

The project site is an empty lot and it is not considered a historic property nor it is located in a historic district, thus, implementation of the proposed project would not contribute in a cumulatively considerable way to any substantial adverse effect to historical resources. The proposed project would not have impact on- or off-site historic resources. Therefore, impacts to historic architectural resources would be less than significant, and the proposed project would not result in a considerable contribution to cumulative impacts on historic architectural resources.

Ground-disturbing activities in the vicinity of the project site could encounter previously recorded and/or unrecorded archeological resources. The proposed project, in combination with past, present, and reasonably foreseeable projects in the vicinity that also involve ground disturbance could also encounter previously recorded and unrecorded archeological resources and could result in a significant cumulative impact to these cultural resources. Project-related impacts on archeological resources are site-specific and generally limited to the project’s construction area. **Mitigation Measure M-CP-1** would reduce the proposed project’s impact to a less-than-significant level, and the proposed project’s contribution to cumulative impacts on archeological resources would also be **less than significant** with implementation of this mitigation measure.

<table>
<thead>
<tr>
<th>Topics:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. TRANSPORTATION AND CIRCULATION — Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☒</td>
<td>☒</td>
<td>☒</td>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>
The project site is not located within an airport land use plan area or in the vicinity of a private airstrip. Therefore, criterion 5c is not applicable to the proposed project. Due to the scope and location of the proposed project, the San Francisco Planning Department determined that a Transportation Technical Memorandum (Memo) was required for this project. The following summarizes the findings of the Memo.  

### Setting

The project site is located at the southeast corner of Third Street and Cargo Way, within the India Basin Industrial Park. The project site is bordered by Third Street to the west and south, Cargo Way and Amador Street to the north and east. Local access to/from the project site is provided primarily via Third Street, Cargo Way, Amador Street, and Illinois Street.

Third Street is designated as a major arterial and Cargo Way is designated as a secondary arterial in the Congestion Management Program (CMP) Network and part of the Metropolitan Transportation Systems (MTS) Network.

- **Third Street** is a two-way, north-south roadway, with two travel lanes in each direction for most of its length, with the median of the street occupied by the T Third Street rail line. There are six-foot wide sidewalks on both sides of the street and metered and non-metered street parking at various locations along the street.

- **Cargo Way** is a two-way, east-west roadway, with one travel lane in each direction. Heavy rail tracks parallel Cargo Way in the vicinity of the project site and serve freight trains to and from the port terminals. There are four-and six-foot wide sidewalks on the south and north sides of the street respectively. There are no on-street parking spaces on the street.

---

12 Atkins, Technical Memorandum 2433 Third Street Transportation Review. March 19, 2012. Available for review at the Planning Department, 1650 Mission Street, under Case No. 2009.0065E.

- **Amador Street** is a two-way, east-west roadway with one travel lane in each direction. It extends from Cargo Way east and terminates near industrial land uses next to the shoreline. Railway tracks share the north edge of the street and connect with the rail tracks extending across Third Street just north of Cargo Way. There are parallel and perpendicular parking spaces on the street and no sidewalks or bicycle facilities.

- **Illinois Street** is a two-way, north-south roadway with one travel lane in each direction. It runs parallel to Third Street to the north of the project site over the Islais Creek Channel and merges into Cargo Way at the Amador Street intersection. There is a six-foot wide sidewalk on the west side of the street and none on the east. On-street parking is available on the south side of this street.

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

Muni routes in the project vicinity include the T-Third Street Rail, 19 Polk, 44 O’Shaughnessy and 91 Owl. There is a bus stop in front of the project site, on Cargo Way’s east-bound lane, and a second bus stop on the corner of the west-bound lane of Cargo Way where it intersects with Third Street.

The major bicycle routes in the study area include **Route 5**, along Third Street and Illinois Street (adjacent to the project site); **Route 7**, between Mariposa Street and Carroll Avenue, via Indiana Street, Third Street, Phelps Street, Palou Avenue, and Keith Street; **Route 68** extends from the Innes gate at Hunters Point Shipyard north along Innes Avenue, Hunters Point Boulevard, and Evans Avenue to Cesar Chavez Street; **Route 60** along Cesar Chavez between Mississippi and Bayshore Boulevard; **Route 70** along Palou Avenue, between the Bayview Hunters Point area and West Portal; **Route 170** along Oakdale Avenue between Third Street and Bayshore Boulevard; and **Route 907** along Indiana Street between Cesar Chavez Street and the embankment at Islais Creek, where it intersects with **Route 60**.

In addition to the seven bicycle routes, portions of the existing San Francisco Bay Trail have been constructed along the waterfront at India Basin, allowing for recreational bicycle use. Future plans for the San Francisco Bay Trail call for improvements to Cargo Way that would provide a bicycle path between the Illinois Street Bridge to the north and Heron’s Head Park to the south and east.
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 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. (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 operation, transit demand, impacts on pedestrian and bicycle circulation, parking and freight loading, as well as construction impacts. A Transportation Technical Memorandum was prepared for the proposed project in accordance with the Planning Department’s Transportation Impact Analysis Guidelines for Environmental Review, October 2002 (Transportation Guidelines). The Transportation Technical Memorandum provides a description of existing transportation, circulation, parking, and alternative modes of transportation characteristics associated with the existing facilities. It also provides an evaluation of potential impacts from the proposed project on the transportation network in the project vicinity.

**Trip Generation**

As set forth in the 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 worse-case conditions for the local transportation network. According to the Transportation Technical Memorandum, the union assembly/meeting hall activity would occur after 7:00 PM one evening per month for up to 120 attendees. It is concluded that as meetings would occur after the PM peak hour and would not occur on a daily basis, no substantial daily trips or PM peak-hour trips would be generated. The proposed project is expected to generate 116 new employees at the site, which would result in 70 PM peak hour person trips to the site.

The proposed project would generate approximately 34 new vehicle trips during the weekday PM peak-hour (six inbound and 28 outbound). The majority of the project-generated traffic would use Third Street to access local roadways and regional highways to the west of the project site. Therefore, the majority of inbound and outbound traffic would access the project site via the Cargo Way/Third Street intersection.

---

14 Ibid. 11
15 San Francisco Planning Calculation Table – prepared by Monica Pereira 2012. Available for review at the Planning Department, 1650 Mission Street, under Case No. 2009.0065E.
16 Ibid. 11
Access to/from the proposed project driveway on Cargo Way would be restricted to right-turn-in, right-turn-out only. Left turns would not be permitted to or from the project site, primarily due to the driveway’s proximity to the complex (multiple approach) Cargo Way/Amador Way/Illinois Street intersection. As such, inbound vehicles would have to use the through movement signal phase eastbound on Cargo Way, then turn right into the project driveway. Vehicles traveling out of the proposed project driveway are assumed to operate independently of the traffic signals, but would yield to vehicles passing through the intersection.

The added project volumes, about 34 new vehicle trips during the PM peak-hour, would not substantially alter average delay per vehicle or existing levels of service within the project vicinity. This is due to the relatively small number of project-generated trips as well as the right-turn-in, right-turn-out operation of the proposed project driveway on the south side of the Cargo Way/Amador Street/Illinois Street intersection. The proposed project would not add left-turn movements to that intersection, which would limit potential adverse effects on intersections operations at Third Street/Cargo Way. Traffic impacts associated with the proposed project during the PM peak hour would not be a significant increase relative to the existing capacity of the surrounding street system and would not introduce new traffic hazards. As such, the proposed project would have less than significant traffic impacts.

The driveway providing access to/from the proposed project is on the south side of the complex at the signalized intersection (Cargo Way/Amador Street/Illinois Street) where non-typical angles of approach are present. Although this would not be a significant hazard, two improvement measures are recommended at the proposed project’s driveway entrance to improve conditions.

**Improvement Measures IM-TR-1 & IM-TR-2** are presented below.

**Improvement Measure IM-TR-1 -Pedestrian and Bicycle Traffic**: Include signage at the project driveway that exiting vehicles must yield to traffic, pedestrians, and bicyclists.

**Improvement Measure IM-TR-2 – Parking Access & Signage**: The Project Sponsor should consult with San Francisco Municipal Transportation Agency (SFMTA) on the proposed design of the driveway (limiting access and egress to right-turn movements only), to determine if signage or additional striping is required on Cargo Way to clarify that no left turns are allowed into the project site driveway. The Project Sponsor would be responsible for funding the installation of any such new improvements.

**Bicycle**

The 34 PM peak-hour vehicle trips associated with the proposed project would not be expected to result in significant adverse bicycle and vehicle conflicts. There are seven bicycle routes in the
vicinity of the project site, consisting of Class I, Class II, and Class III bikeways that could accommodate the estimated two peak-hours bicycle trips. The driveway providing access to/from the proposed project would cross the bicycle path that is planned for the south side of Cargo Way. However, bicycle traffic on Cargo Way is low and this would not be considered to be a significant impact and no mitigation would be required. Although this would be a less than significant impact, improvements could be made, as presented in Improvement Measure IM-TR-1 above, at the proposed project’s driveway entrance to increase the visibility of bicyclists to exiting vehicles.

**Loading**

Overall, the proposed project would generate approximately seven delivery/service vehicle trips per day, which would result in a demand for less than one loading spaces during an average hour and peak hour of loading demand. Project loading or delivery trips would be expected to be accommodated at on-street parking spaces or in the project parking. The proposed project would have a less than significant impact on loading conditions; therefore, no mitigation would be required.

**Construction**

Project construction is expected to take about 18 months. Construction related activities would typically occur Monday through Saturday, between 7:00 AM and 8:00 PM.

Construction activities are not anticipated to require temporary sidewalk closures on Third Street or on Cargo Way as staging would occur on-site, and would not require any vehicle or parking lane closures. Nevertheless, any sidewalk or vehicle lane closures or diversions are subject to review and approval by the City’s Transportation Advisory Staff Committee (TASC) that consists of representatives of City departments including SFMTA, DPW, San Francisco Fire Department (SFFD), Planning, San Francisco Police Department (SFPD), the Department of Public Health (DPH), Port of San Francisco (Port) and the Taxi Commission. Construction traffic would use Third Street or Cargo, but would not be expected to affect traffic conditions or transit operations in the vicinity. Prior to construction, the project contractor would coordinate with Muni’s Street Operations and Special Events Office to coordinate construction activities and reduce any impacts to transit operations.

Due to their temporary and limited duration, construction-related impacts generally would not be considered significant. Although the project’s construction truck traffic and loading impacts would be considered less than significant, the project sponsor has agreed to adopt an improvement measure that would further reduce any non-significant transportation effects associated construction activities by limiting truck movements during peak-hour traffic. **Improvement Measure, I-TR-3**, presented below:

**Improvement Measure I-TR-3: Transportation (Construction Activities):**
Any construction traffic occurring between 7:00 a.m. and 9:00 a.m. or between 3:30 p.m. and 6:00 p.m. would coincide with peak hour traffic and could temporarily impede traffic and transit flow, although this would not be considered a significant impact. The project sponsor will require the construction contractor to limit truck movements to the hours between 9:00 a.m. and 3:30 p.m. (or other times, if approved by the San Francisco Transportation Authority or SFMTA) in order to minimize the disruption of the general traffic flow on adjacent streets during the AM and PM peak periods. The project sponsor and construction contractor will meet with the Traffic Engineering Division of the SFMTA, SFFD, Muni, Planning Department and other City agencies to determine feasible measures to reduce traffic congestion and other potential transit and pedestrian circulation effects during construction of the proposed project.

Parking

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, “aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.” Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

a) The project is in a transit priority area;

b) The project is on an infill site; and

c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria and thus, this determination does not consider the adequacy of parking in determining the significance of project impacts under CEQA. The Planning Department acknowledges that parking conditions may be of interest to the public and the decision makers. Therefore, this determination presents a parking demand analysis for informational purposes.

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. While parking conditions change over time, a substantial deficit in parking caused by a project that creates hazardous conditions or significant delays to traffic, transit bicycles or pedestrians could adversely affect the physical environment. Whether a deficit in parking creates such conditions will depend on the magnitude of the shortfall and the ability of drivers to change travel patterns or switch to other travel modes. If a substantial deficit in parking caused by a project creates hazardous conditions or significant delays in travel, such a

17 San Francisco Planning Department. Transit-Oriented Infill Project Eligibility Checklist for 3433 3rd Street, March 25, 2014. This document is available for review as part of Case File No. 2009.0065E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.
condition could also result in secondary physical environmental impacts (e.g., air quality or noise impacts caused by congestion), depending on the project and its setting.

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 or other modes (walking and biking), would be in keeping with the City’s “Transit First” policy and numerous San Francisco General Plan Policies, including those in the Transportation Element. The City’s Transit First policy established in the City’s Charter Article 8A, Section 8A.115, and provides that “parking policies for areas well served by public transit should be designed to encourage travel by public transportation and alternative transportation.”

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. 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, and thus choose to reach their destination by other modes (i.e. walking, biking, transit, taxi). If this occurs, any secondary environmental impacts that 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, would reasonably address potential secondary effects.

The parking demand for the proposed project was determined based on the methodology presented in the Transportation Guidelines. The project midday parking demand, based on the proposed land uses, would be 83 parking spaces. The proposed project would include off-street parking for 34 vehicles, resulting in a parking shortfall of 49 spaces. On-street parking conditions during the PM peak period indicated that only 97 of the 221 spaces within a one-block radius of the project site were occupied, with approximately 124 spaces unoccupied.\(^\text{18}\) Therefore, the proposed project’s parking demand could be accommodated by available on-street parking within a reasonable distance of the project vicinity.

Parking demand generated by the union assembly/meeting hall use would occur approximately one time per month in the evening. This parking demand would likely be accommodated by the 34 off-street parking stalls that would be provided by the proposed project. All 34 parking stalls are anticipated to be available for use by union assembly/meeting hall attendees because meetings would be held at 7:00 PM. As noted previously, these meetings would be attended by as many as 120 attendees and, while it is likely that many attendees would arrive via transit or

\(^{18}\) Ibid. 11
other alternative travel modes, it is possible that the 34 off-street parking stalls may not be sufficient to accommodate the parking demand. In this case, excess parking demand could be accommodated by available on-street parking in the project vicinity.

As previously discussed, Planning Code Sections 249.42, 204.3 and 151 outline the parking requirements for the project; since the project is located in the India Basin Industrial Park Special Use District there is no required minimum parking requirement; however, a maximum parking limit applies in accordance to Planning Code Sections 204.3 and 151. The maximum allowable number of spaces would be 130 spaces.19

Any unmet parking demand associated with the project would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays are created. In summary, the proposed project would not result in a substantial parking shortfall that would create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians.

Impact TR-2: The proposed project would not result in substantially increased hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses. (Less than Significant)

Vehicular access to the parking would be from Cargo Way, approximately 300 feet east of Third Street, near Amador Street/Cargo Way intersection, via an 18-foot-wide driveway. Primary pedestrian access would be by way of an entry courtyard which would extend from Third Street to the parking lot, and secondary access would be from Cargo Way to the office, retail space, and the meeting hall. The primary entry courtyard would also contain covered parking for bicycles (See Figure 4). The proposed project would not interfere with existing traffic circulation or cause major traffic hazards, nor have a significant effect on traffic-related hazards. Therefore, the project would have less than significant impact on a roadway or from a project-related design feature.

19 Ibid. 2
Impact TR-3: The proposed project would not result in inadequate emergency access. (Less than Significant)

The site design for the proposed project would not contain any elements that would negatively affect existing emergency access to the project site. The proposed project would not interfere with emergency access to the project site or in the vicinity of the project site. The proposed project would not be expected to affect emergency response times or access to other sites. The proposed building would be situated at the corner of two roadways, emergency vehicles could access the building from either Cargo Way or Third Street. Alternatively, emergency vehicles could access the east side of the building via the 18-foot-wide driveway to the parking area off of Cargo Way. Additionally, the proposed building is required to meet the standards contained in the Building and Fire Codes and the San Francisco Building and Fire Departments would review the final building plans to ensure sufficient access and safety. Therefore, the project would have less than significant impact on emergency access to the project site or any surrounding sites.

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

Transit Conditions

The project site is well served by transit. There are four Muni lines that provide service within one-quarter mile of the project site, the T-Third Street, 19 Polk, 44 O’Shaughnessy, and 91 Owl. These routes connect the proposed project to The Embarcadero, Fisherman’s Wharf, Inner Richmond, and the Bayview-Hunters Point Neighborhood. Primary access to BART is provided by the 19 Polk, which travels north and stops on Market Street directly at the Civic Center BART station, the 44 O’Shaughnessy, which travels west and stops at Glen Park BART station, and the T-Third Street light rail which makes all BART stops along Market Street. It is estimated that the proposed project would generate 12 PM peak-hour transit trips, which would be distributed among the various Muni transit routes. None of the adjacent routes exceed Muni’s 85% capacity utilization standard, and the proposed project’s 12 PM peak-hour trips would not substantially alter these conditions nor substantially add to transit regional loading. Additionally, the proposed project’s vehicle traffic would not affect transit operations. Project trips would not add substantial number of trips to the Third Street/Cargo Way intersections, and therefore would not delay operations of the T-Third line. The increase in transit demand associated with the proposed project would be a less than significant impact on transit service or operations in the project area.

---

20 Ibid.11
Pedestrian Conditions

The proposed project would not be expected to result in significant adverse conditions for pedestrians. Sidewalk widths are four to six feet on Third Street and Cargo Way in the vicinity of the project site and intermittent on other streets. Pedestrian activity is primarily focused on Third Street, the main roadway through the area, but the heavy truck volumes and lack of pedestrian-oriented land uses and facilities in the area likely hinder pedestrian activity on surrounding streets. Larger pedestrian volumes near the intersection of Third Street and Evans Avenue are attributed to the uses of the T-Third Street light rail station. The platform includes ADA accessible ramps and is less than a quarter-mile from the project site. Pedestrian activity in the vicinity of the proposed project was observed to be very limited during various site visits.\(^{21}\)

The proposed project is not expected to result in significant adverse change to pedestrian conditions, adding nine pedestrian trips in PM peak-hour in the area adjacent and along Third Street, where pedestrian traffic is currently low. Sidewalk widths are sufficient to allow for the free flow of pedestrian traffic. Improvements would be made to landscaping and sidewalks making the pedestrian environment more attractive. Pedestrian activity would marginally increase as a result of the proposed project, but not to a degree that could not be accommodated on local sidewalks or that would result in safety concerns. The driveway providing access to/from the proposed project is on the south side of the Cargo Way/Amador Street/Illinois Street intersection where non-typical angles of approach are present. Drivers would be required to yield to traffic and pedestrians and this would not be considered a hazard in part due to limited pedestrian activity. An improvement measure is recommended at the proposed project’s entrance to improve pedestrian visibility. Improvement Measure 1: Pedestrian and Bicycle Traffic is presented above.

Bicycle Conditions

The 34 PM peak-hour vehicle trips associated with the proposed project would not be expected to result in significant adverse bicycle and vehicle conflicts. There are seven bicycle routes in the vicinity of the project site that could accommodate the estimated two peak-hours “Other”, including bicycle trips. The driveway providing access to/from the proposed project would cross the bicycle path that is planned for the south side of Cargo Way. However, bicycle traffic on Cargo Way is low and this would not be considered to be a significant impact and no mitigation would be required. Although this would be a less than significant impact, improvements could be made, as presented in Improvement Measure IM-TR-1: Pedestrian and Bicycle Traffic above, at the proposed project’s driveway entrance to increase the visibility of bicyclists to exiting vehicles.

\(^{21}\) Site visits were conducted in October 2008, September 2011, and for recent studies such as (Hunters View (227-229 West Point Road FEIR) and Candlestick Point-Hunters Point Shipyard Phase II Development Plan FEIR.
Impact C-TR-1: The proposed project, in combination of past, present, and reasonably foreseeable future projects, would have less-than-significant transportation cumulative impacts. (Less than Significant)

Project impacts related to bicycle and pedestrian circulation, loading supply and demand, emergency vehicle access, and construction would be localized and site specific, and would not contribute to impacts from other development and infrastructure projects in San Francisco.

In light of the above, the proposed project would not have a significant project-specific or cumulative impact to transportation and circulation. The number of trips associated with the proposed project would be dispersed throughout the local roadway network and throughout the hours of day. 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.

Project construction activities, in combination with other development in the project area, would incrementally increase the demands on the City’s transportation network, but not beyond levels anticipated and planned for by local transportation and transit agencies. Construction schedules of the proposed project could overlap with future projects, resulting in a temporary increase of construction workers and delivery trucks to the area. As previously discussed, an improvement measure for construction related impacts has been identified. Thus, for the reasons discussed above, project-related impacts to transportation and circulation would not be cumulatively considerable.

<table>
<thead>
<tr>
<th>Topics:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. NOISE—Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>
The project site is not located within an airport land use plan area, or within the vicinity of a private airstrip. Therefore, criterion E.6e and E.6f are not applicable to the proposed project.

The proposed project would have a significant noise impact under CEQA if it were to result in exposure of persons to, or generation of, noise levels in excess of established standards; excessive groundborne vibration or noise levels; substantial permanent increase in ambient noise levels in the project vicinity; substantial temporary or periodic increase in ambient noise levels in the project vicinity above existing levels; or be substantially affected by existing noise levels, including noise levels caused by an airport.

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)

As discussed in Section A. Project Description, the proposed project includes the construction of a new 65,981 gross square feet building to accommodate offices, commercial spaces, a union meeting hall and 34 parking spaces in a vacant lot zoned PDR-2. Background noise levels along Third Street and Burke Avenue are above 70 dBA (Ldn) 22,23,24. Because the noise levels at the

---

22 Existing noise levels along these streets were estimated based on the consultation of the San Francisco Department of Public Health’s (DPH) noise map, “Noise 6 Category”.

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

24 There are many different quantities used in the community noise measurements. Day-night averaged sound level (Ldn) is the 24-hours equivalent sound level (Leq) obtained after the addition of 10 dBA to the sound levels from 10PM to 7AM. http://home.tir.com/~ms/noisecontrol/noisecontrol.html accessed on 07/25/11.
project site exceed 65 Ldn, the General Plan’s Land Use Compatibility chart,\textsuperscript{25} recommends that a detailed evaluation of noise reduction requirements be made for new office development and recommended noise reduction measures be incorporated as part of the project design. Furthermore, California’s Building Standards Code (Title 24 of the California Code of Regulations, which at the local level is enforced by the Department of Building Inspection), contains noise insulation standards that are required for new office buildings. Office building occupants would not be considered sensitive to noise in the way that residents would be.

While the implementation of the proposed project would increase the number of daily vehicle trips by 284 vehicles and 34 vehicles at the PM peak hour,\textsuperscript{26} these new vehicle trips would not lead to a substantial increase in existing traffic related noise. Based on published scientific acoustic studies, the traffic volumes in a given area would need to approximately double to produce an increase in ambient noise levels noticeable to most people in the area.\textsuperscript{27} Thus, the proposed project would not generate noise that exceeds established standards or result in a substantial permanent increase in ambient noise levels. Therefore, for the reasons discussed above, effects related to noise would be less than significant.

\textbf{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 without the project, but project construction would not expose persons to excessive groundborne vibration or noise, or result in substantial periodic ambient noise in the project vicinity. (Less than Significant)}

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 businesses. The closest sensitive noise receptors to the project site are the residences that are located along Hudson Avenue, approximately 2,000 feet away to the south of the project site. According to the project sponsor, the construction period would last approximately 18 months.

\textsuperscript{25} The Environmental Protection element of the General Plan contains Land Use Compatibility Guidelines for Community Noise. These guidelines, which are similar to, but differ somewhat from, state guidelines promulgated by the Governor’s Office of Planning and Research, indicate maximum acceptable noise levels for various newly developed land uses.\textsuperscript{26} Ibid. 11 \textsuperscript{27}http://www.fhwa.dot.gov/environment/noise/regulations_and_guidance/analysis_and_abatement_guidance/polguide01.cfm
The geotechnical report, prepared for the proposed project, recommends a deep foundation system. The construction method for this deep foundation would consist of precast concrete piles. Considering this, the noisiest construction activity associated with the project, would likely be pile driving which can generate noise levels up to 90-105 dBA at 50 feet from the pile driving activity (see Table 2, below). Noise generally attenuates (decreases) at a rate of 6 to 7.5 dBA per doubling of distance and would therefore not be anticipated to affect the closest residential uses (noise sensitive receptors), which are located approximately 2,000 feet from the project site.

<table>
<thead>
<tr>
<th>Phase</th>
<th>(L_{eq})^{30}</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ground Clearing</td>
<td>84</td>
</tr>
<tr>
<td>Excavation</td>
<td>89</td>
</tr>
<tr>
<td>Foundations</td>
<td>78</td>
</tr>
<tr>
<td>Erection</td>
<td>85</td>
</tr>
<tr>
<td>Exterior Finishing</td>
<td>89</td>
</tr>
<tr>
<td>Pile Driving</td>
<td>90-105</td>
</tr>
</tbody>
</table>

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the Police Code). The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools (jackhammers, hoe rammers, impact wrenches) must have both intake and exhaust muffled to the satisfaction of the Director of Public Works or the Director of Building Inspection. Section 2908 of the Ordinance prohibits construction work between 8:00 p.m. and 7:00 a.m., if noise would exceed the ambient noise level by 5 dBA at the project property line, unless a special permit is authorized by the Director of Public Works or the Director of Building Inspection. The project must comply with regulations set forth in the Noise Ordinance. It is, therefore anticipated that pile-driving activities associated with the proposed project would result in noise levels for noise-sensitive receptors that are within Article 29 standards. Construction noise and vibration impacts would be temporary in nature and limited to the period of construction. The increase in noise and vibration in the project area during project construction would be considered less than significant because it would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with the City’s Noise Ordinance.

---

28 Rockridge Geotechnical. Geotechnical Investigation Local 22 Carpenter’s Union Hall, Third Street and Cargo Way. November 26, 2001. This report is on file and available for review as part of Planning Department Case File No. 2009.0065E.


30 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.
Impact C-NO-1: 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)

The construction activities associated with the proposed project would be temporary and intermittent for 18 months. Construction activities in the vicinity of the project site, such as excavation, grading, or construction of other buildings in the area, would occur on a temporary and intermittent basis, similar to the project. Project construction-related noise would not substantially increase ambient noise levels at locations greater than a few hundred feet from the project site. As such, construction noise effects associated with the proposed project are not anticipated to combine with proposed developments at 1375 Evans Street and 1901 Cesar Chavez. Also, it is anticipated that all current and future projects in the project site’s vicinity would be required to comply with the San Francisco Noise Ordinance. Therefore, cumulative construction-related noise impacts would be less than significant.

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

<table>
<thead>
<tr>
<th>Topics: AIR QUALITY—Would the project:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Conflict with or obstruct implementation of the applicable air quality plan?</td>
</tr>
<tr>
<td>☐</td>
</tr>
<tr>
<td>☐</td>
</tr>
<tr>
<td>☒</td>
</tr>
<tr>
<td>☐</td>
</tr>
<tr>
<td>☐</td>
</tr>
<tr>
<td>☐</td>
</tr>
<tr>
<td>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
</tr>
<tr>
<td>☐</td>
</tr>
<tr>
<td>☐</td>
</tr>
<tr>
<td>☒</td>
</tr>
<tr>
<td>☐</td>
</tr>
<tr>
<td>☐</td>
</tr>
<tr>
<td>☐</td>
</tr>
<tr>
<td>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)?</td>
</tr>
<tr>
<td>☐</td>
</tr>
<tr>
<td>☐</td>
</tr>
<tr>
<td>☒</td>
</tr>
<tr>
<td>☐</td>
</tr>
<tr>
<td>☐</td>
</tr>
<tr>
<td>☐</td>
</tr>
<tr>
<td>Topics:</td>
</tr>
<tr>
<td>--------</td>
</tr>
<tr>
<td>d)</td>
</tr>
<tr>
<td>e)</td>
</tr>
</tbody>
</table>

**Setting**

The Bay Area Air Quality Management District (BAAQMD) is the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), which includes San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara and Napa counties and portions of Sonoma and Solano counties. BAAQMD is responsible for attaining and maintaining air quality in the SFBAAB within federal and state air quality standards, as established by the federal Clean Air Act (CAA) and the California Clean Air Act (CCAA), respectively. Specifically, the BAAQMD has the responsibility to monitor ambient air pollutant levels throughout the SFBAAB and to develop and implement strategies to attain the applicable federal and state standards. The CAA and the CCAA require plans to be developed for areas that do not meet air quality standards, generally. The most recent air quality plan, the 2010 Clean Air Plan, was adopted by the BAAQMD on September 15, 2010. The 2010 Clean Air Plan updates the Bay Area 2005 Ozone Strategy in accordance with the requirements of the CCAA to implement all feasible measures to reduce ozone; provide a control strategy to reduce ozone, particulate matter, air toxics, and greenhouse gases in a single, integrated plan; and establish emission control measures to be adopted or implemented. The primary goals of the 2010 Clean Air Plan are to:

- Attain air quality standards;
- Reduce population exposure and protect public health in the San Francisco Bay Area; and
- Reduce GHG emissions and protect the climate.

The 2010 Clean Air Plan represents the most current applicable air quality plan for the SFBAAB. Consistency with this plan is the basis for determining whether the proposed project would conflict with or obstruct implementation of air quality plans.

**Criteria Air Pollutants**

In accordance with the state and federal CAAs, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO₂), sulfur dioxide (SO₂) and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. In general, the SFBAAB experiences low concentrations of most pollutants when compared to federal or state standards. The SFBAAB is
designated as either in attainment\textsuperscript{31} or unclassified for most criteria pollutants with the exception of ozone, PM\textsubscript{2.5}, and PM\textsubscript{10}, for which these pollutants are designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project’s individual emissions contribute to existing cumulative air quality impacts. If a project’s contribution to cumulative air quality impacts is considerable, then the project’s impact on air quality would be considered significant.\textsuperscript{32}

Land use projects may contribute to regional criteria air pollutants during the construction and operational phases of a project. Table 3, identifies air quality significance thresholds followed by a discussion of each threshold. Projects that would result in criteria air pollutant emissions below these significance thresholds would not violate an air quality standard, contribute substantially to an air quality violation or result in a cumulatively considerable net increase in criteria air pollutants within the SFBAAB.

| Table 3: Criteria Air Pollutant Significance Threshold |
| --- | --- | --- |
| Pollutant | Construction Thresholds | Operational Thresholds |
| | Average Daily Emissions (lbs./day) | Average Daily Emissions (lbs./day) | Annual Emissions (tons/year) | Average Emissions (tons/year) |
| ROG | 54 | 54 | 10 | |
| NOx | 54 | 54 | 10 | |
| PM10 | 82 (exhaust) | 82 | 15 | |
| PM2.5 | 54 (exhaust) | 54 | 10 | |
| Fugitive | Construction Dust Ordinance or other Best Management Practices | | | Not Applicable |

Ozone Precursors. As discussed previously, the SFBAAB is currently designated as non-attainment for ozone and particulate matter. Ozone is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG) and oxides of nitrogen (NO\textsubscript{x}). The potential for a project to result in a cumulatively considerable net increase in criteria air pollutants, which may contribute to an existing or projected air quality violation, are based on the state and federal Clean Air Acts emissions limits for stationary sources. To ensure that new stationary sources do not cause or contribute to a

\textsuperscript{31} "Attainment” status refers to those regions that are meeting federal and/or state standards for specified criteria pollutant. “Non-attainment” refers to regions that do not meet federal and/or state standards for a specified criteria pollutant. “Unclassified” refers to regions where there is not enough data to determine the region’s attainment status for a specified criteria air pollutant.

\textsuperscript{32} Bay Area Air Quality Management District (BAAQMD), California Environmental Quality Act Air Quality Guidelines, page 2-1. May 2011.
violation of an air quality standard, BAAQMD Regulation 2, Rule 2 requires that any new source that emits criteria air pollutants above a specified emissions limit must offset those emissions. For ozone precursors, ROG and NO\textsubscript{x}, the offset emissions level is an annual average of 10 tons per year (or 54 pounds (lbs.) per day).\textsuperscript{33} These levels represent emissions by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants.

**Particulate Matter (PM\textsubscript{10} and PM\textsubscript{2.5}).**\textsuperscript{34} The federal New Source Review (NSR) program was created by the federal CAA to ensure that stationary sources of air pollution are constructed in a manner that is consistent with attainment of federal health based ambient air quality standards. For PM\textsubscript{10} and PM\textsubscript{2.5}, the emissions limit under NSR is 15 tons per year (82 lbs. per day) and 10 tons per year (54 lbs. per day), respectively. These emissions limits represent levels at which a source is not expected to have an impact on air quality.\textsuperscript{35} Although the regulations specified above apply to new or modified stationary sources, land use development projects result in ROG, NO\textsubscript{x}, PM\textsubscript{10} and PM\textsubscript{2.5} emissions as a result of increases in vehicle trips, architectural coating and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of land use projects and those projects that result in emissions below these thresholds would not be considered to contribute to an existing or projected air quality violation or result in a considerable net increase in ozone precursors or particulate matter. Due to the temporary nature of construction activities, only the average daily thresholds are applicable to construction phase emissions.

**Fugitive Dust.** Fugitive dust emissions are typically generated during construction phases. Studies have shown that the application of best management practices (BMPs) at construction sites significantly control fugitive dust.\textsuperscript{36} Individual measures have been shown to reduce fugitive dust by anywhere from 30 percent to 90 percent.\textsuperscript{37} The BAAQMD has identified a number of BMPs to control fugitive dust emissions from construction activities.\textsuperscript{38} The City’s Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) requires a number of fugitive dust control measures to ensure that construction projects do not result in visible dust. The BMPs

\textsuperscript{33} BAAQMD, Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance, page 16, October 2009.

\textsuperscript{34} PM\textsubscript{10} is often termed “coarse” particulate matter and is made of particulates that are 10 microns in diameter or smaller. PM\textsubscript{2.5}, termed “fine” particulate matter, is composed of particles that are 2.5 microns or less in diameter.

\textsuperscript{35} BAAQMD, Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance, October 2009, page 16.


\textsuperscript{37} BAAQMD, Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance, page 27, October 2009.

\textsuperscript{38} BAAQMD, CEQA Air Quality Guidelines, May 2011.
employed in compliance with the City’s Construction Dust Control Ordinance is an effective strategy for controlling construction-related fugitive dust.

**Local Health Risks and Hazards**

In addition to criteria air pollutants, individual projects may emit toxic air contaminants (TACs). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., of long duration) and acute (i.e., severe but of short-term) adverse effects to human health, including carcinogenic effects. Human health effects of TACs include birth defects, neurological damage, cancer, and mortality. There are hundreds of different types of TACs with varying degrees of toxicity. Individual TACs vary greatly in the health risk they present; at a given level of exposure, one TAC may pose a hazard that is many times greater than another.

Unlike criteria air pollutants, TACs do not have ambient air quality standards but are regulated by the BAAQMD using a risk-based approach to determine which sources and pollutants to control as well as the degree of control. A health risk assessment is an analysis in which human health exposure to toxic substances is estimated, and considered together with information regarding the toxic potency of the substances, to provide quantitative estimates of health risks.\(^\text{39}\)

Air pollution does not affect every individual in the population in the same way, and some groups are more sensitive to adverse health effects than others. Land uses such as residences, schools, children’s day care centers, hospitals, and nursing and convalescent homes are considered to be the most sensitive to poor air quality because the population groups associated with these uses have increased susceptibility to respiratory distress or, as in the case of residential receptors, their exposure time is greater than for other land uses. Therefore, these groups are referred to as sensitive receptors. Exposure assessment guidance typically assumes that residences would be exposed to air pollution 24 hours per day, 350 days per year, for 70 years. Therefore, assessments of air pollutant exposure to residents typically result in the greatest adverse health outcomes of all population groups.

Exposures to fine particulate matter (PM\(_{2.5}\)) are strongly associated with mortality, respiratory diseases and lung development in children, and other endpoints such as hospitalization for cardiopulmonary disease.\(^\text{40}\) In addition to PM\(_{2.5}\), diesel particulate matter (DPM) is also of concern. The Air Resources Board (ARB) identified DPM as a TAC in 1998, primarily based on evidence demonstrating cancer effects in humans.\(^\text{41}\) The estimated cancer risk from exposure to

---

\(^{39}\) In general, a health risk assessment is required if the BAAQMD concludes that projected emissions of a specific air toxic compound from a proposed new or modified source suggest a potential public health risk. The applicant is then subject to a health risk assessment for the source in question. Such an assessment generally evaluates chronic, long-term effects, estimating the increased risk of cancer as a result of exposure to one or more TACs.

\(^{40}\) DPH, Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review. May 2008.

diesel exhaust is much higher than the risk associated with any other TAC routinely measured in the region.

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco has partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed the “Air Pollutant Exposure Zones”, were identified based on two health-protective criteria: (1) excess cancer risk from the contribution of emissions from all modeled sources greater than 100 per one million population, and/or (2) cumulative PM2.5 concentrations greater than 10 micrograms per cubic meter (μg/m³).

**Excess Cancer Risk.** The above 100 per one million persons (100 excess cancer risk) criteria is based on the United States Environmental Protection Agency (USEPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and community-scale level. As described by the BAAQMD, the USEPA considers a cancer risk of 100 per million to be within the “acceptable” range of cancer risk. Furthermore, in the 1989 preamble to the benzene National Emissions Standards for Hazardous Air Pollutants (NESHAP) rulemaking, the USEPA states that it “…strives to provide maximum feasible protection against risks to health from hazardous air pollutants by (1) protecting the greatest number of persons possible at an individual lifetime risk level no higher than approximately one in one million and (2) limiting to no higher than approximately one in ten thousand [100 in one million] the estimated risk that a person living near a plant would have if he or she were exposed to the maximum pollutant concentrations for 70 years.” The 100 per one million excess cancer cases is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on BAAQMD regional modeling.

**Fine Particulate Matter.** In April 2011, the USEPA published *Policy Assessment for the Particulate Matter Review of the National Ambient Air Quality Standards*, “Particulate Matter Policy Assessment.” In this document, USEPA staff concludes that the current federal annual PM2.5 standard of 15 micrograms per cubic meter (μg/m³) should be revised to a level within the range of 13 to 11 μg/m³, with evidence strongly supporting a standard within the range of 12 to 11 μg/m³. The Air Pollutant Exposure Zone for San Francisco is based on the health protective PM2.5 standard of 11 μg/m³, as supported by the USEPA’s Particulate Matter Policy Assessment, although lowered to 10 μg/m³ to account for uncertainty in accurately predicting air pollutant concentrations using emissions modeling programs.

---


43 54 Federal Register 38044, September 14, 1989.

Land use projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project’s activities would expose sensitive receptors to substantial air pollutant concentrations and emissions to areas already adversely affected by poor air quality.

**Construction Air Quality Impacts**

Project-related air quality impacts fall into two categories: short-term impacts from construction and long-term impacts from project operation. The following addresses construction-related air quality impacts resulting from the proposed project.

---

**Impact AQ-1:** The proposed project’s construction activities would generate fugitive dust and criteria air pollutants, but would not violate an air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. (Less than Significant)

Construction activities (short-term) typically result in emissions of ozone precursors and particulate matter in the form of dust (fugitive dust) and exhaust (e.g., vehicle tailpipe emissions). Emissions of ozone precursors and particulate matter are primarily a result of the combustion of fuel from on-road and off-road vehicles. However, ROGs are also emitted from activities that involve painting, other types of architectural coatings, or asphalt paving. The proposed project does not include demolition work, as the site is currently a vacant lot. The proposed project includes the construction of a new building to accommodate offices, commercial spaces, a union meeting hall and 34 parking spaces. During the project’s approximately 18-month construction period, construction activities would have the potential to result in emissions of ozone precursors and particulate matter, as discussed below.

**Fugitive Dust**

Project-related demolition, excavation, 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 ARB, reducing particulate matter PM$_{2.5}$ concentrations state and federal standards of 12 μg/m$^3$ in the San Francisco Bay Area would prevent between 200 and 1,300
Dust can be an irritant causing watering eyes or irritation to the lungs, nose, and throat. Demolition, excavation, grading, and other construction activities can cause wind-blown dust that adds to particulate matter to the local atmosphere. Depending on exposure, adverse health effects can occur due to general particulate matter and specific contaminants such as lead or asbestos that may be constituents of soil.

In response, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) 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 onsite workers, to minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI).

The Ordinance 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 Director of DBI may waive this requirement for activities on sites less than ½ acre that are unlikely to result in any visible wind-blown dust. The project would disturb soil in excess of 10 cubic yards and therefore would be required to implement dust control measures.

In compliance with the Construction Dust Control Ordinance, the project sponsor and the contractor responsible for construction activities at the project site would be required to use the following practices to control construction dust on the site or other practices that result in equivalent dust control that are acceptable to the Director. Dust suppression activities may include watering all active construction areas sufficiently to prevent dust from becoming airborne; increased watering frequency may be necessary whenever wind speeds exceed 15 mph. 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. Contractors should provide as much water as necessary to control dust (without creating run-off in any area of land clearing, and/or earth movement). During excavation and dirt-moving activities, contractors should wet sweep or vacuum the streets, sidewalks, paths and intersections where work is in progress at the end of the workday. Inactive stockpiles (where no disturbance occurs for more than seven days) greater than 10 cubic yards or 500 square feet of excavated material, backfill material, import material, gravel, sand, road base, and soil should be covered with a 10 mil (0.01 inch) polyethylene plastic (or equivalent) tarp, braced down, or use other

---

equivalent soil stabilization techniques. Compliance with the regulations and procedures set forth in the San Francisco Dust Control Ordinance would ensure that potential dust-related air quality impacts would be reduced to a less than significant level.

**Criteria Air Pollutants**

As discussed above, construction activities would also result in emissions of criteria air pollutants. To assist lead agencies in determining whether short-term construction-related air pollutant emissions require further analysis as to whether the project may exceed the criteria air pollutant significance thresholds shown in Table 3, the BAAQMD, in their CEQA Air Quality Guidelines (May 2011), has developed screening criteria. If a proposed project meets the screening criteria, then construction of the proposed project would result in less-than-significant criteria air pollutant impacts. A project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds. The CEQA Air Quality Guidelines note that the screening levels are generally representative of new development on greenfield sites without any form of mitigation measures taken into consideration. In addition, the screening criteria do not account for project design features, attributes, or local development requirements that could also result in lower emissions.

For general office building use, such as the proposed office building, the construction screening criteria is 277,000 sf. There are no general meeting hall or general retail categories; therefore, the screening criteria for a library (277,000 sf) and for a strip mall (277,000 sf) were used as representative of the proposed uses at the site, both of which have much more intense uses than the proposed 65,981 gross square feet proposed for construction. Thus, quantification of construction-related criteria air pollutant emissions is not required, and the proposed project’s construction activities would result in a less than significant criteria air pollutant impact.

**Impact AQ-2:** The proposed project’s construction activities would generate toxic air contaminants, including diesel particulate matter, but would not expose sensitive receptors to substantial pollutant concentrations. (Less than Significant)

The closest sensitive land uses, to the project site, are the residences located along Hudson Avenue, approximately 2,000 feet away to the south of the project site. The proposed project does

---

46 A greenfield site refers to agricultural or forest land or an undeveloped site earmarked for commercial, residential, or industrial projects.

47 BAAQMD, *2011 Guidelines*, op. cit., Table 3-1, page 3-2.
not include sensitive land uses.

Off-road equipment (which includes construction-related equipment) is a large contributor to DPM emissions in California, although since 2007, the ARB has found the emissions to be substantially lower than previously expected.\(^48\) Newer and more refined emission inventories have substantially lowered the estimates of DPM emissions from off-road equipment such that off-road equipment is now considered the sixth largest source of DPM emissions in California.\(^49\) For example, revised PM emission for the year 2010, which DPM is a major component of total PM, have decreased by 83 percent from previous 2010 emissions estimates for the SFBAAB.\(^50\) Approximately half of the reduction can be attributed to the economic recession and approximately half can be attributed to updated assumptions independent of the economic recession (e.g., updated methodologies used to better assess construction emissions).\(^51\)

Additionally, a number of federal and State regulations are requiring cleaner off-road equipment. Specifically, both the USEPA and California have set emissions standards for new off-road equipment engines, ranging from Tier 1 to Tier 4. Tier 1 emission standards were phased in between 1996 and 2000 and Tier 4 Interim and Final emission standards for all new engines would be phased in between 2008 and 2015. To meet the Tier 4 emission standards, engine manufacturers will be required to produce new engines with advanced emission-control technologies. Although the full benefits of these regulations will not be realized for several years, the USEPA estimates that by implementing the federal Tier 4 standards, NOx and PM emissions will be reduced by more than 90 percent\(^52\) Furthermore, California regulations limit maximum idling times to five minutes, which further reduces public exposure to NOx and PM emissions.\(^53\)

In addition, construction activities do not lend themselves to analysis of long-term health risks because of their temporary and variable nature. As explained in the BAAQMD’s CEQA Air Quality Guidelines:

> “Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations.

\(^{48}\) ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, p.1 and p. 13 (Figure 4), October 2010.

\(^{49}\) ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.

\(^{50}\) ARB, “In-Use Off-Road Equipment, 2011 Inventory Model,” Query accessed online, April 2, 2012, http://www.arb.ca.gov/msc1/categories.htm#inuse_or_category.

\(^{51}\) ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.


\(^{53}\) California Code of Regulations, Title 13, Division 3, Section 2485.
Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet (ARB 2005). In addition, current models and methodologies for conducting health risk assessments are associated with longer term exposure periods of 9, 40, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. This results in difficulties with producing accurate estimates of health risk.”

Therefore, project-level analyses of construction activities have a tendency to produce overestimated assessments of long-term health risks. However, within the Air Pollutant Exposure Zone, as discussed above, additional construction activity may adversely affect populations that are already at a higher risk for adverse long-term health risks from existing sources of air pollution.

The project site is not located within an identified Air Pollutant Exposure Zone. Although on-road heavy-duty diesel vehicles and off-road equipment would be used during the approximate 18-month construction duration, emissions would be temporary and variable in nature and would not be expected to expose sensitive receptors to substantial air pollutants. Furthermore, the proposed project would be subject to, and would comply with, California regulations limiting idling to no more than five minutes, which would further reduce nearby sensitive receptor exposure to temporary and variable DPM emissions. Therefore, construction period TAC emissions would result in a less than significant impact to sensitive receptors.

Although the proposed project is not within an Air Pollutant Exposure Zone, the following improvement measure has been identified to further reduce these less-than-significant impacts.

**Improvement Measure I-AQ-2: Construction Emissions Minimization**

A. *Construction Emissions Minimization Plan.* Prior to issuance of a construction permit, the project sponsor should submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan should detail project compliance with the following requirements:

1. All off-road equipment greater than 25 horse power (hp) and operating for more than 20 total hours over the entire duration of construction activities should meet the following requirements:

   a) Where access to alternative sources of power are available, portable diesel engines should be prohibited;

b) All off-road equipment should have:
   i. Engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and
   ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).  

c) Exceptions:
   i. Exceptions to A(1)(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor should submit documentation of compliance with A(1)(b) for onsite power generation.

   ii. Exceptions to A(1)(b)(ii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).

---

55 Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.
iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor should provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table 4.

<table>
<thead>
<tr>
<th>Compliance Alternative</th>
<th>Engine Emission Standard</th>
<th>Emissions Control</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Tier 2</td>
<td>ARB Level 2 VDECS</td>
</tr>
<tr>
<td>2</td>
<td>Tier 2</td>
<td>ARB Level 1 VDECS</td>
</tr>
<tr>
<td>3</td>
<td>Tier 2</td>
<td>Alternative Fuel*</td>
</tr>
</tbody>
</table>

How to use the table: If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.

* Alternative fuels are not a VDECS.

2. The project sponsor should require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs should be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.

3. The project sponsor should require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.

4. The Plan should include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting should indicate the type of alternative fuel being used.

5. The Plan should be kept on-site and available for review by any persons requesting it and a legible sign should be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor should provide copies of Plan to members of the public as requested.
B. Reporting. Quarterly reports should be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting should include the actual amount of alternative fuel used.

Within six months of the completion of construction activities, the project sponsor should submit to the ERO a final report summarizing construction activities. The final report should indicate the start and end dates and duration of each construction phase. For each phase, the report should include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting should include the actual amount of alternative fuel used.

C. Certification Statement and On-site Requirements. Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.

Operational Air Quality Impacts

Land use projects typically result in emissions of criteria air pollutants and toxic air contaminants primarily from an increase in motor vehicle trips. However, land use projects may also result in criteria air pollutants and toxic air contaminants from combustion of natural gas, landscape maintenance, use of consumer products, and architectural coating. The following addresses air quality impacts resulting from operation of the proposed project.

Impact AQ-3: During project operations, the proposed project would result in emissions of criteria air pollutants, but not at levels that would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. (Less than Significant)

As discussed above in Impact AQ-1, the BAAQMD in their CEQA Air Quality Guidelines (May 2011), has developed screening criteria to determine whether a project requires an analysis of project-generated criteria air pollutants. If all 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. The proposed project includes landscaped areas, office, retail and a meeting hall, which would involve the use of consumer products. Construction of the proposed project would include the use of architectural coatings, and the operation of the proposed project would also result in 34 peak hour vehicle trips per day. The proposed project would be below the criteria air pollutant screening sizes for general office building (346,000 sf), the screening criteria for library (78,000 sf –

56 Ibid. 11
conservatively used because there is not screening criteria for meeting hall) and the lowest potential screening criteria for various commercial uses (5,000 square feet for a 24-hour convenience market or 8,000 square feet for a fast-food restaurant without drive-through) identified in the BAAQMD's CEQA Air Quality Guidelines. Thus, quantification of project-generated criteria air pollutant emissions is not required, and the proposed project would not exceed any of the significance thresholds for criteria air pollutants, and would result in a less than significant impact with respect to criteria air pollutants.

Impact AQ-4: During project operations, the proposed project would generate toxic air contaminants, including diesel particulate matter, but would not expose sensitive receptors to substantial air pollutant concentrations. (Less than Significant)

Sources of Toxic Air Contaminants
Vehicle Trips. Individual projects result in emissions of toxic air contaminants primarily as a result of an increase in vehicle trips. The BAAQMD considers roads with less than 10,000 vehicles per day “minor, low-impact” sources that do not pose a significant health impact even in combination with other nearby sources, and recommends that these sources be excluded from the environmental analysis. The proposed project’s 34 daily vehicle trips would be well below this level and would be distributed among the local roadway network, therefore an assessment of project-generated TACs resulting from vehicle trips is not required, and the proposed project would not generate substantial amounts of TAC emissions that could affect nearby sensitive receptors; thus, impacts associated with project’s TAC emissions would be less than significant.

Siting of Sensitive Land Uses
The proposed project includes the construction of office, retail and a meeting hall spaces, which are not considered sensitive land uses for the purpose of air quality evaluation. The closest sensitive land uses, to the project site, are the residences located along Hudson Avenue, approximately 2,000 feet away to the south of the site. Therefore, the proposed project would result in a less than significant impact with respect to exposing sensitive receptors to substantial levels of air pollution.

Impact AQ-5: The proposed project would not conflict with, or obstruct implementation of the 2010 Clean Air Plan. (Less than Significant)

The most recently adopted air quality plan for the SFBAAB is the 2010 Clean Air Plan. The 2010 Clean Air Plan is a road map that demonstrates how the San Francisco Bay Area will achieve compliance with the state ozone standards as expeditiously as practicable and how the region will reduce the transport of ozone and ozone precursors to neighboring air basins. In determining
consistency with the 2010 Clean Air Plan (CAP), this analysis considers whether the project would: (1) support the primary goals of the CAP, (2) include applicable control measures from the CAP, and (3) avoid disrupting or hindering implementation of control measures identified in the CAP.

The primary goals of the CAP are to: reduce emissions and decrease concentrations of harmful pollutants, (2) safeguard the public health by reducing exposure to air pollutants that pose the greatest health risk, and (3) reduce greenhouse gas emissions. To meet the primary goals, the CAP recommends specific control measures and actions. These control measures are grouped into various categories and include stationary and area source measures, mobile source measures, transportation control measures, land use measures, and energy and climate measures. The CAP recognizes that to a great extent, community design dictates individual travel mode, and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics, and greenhouse gases from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand, and people have a range of viable transportation options. To this end, the 2010 Clean Air Plan includes 55 control measures aimed at reducing air pollution in the SFBAAB.

The measures most applicable to the proposed project are transportation control measures and energy and climate control measures. The proposed project’s impacts with respect to GHGs are discussed in Section E.8, Greenhouse Gas Emissions, which demonstrates that the proposed project would comply with the applicable provisions of the City’s Greenhouse Gas Reduction Strategy.

The compact development of the proposed project and high availability of viable transportation options ensure that employees, union hall users and retail customers could bicycle, walk, and ride transit to and from the project site instead of taking trips via private automobile. These features ensure that the project would avoid substantial growth in automobile trips and vehicle miles traveled. The proposed project’s anticipated 34 net new trips would result in a negligible increase in air pollutant emissions. Furthermore, the proposed project would be generally consistent with the San Francisco General Plan as discussed in Section C, Compatibility with Existing Zoning and Plans. Transportation control measures that are identified in the 2010 Clean Air Plan are implemented by the San Francisco General Plan and the Planning Code, for example, through the City’s Transit First Policy, parking maxima, bicycle and Car Share parking requirements applicable to the proposed project. Compliance with these requirements would ensure the project includes relevant transportation control measures specified in the 2010 Clean Air Plan. Therefore, the proposed project would include applicable control measures identified in the CAP to meet the CAP’s primary goal.

Examples of a project that could cause the disruption or delay of Clean Air Plan control measures are projects that would preclude the extension of a transit line or bike path, or projects that
propose excessive parking beyond parking requirements. The proposed project would construct approximately 30,717 sf of office space, 2,000 sf of retail space, and 4,000 sf of union assembly hall space and 34 parking spaces to a dense, walkable urban area near a concentration of regional and local transit service. It would not preclude the extension of a transit line or a bike path or any other transit improvement, and thus would not disrupt or hinder implementation of control measures identified in the CAP.

For the reasons described above, the proposed project would not interfere with implementation of the 2010 Clean Air Plan, and because the proposed project would be consistent with the applicable air quality plan that shows how the region will improve ambient air quality and achieve the state and federal ambient air quality standards, this impact would be less than significant.

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

Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. Observation indicates that the project site is not substantially affected by sources of odors. Additionally, the proposed project includes office and small retail space, and would therefore not create a significant source of new odors. Therefore, odor impacts would be less than significant.

Impact C-AQ-1: The proposed project, in combination with past, present, and reasonably foreseeable future development in the project area would contribute to cumulative air quality impacts. (Less than Significant)

As discussed above, regional air pollution is by its very nature largely a cumulative impact. Emissions from past, present and future projects contribute to the region’s adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project’s individual emissions contribute to existing cumulative adverse air quality impacts. The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute

57 Site visits were conducted in September 2011 by San Francisco Planning Department staff.
to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project’s construction (Impact AQ-1) and operational (Impact AQ-3) emissions would not exceed the project-level thresholds for criteria air pollutants, the proposed project would not be considered to result in a cumulatively considerable contribution to regional air quality impacts.

Although the project would add new sources of TACs (e.g., new vehicle trips), the project site is not located within an Air Pollutant Exposure Zone. The project’s incremental increase in localized TAC emissions resulting from emissions from new vehicle trips would be minor and would not contribute substantially to cumulative TAC emissions that could affect nearby sensitive land uses. Therefore, cumulative air quality impacts would be considered less than significant.

<table>
<thead>
<tr>
<th>Topics:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. GREENHOUSE GAS EMISSIONS—Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

Environmental Settings

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 (CO2), black carbon, methane (CH4), nitrous oxide (N2O), ozone, and water vapor.

Individual projects contribute to the cumulative effects of climate change by emitting GHGs during demolition, construction, and operational phases. While the presence of the primary GHGs in the atmosphere are naturally occurring, CO2, CH4, and N2O are largely emitted from human activities, accelerating the rate at which these compounds occur within earth’s atmosphere. Emissions of carbon dioxide are largely by-products of fossil fuel combustion,
whereas CH₄ results from off-gassing associated with agricultural practices and landfills. Black carbon has recently emerged as a major contributor to global climate change, possibly second only to CO₂. Black carbon is produced naturally and by human activities as a result of the incomplete combustion of fossil fuels, biofuels and biomass. N₂O is a byproduct of various industrial processes and has a number of uses, including use as an anesthetic and as an aerosol propellant. Other GHGs include hydro fluorocarbons, perfluorocarbons, and sulfur hexafluoride, and are generated in certain industrial processes. GHGs are typically reported in “carbon dioxide-equivalent” measures (CO₂E).

There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming. Many impacts resulting from climate change, including increased fires, floods, severe storms and heat waves, already occur and will only become more frequent and more costly. Secondary effects of climate change are likely to include a global rise in sea level, impacts to agriculture, the state’s electricity system, and native freshwater fish ecosystems, an increase in the vulnerability of levees in the Sacramento-San Joaquin Delta, changes in disease vectors, and changes in habitat and biodiversity.

**Greenhouse Gas Emission Estimates and Energy Providers in California.** The California Air Resources Board (ARB) estimated that in 2010 California produced about 451.60 million gross metric tons of CO₂E (million MTCO₂E). The ARB found that transportation is the source of 38 percent of the State’s GHG emissions, followed by electricity generation (both in-state generation and imported electricity) at 21 percent and industrial sources at 19 percent. Commercial and residential fuel use (primarily for heating) accounted for 10 percent of GHG emissions. In San Francisco, on-road transportation (vehicles on highways, city streets, and other paved roads) and natural gas (consumption for residential, commercial, and industrial use) sectors were the two largest sources of GHG emissions, accounting for approximately 40 percent (2.1 million MTCO₂E) and 29 percent (1.5 million MTCO₂E), respectively of San Francisco’s 5.3 million MTCO₂E emitted in 2010. Electricity consumption (residential, commercial, municipal buildings and BART and Muni transportation systems) accounts for approximately 25 percent (1.3 million MTCO₂E) of San Francisco’s GHG emissions.

---


60 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.


63 Ibid.

64 San Francisco Department of Environment (DOE), *San Francisco Climate Action Strategy, 2013 Update.*

65 Ibid.
Electricity in San Francisco is currently primarily provided by PG&E and the San Francisco Public Utilities Commission (SFPUC). In 2010, electricity consumption in San Francisco was approximately 6.1 million megawatt-hours (MWh), accounting for approximately 25 percent (1.3 million MTCO2E) of San Francisco’s total 2010 GHG emission emissions. Of those totals, PG&E produces approximately 73 percent of electricity distributed (4.5 million MWh) accounting for approximately 79 percent (1.1 million MTCO2E) of GHG emissions, and the SFPUC produces approximately 14 percent (0.9 million MWh) of electricity distributed accounting for 0.01 percent (12,489 MTCO2E) of GHG emissions.

In 2010, PG&E’s total power mix was as follows: 20 percent natural gas, 24 percent nuclear, 16 percent eligible renewables (described below), and 16 percent large hydroelectric, 23 percent unspecified power, one percent coal, and one percent other fossil fuels. Pending California Public Utilities Commission approval, PG&E would include a “Green Option” program that would allow customers an opportunity to pay into a program that may lead to the development of up to 250 MW of new clean energy projects in the PG&E service area.

Energy supplies provided by the SFPUC are produced from three hydroelectric power plants that the SFPUC owns and operates in association with San Francisco’s Hetch Hetchy water supply and distribution system. This system has the lowest GHG emissions of any large electric utility in California and currently supplies electricity for use by Muni, city buildings, and a limited number of other commercial accounts.

**Regulatory Setting**

**State**

**Executive Order S-3-05.** Executive Order (EO) S-3-05, sets forth a series of target dates by which statewide emissions of GHGs would be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million MTCO2E); by 2020, reduce emissions to 1990 levels (estimated at 427 million MTCO2E); and by 2050 reduce statewide GHG emissions to 80 percent below 1990 levels (approximately 85 million MTCO2E). As discussed in the Environmental Setting section, California produced about 452 million MTCO2E in 2010, thereby meeting the 2010 target date to reduce GHG emissions to 2000 levels.

**Assembly Bill 32 and California Climate Change Scoping Plan.** In 2006, the California legislature passed Assembly Bill No. 32 (California Health and Safety Code Division 25.5, 66

---

66 *Ibid.* Note: the remainder of the electricity consumption is derived from third party generators or other suppliers.
Sections 38500, et seq., or AB 32), also known as the California Global Warming Solutions Act. AB 32 requires ARB to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020.

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 the goals of AB 32, California must reduce its GHG emissions by 30 percent below projected 2020 business as usual emissions levels, about 15 percent from 2008 levels.\textsuperscript{70} The Scoping Plan estimates a reduction of 174 million MTCO\textsubscript{2}E from the transportation, energy, agriculture, forestry, and high global warming potential sectors, see Table 5: GHG Reductions from the AB 32 Scoping Plan Sectors.\textsuperscript{71}

\textbf{Table 5 GHG Reductions from the AB 32 Scoping Plan Sectors}\textsuperscript{72,73}

<table>
<thead>
<tr>
<th>GHG Reduction Measures By Sector</th>
<th>GHG Reductions (million MT CO\textsubscript{2}E)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transportation Sector</td>
<td>62.3</td>
</tr>
<tr>
<td>Electricity and Natural Gas</td>
<td>49.7</td>
</tr>
<tr>
<td>Industry</td>
<td>1.4</td>
</tr>
<tr>
<td>Landfill Methane Control Measure (Discrete Early Action)</td>
<td>1</td>
</tr>
<tr>
<td>Forestry</td>
<td>5</td>
</tr>
<tr>
<td>High Global Warming Potential GHGs</td>
<td>20.2</td>
</tr>
<tr>
<td>Additional Reductions Needed to Achieve the GHG Cap</td>
<td>34.4</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>174</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Other Recommended Measures</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Operations</td>
<td>1-2</td>
</tr>
<tr>
<td>Methane Capture at Large Dairies</td>
<td>1</td>
</tr>
<tr>
<td>Additional GHG Reduction Measures:</td>
<td></td>
</tr>
<tr>
<td>Water</td>
<td>4.8</td>
</tr>
<tr>
<td>Green Buildings</td>
<td>26</td>
</tr>
<tr>
<td>High Recycling/ Zero Waste</td>
<td></td>
</tr>
<tr>
<td>• Commercial Recycling</td>
<td></td>
</tr>
<tr>
<td>• Composting</td>
<td></td>
</tr>
<tr>
<td>• Anaerobic Digestion</td>
<td></td>
</tr>
<tr>
<td>• Extended Producer Responsibility</td>
<td></td>
</tr>
<tr>
<td>• Environmentally Preferable Purchasing</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>41.8-42.8</strong></td>
</tr>
</tbody>
</table>

\textsuperscript{71} Ibid.
\textsuperscript{73} ARB. 2012a.

The AB 32 Scoping Plan also anticipates that local government actions will result in reduced GHG emissions. ARB has identified a GHG reduction target of 15 percent from 2008 levels for local governments themselves and noted that successful implementation of the plan relies on
local governments’ land use planning and urban growth decisions because local governments have the primary authority to plan, zone, approve, and permit land development to accommodate population growth and the changing needs of their jurisdictions. The Scoping Plan also relies on the requirements of Senate Bill (SB) 375 (discussed below) to align local land use and transportation planning for achieving GHG reductions.

The Scoping Plan must be updated every five years to evaluate the mix of AB 32 policies to ensure that California is on track to achieve the 2020 GHG reduction goal. In early 2013, ARB initiated activities to update the AB 32 Scoping Plan and a Final Scoping Plan Update is scheduled to be released in spring 2014. The 2013 AB 32 Scoping Plan update will define ARB’s climate change priorities for the next five years and lay the groundwork to reach post-2020 goals set forth in EO S-3-05. The update will highlight California’s progress toward meeting the “near-term” 2020 GHG emission reduction goals defined in the original Scoping Plan (2008). According to the ARB, the State is currently on track to meet its 2020 GHG emission reduction goals. To address the State’s near-term and longer-term GHG goals, the update will have both a 2020 element and the post-2020 element. The 2020 element will focus on State, regional, and local initiatives that are being implemented now to assist the State in meeting the 2020 goal. The post-2020 element will provide a high level view of a long-term strategy for meeting the 2050 GHG goals.

Senate Bill 375. The Scoping Plan, as mentioned above, also relies on the requirements of Senate Bill 375 (SB 375) to implement the carbon emission reductions anticipated from land use decisions. SB 375 aligns regional transportation planning efforts, regional GHG emissions reduction targets, and land use and housing allocations. SB 375 requires regional transportation plans developed by each of the State’s 18 Metropolitan Planning Organizations (MPOs) to incorporate a “sustainable communities strategy” (SCS) in each regional transportation plan that will achieve GHG emission reduction targets set by ARB. For the Bay Area, the per-capita GHG emission reduction target is a seven percent reduction by 2020 and a 15 percent reduction by 2035 from 2005 levels. The Metropolitan Transportation Commission’s 2013 Regional Transportation Plan, Plan Bay Area, adopted in July 2013, is the region’s first plan subject to SB 375.

Senate Bill 1078, 107, and X1-2 and Executive Order S-14-08 and S-21-09. California established aggressive Renewable Portfolio Standards under SB 1078 (Chapter 516, Statutes of 2002) and SB 107 (Chapter 464, Statutes of 2006), which require retail sellers of electricity, to provide at least 20 percent of their electricity supply from renewable sources by 2010. EO S-14-08 (November 2008) expanded the State’s Renewable Portfolio Standard to 33 percent of electricity from renewable sources by 2020. In September 2009, then-Governor Schwarzenegger continued California’s commitment to the Renewable Portfolio Standard by signing EO S-21-09, which directed ARB to

---

74 ARB, 2008.
enact regulations to help California meet the Reviewable Portfolio Standard goal of 33 percent renewable energy by 2020.76

In the ongoing effort to codify the GHG reduction goal for energy suppliers of 33 percent by 2020, SB X1-2 (Chapter 1, Statutes of 2011) was signed by Governor Edmund G. Brown, Jr., in April 2011. This Renewable Portfolio Standard preempts the ARB’s 33 percent renewable electricity standard and applies to all electricity suppliers in the state including publicly owned utilities, investor-owned utilities, electricity service providers, and community choice aggregators. All of these entities must adopt the new Renewable Portfolio Standards goals of 20 percent of retail sales from renewable sources by the end of 2013, 25 percent by the end of 2016, and 33 percent by the end of 2020.77 Eligible renewable sources include geothermal, ocean wave, solar photovoltaic, wind, but exclude large hydroelectric (30 MW or more). As a result of SB X1-2, the SFPUC is required to meet 100 percent of its energy needs from a combination of its hydroelectric Hetch Hetchy resources and renewable energy resources.78

Regional
The BAAQMD is responsible for attaining and maintaining air quality in the SFBAAB within federal and state air quality standards, as established by the federal Clean Air Act (CAA) and the California Clean Air Act (CCAA), respectively. The CAA and the CCAA require plans to be developed for areas that do not meet air quality standards, generally. The most recent air quality plan, the 2010 Clean Air Plan includes a goal of reducing GHG emission to 1990 levels by 2020 and 40 percent below 1990 levels by 2035.

In addition, BAAQMD established a climate protection program to reduce pollutants that contribute to global climate change and affect air quality in the SFBAAB. The climate protection program includes measures that promote energy efficiency, reduce vehicle miles traveled, and development of alternative sources of energy, all of which assist in reducing GHGs.79

The BAAQMD also assists local jurisdictions and lead agencies in complying with the requirements of CEQA regarding potentially adverse impacts to air quality in their CEQA Air Quality Guidelines. The BAAQMD advises that local agencies may consider adopting a Greenhouse Gas Reduction Strategy consistent with AB 32 goals and that subsequent projects be reviewed to determine the significance of their GHG emissions based on the degree to which that

77 Ibid.
78 SFPUC, 2011.
project complies with a Greenhouse Gas Reduction Strategy. This is consistent with the approach to analyzing GHG emissions outlined in the CEQA Guidelines Section 15183.5.

Local

San Francisco Greenhouse Gas Reduction Ordinance. In May 2008, the City adopted Ordinance No. 81-08 amending the San Francisco Environment Code to establish GHG emissions targets and departmental action plans and to authorize the San Francisco Department of the Environment to coordinate efforts to meet these targets. The ordinance establishes the following GHG emissions reduction limits for San Francisco and the target dates by which to achieve them: determine 1990 Citywide GHG emissions by 2008, 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.

San Francisco Greenhouse Gas Reduction Strategy. San Francisco has developed a number of plans and programs to reduce the City’s contribution to global climate change and meet the goals of the San Francisco Greenhouse Gas Reduction Ordinance. San Francisco’s Greenhouse Gas Reduction Strategy documents the City’s actions to pursue cleaner energy, energy conservation, alternative transportation and solid waste policies. As identified in San Francisco’s Greenhouse Gas Reduction Strategy, the City has implemented a number of mandatory requirements and incentives that have measurably reduced GHG 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 a mandatory recycling and composting ordinance. The strategy also identifies 42 specific regulations for new development that would reduce a project’s GHG emissions.

The Greenhouse Gas Reduction Strategy concludes that San Francisco’s policies and programs have resulted in a reduction in GHG emissions to below 1990 levels, exceeding statewide AB 32 GHG reduction goals. As reported, San Francisco’s communitywide 1990 GHG emissions were approximately 6.2 million MTCO₂E. As stated above, San Francisco GHG emissions in 2010 were 5.3 million MTCO₂E, which represents a 14.5 percent reduction in GHG emissions compared to 1990 levels. The reduction is largely a result of reduced GHG emissions from the electricity sector, from 2.0 million MTCO₂E (year 1990) to 1.3 million MTCO₂E (year 2010), and waste sector, from 0.5 million MTCO₂E (year 1990) to 0.2 million MTCO₂E (year 2010).  

---


81 DOE, 2013.
Approach to Analysis

GHG emissions and global climate change represent cumulative impacts. GHG emissions contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature; the combination of GHG emissions from past, present, and future projects have contributed to global climate change and its associated environmental impacts. There does not currently appear to be a consensus in the scientific community as to when and under what circumstances a project’s incremental contribution to climate change would be considered cumulatively considerable.

CEQA Guidelines Sections 15064.4 and 15183.5 address the analysis and determination of significant impacts from a proposed project’s GHG emissions. CEQA Guidelines Section 15064.4 allows lead agencies to rely on a qualitative analysis to describe GHG emissions resulting from a project. CEQA Guidelines Section 15183.5 allows for public agencies to analyze and mitigate GHG emissions as part of a larger plan for the reduction of greenhouse gases and describes the required contents of such a plan. Consistent with these sections, San Francisco has prepared its own Greenhouse Gas Reduction Strategy (described above). The BAAQMD has reviewed San Francisco’s Greenhouse Gas Reduction Strategy, concluding that “Aggressive GHG reduction targets and comprehensive strategies like San Francisco’s 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.”

Consistent with CEQA Guidelines Sections 15064.4 and 15183.5, the GHG analysis below includes a qualitative assessment of GHG emissions that would result from a proposed project and an assessment of the proposed project’s compliance with San Francisco’s Greenhouse Gas Reduction Strategy.

Given that the City’s local greenhouse gas reduction targets are more aggressive than the State and Region’s 2020 GHG reduction targets and consistent with the long-term 2050 reduction targets, the City’s Greenhouse Gas Reduction Strategy is consistent with the goals of EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan. Therefore, proposed projects that are consistent with the City’s Greenhouse Gas Reduction Strategy would be consistent with the goals of EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan, would not conflict with these plans, and would therefore not exceed San Francisco’s applicable GHG threshold of significance.

The following analysis of the proposed project’s impact on climate change focuses on the project’s contribution to cumulatively significant GHG emissions. Given the analysis is in a cumulative context, this section does not include an individual project-specific impact statement.

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

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 waste removal, disposal, and landfill operations.

The proposed project would increase the activity on site by constructing a new mixed-use building; therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and office and business operations that result in an increase in energy use, water use and wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions. The proposed project would be subject to and required to comply with several regulations adopted to reduce GHG emissions as identified in the GHG Reduction Strategy. The regulations that are applicable to the proposed project include:

San Francisco Environment Code
- Commuter Benefits Ordinance, and
- Emergency Ride Home Program

San Francisco Planning Code
- Transit Impact Development Fee
- Jobs-Housing Linkage Program
- Bicycle Parking requirements
- Street Tree Planting Requirements for New Construction

San Francisco Building Code and San Francisco Green Building Requirements for:
- Light Pollution Reduction
- Construction Site Runoff Pollution Prevention for New Construction
- Enhanced Refrigerant Management
- Low-emitting Adhesives, Sealants, and Caulks
- Low-emitting Paints and Coatings
- Low-emitting Flooring, including carpet
- Low-emitting Composite Wood
• Provision of Designated Parking for Low-emitting Fuel Vehicles
• Energy Efficiency
• Stormwater Management
• Water Efficient Landscaping
• Efficient Irrigation Ordinance
• Water Use Reduction
• Indoor Water Efficiency
• Requirements for Renewable Energy
• Mandatory Recycling and Composting Ordinance.

These regulations, as outlined in San Francisco’s Strategies to Address Greenhouse Gas Emissions, have proven effective as San Francisco’s GHG emissions have measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan GHG reduction goals for the year 2020. The proposed project was determined to be consistent with San Francisco’s GHG Reduction Strategy. Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project’s contribution to climate change. Therefore, the proposed project’s GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and thus the proposed project’s contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment. As such, the proposed project would result in a less than significant impact with respect to GHG emissions. No mitigation measures are necessary.


d| 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? | ☐ | ☐ | ☒ | ☐ | ☐ |

---

83 Greenhouse Gas Analysis: Compliance Checklist. December 1, 2013. This document is on file and available for public review as part of Case File No. 2009.0065E.
The proposed project would have significant impacts on wind and shadow under CEQA if it were to alter wind in a manner that substantially affects public areas, or create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas. This section discusses the impacts of the proposed project on ground-level wind currents at various locations on the project site and in the vicinity.

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

Wind Impacts are generally caused by large building masses extending substantially above their surroundings, and by buildings oriented such that a large wall catches a prevailing wind, particularly if such a wall includes little or no articulation. The proposed building height would be approximately 65 ft tall with an additional 10 ft mechanical penthouse. The new building would be about 30- to-40 ft taller than buildings in the vicinity. Although taller than the two- and three-story structures on the project’s block, the proposed project’s design includes an articulated facade that could break some of the prevailing wind. In addition, the proposed building is oriented so that its long axis does not sit perpendicular to the strong prevailing wind direction, and its design would not create a potential wind tunnel. Therefore, the project would not result in adverse effects on ground-level winds. Accordingly, the proposed project would have the potential to result in a less than significant wind impact.

Impact WS-2: The proposed project would 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, in consultation with the Recreation and Park Commission, finds the impact to be less than significant. The nearest public open space to the project site is Islais Creek Park, about 1000 ft northwest of the site, at Arthur Avenue and Third Street. To determine whether the proposed project would conform to Section 295, a shadow fan analysis was prepared by Planning Department staff. This analysis concluded that the proposed project would not have the potential to cast new shadow on any property under the jurisdiction of the Recreation and Park Department.84

84 San Francisco Planning Department. Shadow Determination Memo, Case No. 2009.0665K prepared by Diego Sanchez. March 5, 2009. Available for review at the Planning Department, 1650 Mission Street, under Case No. 2009.0065E.
The proposed project would shade portions of nearby streets and sidewalks at times within the project block. These new shadows would not exceed levels commonly expected in urban areas, and would be considered a less than significant effect under CEQA.

Impact C-WS-1: The proposed project, in combination with other past, present or reasonably foreseeable projects, would not result in cumulative considerable contribution to significant wind and shadow impacts. (Less than Significant)

Based on the information provided above, the proposed project, along with other potential and future development in the vicinity, would not result in a significant wind impact in the project vicinity. It is anticipated that design of 1375 Evans and 1901 Cesar Chavez and other future developments in the neighborhood would be required to comply with the applicable height and bulk requirements, as defined in the Planning Code. As such, the proposed project, in combination with current and future projects 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.

The proposed project, along with other potential and future development in the vicinity, could result in net 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.

<table>
<thead>
<tr>
<th>Topics:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>10. RECREATION—Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a)</td>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>b)</td>
<td>Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>c)</td>
<td>Physically degrade existing recreational resources?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
</tbody>
</table>
The proposed project would have significant impacts under CEQA if it were to 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; if it were to include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment; or if it were to physically degrade existing recreational resources.

Impact RE-1: The proposed project would increase the use of existing parks and recreational facilities, but not to an extent that substantial physical deterioration of the facilities would occur or be accelerated. The project does not include recreational facilities nor would it require the expansion of recreational facilities. (Less than Significant)

The project would bring approximately 116 new employees\(^{85}\) to the site. Many of the employees would eat their lunches on site, at local dining establishments, or at local parks and public open spaces. The nearest parks and public open spaces are Islais Park, Tulare Park, Muwekma Ohlone Park, Youngblood Coleman Playground, India Basin Shoreline Park, and Heron’s Point Park. These parks would likely experience increased midday use by the office and retail workers. As previously discussed in Section E.3, Population and Housing, the proposed project is not likely to attract new employees to San Francisco or substantially increase the population in the vicinity. 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 increase in recreational facilities as a result of the proposed project would be negligible; therefore, proposed project’s impacts on recreational facilities would be less than significant.

Impact C-RE-1: 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 use of recreational facilities in the vicinity of the project site is not expected to noticeably increase as a result of the proposed project. It is estimated that the proposed 30,717 sf of office space and 2,000 sf of commercial space would create a demand for approximately 116 net new employees.\(^{86}\) The proposed project is not likely to attract new employees to San Francisco or substantially increase the population in the vicinity; therefore, the proposed project would not

\(^{85}\) Calculated using the *San Francisco Transportation Impact Analysis Guidelines*, October 2002 (5 retail and 111 office employees).

\(^{86}\) Ibid. 79
result in cumulatively considerable impacts to recreational resources and this impact would be considered *less than significant*.

---

<table>
<thead>
<tr>
<th>Topics:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>11. UTILITIES AND SERVICE SYSTEMS—Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>g) Comply with federal, state, and local statutes and regulations related to solid waste?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

The project site is within an urban area that is served by utility service systems, including water, wastewater and stormwater collection and treatment, and solid waste collection and disposal. The proposed mixed use building would increase demand for and use of utilities services, but not in excess of amounts expected in the area and provided by the existing utility and service systems.
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 project site is located within an area that is served by existing utilities and service systems including solid waste disposal, wastewater and stormwater collection and treatment, power, water, and communication facilities. The proposed project would add new commercial and office uses to the site that would incrementally increase the demand for utilities and service systems, but not in excess of amounts expected and provided for the project area. With the exception of some landscaped spaces, the proposed project would cover the entire site with impervious surface. However, 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, which handles both sewage and stormwater runoff. This waste and stormwater would be treated by the Southeast Water Pollution Control Plant (Southeast Plant), which provides wastewater and stormwater treatment and management for the east side of San Francisco, including the project site. The proposed project would be required to meet SFPUC stormwater management requirements and comply with the SFPUC Stormwater Design Guidelines. In order to meet these requirements, the project must demonstrate reduction in total volume and peak flow rate of stormwater for areas in combined sewer systems and submit a Stormwater Control Plan to SFPUC.

The proposed project would be required to meet the standards for stormwater management identified in the San Francisco Green Building Ordinance (SFGBO). The SFGBO would require that the project meet the performance standard identified in the LEED NC® credits 6.1 and 6.2\textsuperscript{87} for quality control of stormwater. Specifically, these credits require the project sponsor to implement a stormwater management plan that reduces impervious cover, promotes infiltration, and captures and treats the stormwater runoff from 90 percent of the average annual rainfall using a variety of best management practices (BMPs). The BMPs must be capable of removing 80 percent of the average annual post-development total suspended solids (TSS). The San Francisco Public Utilities Commission (SFPUC) emphasizes the use of low-cost, low impact BMPs to meet this requirement.

\textsuperscript{87} LEED NC stands for Leadership in Energy and Environmental Design- New Construction.
Although the project would incrementally increase the demand for wastewater treatment and could increase the demand for stormwater treatment, it would not cause the collection treatment capacity to be exceeded, or require the expansion of wastewater treatment facilities or extension of a sewer trunk line. Requirements for stormwater treatment mandated by the SFPUC and SFGBO would decrease the incremental amount of stormwater requiring treatment at the Southeast Plant. The proposed project would meet the wastewater pre-treatment requirements of the SFPUC in order to meet Regional Water Quality Control Board (RWQCB) requirements. No major new sewer or stormwater facilities or construction would be needed to serve the proposed project. The proposed project, therefore, would not substantially increase the demand for wastewater or stormwater treatment, and would result in a less than significant impact on San Francisco’s wastewater and stormwater systems.

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

The proposed project would develop new office and retail space uses at the site, and thus would increase the amount of water required to serve the site, which is currently an empty lot. However, the proposed project would not result in a population increase beyond that assumed for planning purposes by the San Francisco Utilities Commission’s (SFPUC) 2010 Urban Water Management Plan. Additionally, as required by the San Francisco Green Building Ordinance (SFGBO), the project would be required to implement 20 percent reduction in potable water for other uses (requiring installation of low-flow fixtures). Although the project would increase the amount of water required on site, the increase in water use on the site is accounted for in the SFPUC’s 2010 Urban Water Management Plan. Also, the project would be required to implement water conservation measures as required by the SFGBO, would be served by the existing water supply and would not require new or expanded water supply resources or entitlements. Therefore, the project’s impact on water supply would be less than significant.

88 The SFPUC’s 2010 Urban Water Management Plan includes county-wide demand projections to the year 2035, compares available water supplies to meet demands and presents water demand management measures to reduce long-term water demand. Webpage accessed on 09/08/11 http://www.sfwater.org/index.aspx?page=75
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 is disposed of at the Altamont Landfill in Alameda County and is required to meet federal, State and local solid waste regulations. This landfill has a permitted peak maximum disposal capacity of 11,150 tons per day,\(^89\) and the landfill site has a currently permitted capacity of 87.1 million cubic yards. The site has approximately 45,720,000 cubic yards of its capacity remaining.

San Francisco was required by the California State Integrated Waste Management Act of 1989 to adopt an integrated waste management program, as well as implement a program to reduce waste disposal and to have its waste diversion performance periodically reviewed by the Integrated Waste Management Board. Since 2000, the City has diverted increasing amounts of waste from landfills, with 60 percent of its waste diverted from landfills by 2002.\(^90\) Development of the proposed project would comply with San Francisco Building Code Chapter 13 C, which requires at least 75 percent of all demolition and construction-related solid waste to be recycled and diverted from landfills. In addition, during operation, the proposed project would comply with City Ordinance 100-09, the Mandatory Recycling and Composting Ordinance, which requires everyone in San Francisco to separate recyclable and compostable materials from waste. Residents and employees of the proposed project would comply with this ordinance and participate in San Francisco’s recycling and composting programs in order to maximize diversion from the City’s solid waste disposal stream.

While the increased use of the site through residential development would add incrementally to total waste generation at the project site, because of the long-term capacity available at the Altamont Landfill and the increasing rate of diversion in San Francisco, the project would be adequately served by the City’s landfill and thus would have a less than significant impact on solid waste facilities.

Impact UT-4: The construction of the proposed project would comply with all applicable federal, state and local statutes and regulations related to solid waste. (Less than Significant)

As addressed above, the development of the project would be subject to, and would comply with, San Francisco Building Code Chapter 13C by diverting at least 75 percent of all demolition and

---


construction-related debris from the landfill. In addition, employees of the proposed project would comply with the City of San Francisco’s Ordinance 100-009, the Mandatory Recycling and Composting Ordinance, which requires the separation of recyclables and compostable from solid waste. As such, the project would be in compliance with the requirements of the California Integrated Waste Management Act of 1989, which mandates that cities adopt an Integrated Waste Management Plan to establish policies relative to waste disposal and recycling. Therefore, the proposed project would comply with all applicable regulations related to solid waste, and the impact of the construction of the proposed project on solid waste facilities would be less than significant.

Impact C-UT-1: 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 and future development that could occur in the vicinity of the proposed project would incrementally increase demand on citywide utilities and services, although not beyond levels planned for the public service providers. Given that the City’s existing service management plans do expect and 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.

<table>
<thead>
<tr>
<th>Topics:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>12. PUBLIC SERVICES— Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a)</td>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>

The proposed project would have significant impacts under CEQA if it were to result in substantial adverse physical impacts on the provision of, or need for, new or physically altered governmental facilities to maintain acceptable service ratios, response times, or other performance objectives for any public services, especially such that the construction of these facilities could cause significant environmental impacts.
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 the construction of a new building to accommodate offices, commercial spaces, a union meeting hall and 34 parking spaces in a vacant lot. As such, overall demand for fire suppression and police service in the area is not expected to significantly increase as a result of the proposed project.

The police station that serves the project site is located on 201 Williams Avenue, approximately a mile and half from the project site. The fire station that serves the project site is located at 3305 Third Street, approximately 175 yards from the project site. The proposed project will be equipped with fire prevention systems, such as fire sprinklers, smoke alarms and fire alarms. The proposed project is not anticipated to increase the number of service calls received from the project site and immediate vicinity. Therefore, the proposed project would result in a less than significant impact on police and fire services.

Schools and Parks
The closest public school to the project site is Leola M. Harvard Early Education School at 1520 Oakdale Avenue, located approximately 1.2 miles from the project site. The project does not propose residential uses. It is estimated that the proposed 30,717 sf of office space and 2,000 sf of commercial space would create a demand for approximately 116 net 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 would not likely to generate 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.

There are seven open spaces near the project area; the closest one, Islais is located approximately 1,000 feet northwest of 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 less than significant impacts on park services.

91 Ibid Footnote No. 84.
Impact C-PS-1: 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 would incrementally increase demand for a variety of public services, including fire protection, police protection, schools, parks, and other governmental services. However, this increase in demand for services would not exceed levels of growth and increased demand for which the City and public service providers have planned. Thus, project-related impacts to public services would not be cumulative considerable.

<table>
<thead>
<tr>
<th>Topics:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>13. BIOLOGICAL RESOURCES—Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>

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

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

The proposed project is located within a developed urban area and is a dirt covered vacant lot. There are two mature trees on the site and four street trees on the sidewalk facing Third Street, on the site’s west boundary. The proposed project would result in the removal of two significant trees. However, the proposed project includes tree planting replacement which is discussed in Impact Statement BI-2 below. The project site does not provide habitat for any rare or endangered plant or animal species or diminish plant or animal habitats, including riparian or wetland habitat. The project would not interfere with any resident or migratory species, or affect any rare, threatened or endangered species. The proposed building would be designed in compliance with the City of San Francisco Ordinance 199-11, Bird Safe Buildings. Also, the proposed project does not fall within any local, regional or state habitat conservation plans, and therefore, the project would have no impact on biological resources.

BI-2: The proposed project would not conflict with the City’s local tree ordinance. (Less than Significant)

The San Francisco Planning Department, DBI, and Department of Public Works (DPW) have established guidelines to ensure that legislation adopted by the Board of Supervisors governing the protection of trees, including street trees, is implemented. DPW Code Section 8.02-8.11 requires disclosure and protection of Landmark, Significant and Street trees, collectively known as “protected trees,” located on private and public property. A landmark tree has the highest level of protection and must meet certain criteria for age, size, shape, species location, historical association, visual quality, or other contribution to the City’s character and has been found worthy of Landmark status after public hearings at both the Urban Forestry Council and the Board of Supervisors. A significant tree is either on property under the jurisdiction of the DPW, or on privately owned land within 10 feet of the public right-of-way that is greater than 20 feet in height, 15’ or greater canopy width, 12” or greater diameter of trunk measured at 4.5’ above grade.

92 Per the Department of Public Works, significant trees are trees that are within 10’ of the public right-of-way and also meet one of the following size requirements: 20’ or greater in height, 15’ or greater canopy width, 12” or greater diameter of trunk measured at 4.5’ above grade.
height, 15 feet or greater canopy width, 12 feet or greater diameter of trunk measured at 4.5 feet above grade. Removal of a landmark, significant, or a street tree requires a permit from DPW.

A Tree Planting and Protection Checklist prepared for the project noted that there are two significant trees on the project’s site and four street trees on the sidewalk adjacent to the project boundaries along Third Street.93 There are not landmark trees on the project site. To construct the project, two significant trees will be removed. If DPW grants a permit under Article 16 of the San Francisco Public Works Code, the project may be subject to replacement or payment of an in-lieu fee in the form of a contribution of the City’s Adopt-a-Tree Fund. Compliance with the requirements set forth in DPW Code Section 8.02-8.11 would ensure that potential impacts to trees protected under the City’s Tree Preservation Ordinance would be less than significant. Thus, the project would not conflict with San Francisco’s local tree preservation ordinance. In light of the above, the proposed project’s conflict, if any, with local policies protecting biological resources such as trees would be a less than significant impact.

C-BI-1: 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, the project site does not contain any significant biological resources or habitat and the proposed project would have no significant biological impacts. Similarly to the proposed project, cumulative developments in the project area such as 1375 Evans Street and 1901 Cesar Chavez would be required to comply with the Urban Forestry Ordinance to apply for a tree removal permit with the DPW (including requirements for tree replacement or in-lieu fees) if these projects propose tree removal. In the event these projects would have biological impacts, the proposed project would not contribute in a cumulatively considerable way that would affect a rare or endangered species or habitat, or conflict with any local, regional or state habitat conservation plan or ordinance. Therefore, the proposed project would not result in any significant cumulative biological impacts. For the reasons described above, biological impacts, both project-specific and cumulative, would be less than significant.

93 Tree Planting and Protection Checklist, 3433 Third Street, San Francisco. 02/22/2014.
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 proposed project does not include the installation or use of septic or on-site wastewater disposal systems, and would be connected to City and County of San Francisco sanitary sewer systems; there are no unique geologic or physical features at the site; therefore, criteria E.14e and E.14f are not applicable.

This section describes the geology, soils, and seismicity characteristics of the project area as they relate to the proposed project. Responses in this section rely on the information and findings provided in the geotechnical report that was prepared by Rockridge Geotechnical for the project site, unless otherwise noted. Three sample borings were drilled on the site to depths ranging from approximately 9.5 to 90.5 below ground surface (bgs). The soil investigation indicates that the site is blanketed by 13 to 14 feet of fill consisting of loose to medium dense sand and soft to

---

94 Rockridge Geotechnical. Geotechnical Investigation Local 22 Carpenter’s Union Hall, Third Street and Cargo Way. November 26, 2007. This report is on file and available for review as part of Planning Department Case File No. 2009.0065E.
stiff clay with various amounts of brick, concrete and wood debris. The fill is underlain by Bay Mud, which is a very soft to medium stiff and highly compressible marine clay deposit, the Bay Mud extends to a depth of approximately 55 to 60 feet bgs. Beneath the clayey sand is a 22-foot-thick layer of dense to very dense Colma sand which is underlain by very stiff, over consolidated Old Bay Clay that extends to the maximum depth explored of 90.5 ft bgs. Groundwater was encountered at a depth of approximately 7.5 ft bgs. According to the report, previous soil investigation encountered groundwater at a depth of five ft bgs.

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

Rupture of Known Earthquake Fault (Less than Significant)
The project site is not in an Alquist-Priolo Special Studies Zone, and no known active or potentially active faults exist on the site. Fault rupture of the surface typically occurs along existing faults that have ruptured the surface in the past. Because the project site is not located within a known existing fault, the risk of surface rupture is low. Therefore, the potential for impacts to the project due to fault rupture are less than significant.

Rupture Seismic Ground Shaking (Less than Significant)
The site is located in an area subject to ground shaking from earthquakes along the San Andreas, Hayward and Calaveras faults and during a major earthquake on a segment of one of the nearby faults, strong to very strong shaking is likely to occur within the life of the project as a result of future earthquakes. In a fact sheet published in 2008, the Working Group on California Earthquake Probabilities and the U.S. Geological Survey estimated that there was a 21 percent probability that between 2008 and 2037, a 6.7 or greater magnitude earthquake will occur along the Northern San Andreas Fault. The probability of a 6.7 magnitude or greater earthquake occurring within the San Francisco Bay Region during that 30-year time period was estimated to be 63 percent.

The Association of Bay Area Governments (ABAG) has classified the Modified Mercalli Intensity Shaking Severity Level of ground shaking in the proposed project vicinity due to an earthquake as “IX-Violent.” Violent shaking would result in damage to masonry buildings ranging from collapse to serious damage, broken underground piping, fall of stucco, fall of chimneys and elevated tanks, and shifting of unbolted wood frame structures off their foundations.

95 Ibid footnote 41.
As previously stated, a geotechnical analysis has been completed for the proposed project. The analysis examined underlying soils of the project site and made preliminary geotechnical recommendations related to excavation operations on the project site. The analysis indicates that the project site is suitable for the construction of the proposed project and found no evidence of active faulting on the project site. The geotechnical report concluded that during an earthquake the project has a potential for seismic-related ground failure such as: soil liquefaction, lateral spreading, and cyclic densification.

The geotechnical report includes construction and design recommendations for the proposed new building that would reduce potential impacts to seismic and geologic hazards. The recommendations include, among others, ground improvements using a Rapid Impact Compactor to densify the upper granular soils which will increase the lateral capacity of piles and reduce the potential for building damages. A concrete floor slab, underlain by a capillary moisture break and water vapor retarder, supported by a deep pile foundation is recommended. The deep pile foundation would consist of driven 14-inch, prestressed, precast concrete piles. Pile locations would be predrilled to a depth of 30 ft bgs surface to reduce the potential of displacement-induced pile heave and to verify that the pile locations are clear of old pile foundation or other obstructions that may be present beneath the site. Precast concrete piles should be embedded at least six feet into the dense Colma sand layer, below the Bay Mud.

Potential seismic and geologic hazards would be addressed through compliance with the California Building Code, as implemented through the Department of Building Inspection (DBI). The final building plans and the geotechnical report would be reviewed by DBI prior to issuance of a building permit. To ensure compliance with San Francisco Building Code provisions pertaining to structural safety, DBI would determine any necessary engineering and design features for the project to reduce potential damage to structures from ground-shaking, liquefaction and compressibility. Additionally, compacted backfill would be placed as required in the California Building Standards Code (CBSC). In accordance to requirements in the CBSC, standard engineering and geotechnical practices for the identification and remediation of expansive soils would be implemented during construction; thus, impacts to the proposed project due to violent to very strong seismic ground shaking would be less than significant.

97 Liquefaction is a phenomenon in which saturated (submerged), cohesionless soil experiences a temporary loss of strength of the buildup of excess pore water pressure, especially during cyclic loadings such as those induced by earthquakes. Soil most susceptible to liquefaction is loose, clean, saturated, uniformly graded, fine-grained sand.
98 Lateral spreading is the movement of a block of soil down a gentle slope or towards an open face as a result of liquefaction soils.
99 Cyclic densification of non-saturated sand is also referred to as differential compaction.
100 The RIC is a track-mounted machine that imparts energy by dropping an approximately 7.5-ton weight from a controlled height of about three feet onto a patented foot. The energy is delivered at a rate of 40 to 60 blows per minute. Compaction points are performed on a geometric grid, the spacing is determined on the properties of the soil to be densified.
101 The California Building Standards Code contains provisions specific to building conditions and structural requirements governing seismically resistant construction in California.
Seismic-Related Ground Failure, Including Liquefaction (Less than Significant)

The project site is located in an area of liquefaction potential, as shown in the Community Safety Element of the General Plan (Map 4, Seismic Hazards Zones). As previously discussed, the geotechnical report indicates that the project site is underlain with soils that are susceptible to liquefaction (Bay Mud and fill soils). The geotechnical report also concluded that there is no continuous layer of potential liquefiable soil between the site and Islais Creek Channel, located approximately 700 feet north of the site, which represents an “open face”; therefore, potential for lateral spreading to occur at the site would be low, and the amount of total settlement due to cyclic densification could vary from 0 to ½ an inch across the site.

San Francisco Building Code requirements will ensure that the project applicant includes analysis of the potential for liquefaction impacts as part of the design-level geotechnical investigation prepared for the proposed project; therefore, potential impacts of seismic-related ground failure, including liquefaction, would be less than significant.

Landslide (No Impact)

Slope stability issues can result in either slow slumping earth movements or rapid landslide events. The project site is nearly level, and there are no adjacent hills. As shown in the Community Safety Element of the General Plan (Map 4, Seismic Hazards Zones) the project site is not located in a landslide area; thus, landslides are not very likely to occur at the project site. Therefore, there is no potential for impact related to landslides.

Impact GE-2: The proposed project would result in less-than-significant impacts related to soil erosion or loss of topsoil. (No Impact)

The project site and surrounding area are relatively flat. The site is currently a vacant lot that was previously occupied by a car wash and a service station. The site does not have unique topography, geologic or physical features. As previously stated, the site is blanketed by 13 to 14 feet of fill consisting of loose to medium dense sand and soft to stiff clay with various amounts of brick, concrete and wood debris. Therefore, the proposed project would not result in the loss of top soil. Construction at the site would likely involve soil compacting to address foundation settlement and drilling to install precast concrete piles for the building foundation; however, for the reasons stated above the proposed project would not result in soil erosion at the project site. Thus, impacts related to soil erosion and top soil will have no impact.
Impact C-GE-1: 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 in combination with other projects. For the reasons discussed above, the proposed project would not contribute in a cumulative considerable way that would affect geology and soils. In addition, the building plans of foreseeable projects would be reviewed by DBI, and potential geologic hazards would be avoided during the DBI permit review process. Therefore, the cumulative impacts of the project related to geology, soils, and seismicity would be less than significant.

<table>
<thead>
<tr>
<th>Topics:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>15. HYDROLOGY AND WATER QUALITY—Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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)?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>f) Otherwise substantially degrade water quality?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>
### Topics:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>i)</td>
<td>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?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[x]</td>
</tr>
<tr>
<td>j)</td>
<td>Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
</tbody>
</table>

The proposed project would have significant impacts under CEQA if it were to violate any water quality standards or waste discharge requirements, substantially deplete groundwater supplies, alter drainage patterns of the site or area, 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, place housing within a 100-year flood hazard area or place structures within a 100-year flood hazard area that would impede or redirect flood flows, expose people or structures to a significant risk as a result of the failure of a levee or dam; or expose people or structures to a significant risk involving inundation by seiche, tsunami, or mudflow.

The project site is not within a 100-year flood hazard area; it does not propose housing or structures that would impede or redirect flood flows within a 100-year flood hazard area. Therefore, criteria E.15g and E.15h do not apply. The project is not located in the vicinity of a dam nor is it located in an area identified as subject to seiche or potential inundation in the event of a tsunami along the San Francisco coast (Maps Five and Six of the Community Safety Element of the San Francisco General Plan). In addition, the developed area of the project site would not be subject to mudflow. Thus, criteria E.15i and E.15j do not apply.

### 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)

As discussed in section E-11, Utilities and Services Systems, the project’s site wastewater and stormwater would continue to flow into the City’s combined stormwater and sewer system and would be treated to the standards contained in the City’s National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant, prior to discharge into the San Francisco Bay. Treatment would be provided pursuant to the effluent discharge standards contained in the City’s NPDES permit for the plant. Additionally, as new construction, the proposed project would be required to meet the standards for stormwater...
management identified in the San Francisco Stormwater Management Ordinance (SFSMO) and meet the SFPUC stormwater management requirements per the Stormwater Design Guidelines.

The Project Sponsor would be required to submit and have approved by the SFPUC a Stormwater Control Plan (SCP) that complies with the City’s Stormwater Design Guidelines using a variety of best management practices (BMPs). For a project that would disturb over 5,000 square feet of ground surface and that is located in the combined sewer system, the BMPs must meet the SFPUC performance requirements equivalent to LEED 6.1 and reduce the total stormwater runoff volume and peak runoff rate from the project site. The SFPUC emphasizes the use of low-cost, low impact BMPs to meet this requirement. Implementation of the SCP would ensure that the project meets performance measures set by the SFPUC related to stormwater runoff rate and volume. Therefore, the proposed project would not generate stormwater runoff which would exceed the capacity of existing or planned stormwater drainage systems, and the project would not substantially degrade water quality and waste discharge requirements would not be violated. Thus, the project would have a less than significant impact on water quality resources.

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)

Construction of the proposed project would increase the impervious surface at the site that could interfere with groundwater recharge; however, this condition would be similar to historic conditions at the site.

The geotechnical analysis for the proposed project drilled exploratory borings at the project site and encountered groundwater at depths of approximately 7.5 ft bgs. The report noted that previous soil testing at the site encountered water at a depth of five feet and that fluctuation in the groundwater would vary between two to three feet seasonally and possibly due to tidal changes in Islais Creek. The proposed development would necessitate excavation to a depth of approximately 30 ft bgs for the installation of precast concrete piles. Given the depth of excavation required to install the piles, it may be possible that freestanding water is encountered during project construction, requiring temporary dewatering. Any groundwater encountered during project construction 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. The Commission may require water analysis before discharge.

These measures would ensure protection of water quality during construction of the proposed project. Therefore, groundwater resources would not be substantially degraded or depleted, and the proposed project would not substantially interfere with groundwater recharge. Thus, the proposed project would have a less than significant impact on groundwater.

Impact C-HY-1: The proposed project in combination with other past, present, or reasonably foreseeable future projects in the site vicinity, would not result in a cumulatively considerable contribution to a significant hydrology and water quality impacts. (Less than Significant)

Flood and inundation hazards are site-specific; thus, the proposed project would not have considerable cumulative impacts. However, other proposed developments in the project area, in combination with the proposed project, could result in intensified uses and a cumulative increase in wastewater generation. The SFPUC, which provides wastewater treatment in the city, has accounted for such growth in its service projections. In light of the above, the project’s contribution individually and cumulatively to any cumulative impacts on hydrology or water quality would be less than significant.

<table>
<thead>
<tr>
<th>Topics:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>16. HAZARDS AND HAZARDOUS MATERIALS—Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>
This section addresses the potential and known hazards of the project site including underground storage tanks (USTs), asbestos and lead-based paint contaminants in the soil, emergency response plans, and fire hazards.

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 the construction of a commercial building that would house office space, retail and an assembly hall. The proposed land uses at the site and would likely result in the use of common types of hazardous materials such as paints, cleaners, toners, solvents, and disinfectants. These products are labeled to inform users of risks, and to instruct them in proper disposal methods. Most of these materials are consumed or neutralized through use, resulting in little hazardous waste. Also, businesses are required by law to ensure employee safety by identifying hazardous materials, and adequately training workers. For these reasons, the public health and safety hazards from hazardous material use by the proposed project’s residents and employees would be less than significant.

Impact HZ-2: The proposed project would not create a significant hazard to the public or the environment through the release of hazardous materials into the environment. (Less than Significant)

The proposed project would result in construction of an approximately 65,981-sf building that would include office and commercial spaces in a property identified as a closed LUST case with the San Francisco Department of Public Health (DPH). Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and
overseen by DPH. The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (Phase I) that meets the requirements of the Health Code Section 22.A.6. The Phase I would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state and federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit. In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH. A Phase I environmental assessment report (Phase I) was prepared for the project site and included the abutting parcel at 1570/1580 Burke Street. The Phase I conducted a site history by reviewing topographic maps, aerial photos, City business directories, and Sanborn Fire Insurance Maps.

The findings of the Phase I, reveal that the site was occupied by a wholesale butcher (1906 to 1955) followed by a car wash and gasoline station (1965 to 1999). The report indicates that Treadwell and Rollo (consultants) performed a subsurface investigation at the site in March 1999. The report goes on to state that in May 1999 the following were removed from the site: one 550-gallon waste-oil UST, one 10,000-gallon gasoline UST, and three 10,000-gallon diesel USTs. The report further indicates that analysis of soil samples collected from the tank pits revealed the presence of total recoverable petroleum hydrocarbons (TRPH) as high as 1,900 part per million (ppm), total petroleum hydrocarbons as diesel (TPHd) as high as 830 ppm, total petroleum hydrocarbons as gasoline (TPHg) as high as 140 ppm, total recoverable petroleum hydrocarbons (TRPH) as high as 3,500 ppm, lead as high as 390 ppm, MTBE as high as .80 ppm, xylene as high as 1.3 ppm, ethylbenzene as high as .018 ppm, toluene as high as .19 ppm and benzene as high as 0.49 ppm. Analysis of groundwater samples revealed the presence of TPHd as high as 11,000 parts per billion (ppb), TPHg as high as 23,000 ppb, benzene as high as 700 ppb, and Methyl Tertiary Butyl Ether (MTBE) as high as 2,200 ppb.  

The proposed project would be required to remediate potential soil and groundwater contamination described above in accordance with Article 22A of the Health Code. Thus, the proposed project would not result in a significant hazard to the public or environment from contaminated soil and groundwater and the proposed project would result in a less than significant impact.

105 ACC Environmental Consultants, *Phase I Environmental Site Assessment, 3433 Third Street and 1570/1580 Burke Avenue, San Francisco, CA. 01/24/00.*

106 SF DPH, *Remedial Action Completion Certification, Underground Storage Tank Case, Former Service Station, 3433 Third Street, San Francisco. 09/02/2001.*
Impact HZ-3: The proposed project would not handle hazardous materials within a quarter-mile of a school. (Less than Significant)

There are no schools located within a ¼ mile from the project site. The closest public school to the project site is Leola M. Havard Early Education School at 1520 Oakdale Avenue, located approximately 1.2 miles from the project site. Any hazardous materials on site, such as soil to be excavated during project construction, would be handled in compliance with existing regulations in Public Works Code Article 2.4. Thus, the proposed project would have a less than significant impact with respect to the handling of hazardous materials within one-quarter mile of a school.

Impact HZ-4: The project site is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. (Less than Significant)

The project site is listed as a Leaking Underground Storage Tank (LUST) on the RWQCB and is therefore considered a hazardous materials site by the California Department of Toxic Substances and Control (DTSC) pursuant to Government Code Section 65962.5 (commonly called the “Cortese List”).

The contaminated soils associated with the gas station use were removed and disposed of at a licensed hazardous waste disposal facility in May 1999. On September 4, 2001, DPH issued a Remedial Action Completion Certification for the site, indicating that the site had been cleaned for commercial uses.

As discussed above, under Impact HZ-2, the proposed project is subject to the requirements of the Health Code Section 22.A.6 and the project sponsor has submitted a Maher Application to DPH. In the event additional remediation is required by DPH, the project sponsor would be required to remediate potential soil (and/or) groundwater contamination in accordance with Article 22A of the Health Code. Thus, the proposed project would not result in a significant hazard to the public or environment from contaminated soil (and/or) groundwater and the proposed project would result in a less than significant impact.

---

107 ACC Environmental Consultants, Phase I Environmental Site Assessment, 3433 Third Street in 1570/1580 Burke Avenue, San Francisco, CA. 01/24/00.


109 SFDPH, Remedial Action Completion Certification, San Francisco, CA 09/04/01.
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)

No interference with emergency response plans would be expected. The proposed project does not include residential uses, therefore not increasing the number of inhabitants in the surrounding area. According to the Transportation Technical Memorandum prepared for the proposed project, assembly/meeting hall activity would result in 120 attendees. The meetings would occur after 7:00 PM once a month. Traffic generated by assembly meeting attendees would be relatively insignificant within the dense urban setting of the project site and it is expected that the traffic would be dispersed within the existing City streets. Therefore, there would be less than significant impacts with respect to emergency response or evacuation plans.

Fire Hazards: San Francisco ensures fire safety primarily through provisions of the Building Code and Fire Code. Existing buildings are required to meet standards contained in these codes. In addition, the final building plans for any new residential project greater than two units are reviewed by the San Francisco Fire Department (as well as the DBI), in order to ensure conformance with these provisions. The proposed project would conform to these standards, including development of an emergency procedure manual and an exit drill plan. In this way, potential fire hazards (including those associated with hydrant water pressure and emergency access) would be mitigated during the permit review process. Therefore, the proposed project would have a less than significant impact on fire hazards.

Impact C-HZ-1: 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)

Impacts from hazardous materials are generally site-specific and typically do not result in cumulative impacts. Any hazards present at surrounding sites would be subject to the same safety requirements discussed for the proposed project, which would avoid any cumulative hazard effects. Therefore, the proposed project would not have a considerable contribution to a cumulative impact related to hazards and hazardous materials.

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?

<table>
<thead>
<tr>
<th>Topics:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
</tbody>
</table>
The proposed project would have significant impacts under CEQA if it were to result in the loss of availability of a known mineral resource of value to the region and California residents, if it were to result in the loss of availability of a locally important mineral resource recovery site delineated in a plan, or if it were to encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner. The project site is within a developed area of San Francisco, and includes no mineral resources, and would increase the use of fuel, water, or energy, but not to a significant extent and not 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. Since the project site was previously developed, future evaluation or designation of the site would not affect or be affected by the proposed project. There are no operational mineral resource recovery sites in the project vicinity whose operations or accessibility would be affected by the construction or operation of the proposed project.

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

**Impact ME-2: The proposed project would not encourage activities which would result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner. (Less than Significant)**

As a new building in San Francisco, the proposed project would be subject to the energy conservation standards included in the San Francisco Green Building Ordinance (SFGBO), which

<table>
<thead>
<tr>
<th>Topics:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>b)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>c)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>
would require the project to meet a number of conservation standards. Documentation showing compliance with the SFGBO would be submitted with the application of the building permit, and would be enforced by the Department of Building Inspection. In summary, the proposed project would not cause a wasteful use of energy, and effects related to use of fuel, water, or energy would be less than significant.

Impact C-ME-1: 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 in the project site, and therefore the proposed 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 proposed project would not contribute to a cumulative impact. Overall, the proposed project would result in less than significant cumulatively considerable impacts related to mineral and energy resources.
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 identify the site as “Urban and Built-up Land” (Department of Conservation, 2002). Because the project site does not contain agricultural uses and is not zoned for such uses, the proposed project would not convert any prime farmland, unique farmland, or Farmland of Statewide Importance to non-agricultural use, and it would not conflict with existing zoning for agricultural land use or a Williamson 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 C-AF-1: 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 proposed project would have no impact with respect to agriculture and forestry resources; therefore, the proposed project would not contribute to any cumulatively considerable impacts to agricultural and forest resources.

<table>
<thead>
<tr>
<th>Topics:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>19. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Have impacts that would be individually limited, but cumulatively considerable? (&quot;Cumulatively considerable&quot; 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.)</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

As discussed in the above text, the project is anticipated to have only less-than-significant impacts in the areas discussed. The foregoing analysis indentifies potentially significant impacts to archeological resources which would be mitigated through implementation of Mitigation Measures as described below and more fully within Section F.

a) As discussed in Topic E.4, Cultural and Paleontological Resources, it is possible that below-ground archeological resources may be present. Any potential adverse effect to CEQA-significant archeological resources resulting from soils disturbance from the proposed project would be reduced to a less-than-significant level by implementation of Mitigation Measures M-CP-2: Archeological Testing, which requires testing for archaeological resources. Accordingly, with mitigation, the proposed project would result in a less than significant impact to archaeological resources.
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.

c) As identified in this Initial Study, the proposed project would not directly or indirectly cause adverse effects to human beings. Impacts on topics that could affect the human environment such as population and housing, transportation and circulation, noise, air quality, greenhouse gas emissions, wind and shadow, recreation, utilities and service systems, public services, biological resources, hydrology and water quality, and hazards and hazardous materials would be less than significant.

F- MITIGATION MEASURES AND IMPROVEMENT MEASURES

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

CULTURAL AND PALEONTOLOGICAL RESOURCES

Mitigation Measure M-CP-2 Testing
Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archaeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant’s work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if
such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

Consultation with Descendant Communities: On discovery of an archeological site associated with descendant Native Americans, the Overseas Chinese, or other descendant group an appropriate representative of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

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

\[110\] By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

\[111\] An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.
D. A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

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

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

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

The scope of the ADRP shall include the following elements:

- **Field Methods and Procedures.** Descriptions of proposed field strategies, procedures, and operations.
- **Cataloguing and Laboratory Analysis.** Description of selected cataloguing system and artifact analysis procedures.
- **Discard and Deaccession Policy.** Description of and rationale for field and post-field discard and deaccession policies.
- **Interpretive Program.** Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- **Security Measures.** Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- **Final Report.** Description of proposed report format and distribution of results.
- **Curation.** Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner’s determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.
**Final Archeological Resources Report.** The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

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

**IMPROVEMENT MEASURES**

**AIR QUALITY**

**Improvement Measure M-AQ-2: Construction Emissions Minimization**

A. *Construction Emissions Minimization Plan.* Prior to issuance of a construction permit, the project sponsor should submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan should detail project compliance with the following requirements:

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities should meet the following requirements:
   a) Where accesses to alternative sources of power are available, portable diesel engines should be prohibited;

   b) All off-road equipment should have:

      i. Engines that meet or exceed either USEPA or ARB Tier 2 off-road emission standards,
and

ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).\textsuperscript{112}

c) Exceptions:

i. Exceptions to A(1)(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor should submit documentation of compliance with A(1)(b) for onsite power generation.

ii. Exceptions to A(1)(b)(ii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to (A)(1)(b)(ii), the project sponsor must comply with the requirements of (A)(1)(c)(iii).

iii. If an exception is granted pursuant to (A)(1)(c)(ii), the project sponsor should provide the next cleanest piece of off-road equipment as provided by the step down schedule below.

<table>
<thead>
<tr>
<th>Compliance Alternative</th>
<th>Engine Emission Standard</th>
<th>Emissions Control</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Tier 2</td>
<td>ARB Level 2 VDECS</td>
</tr>
<tr>
<td>2</td>
<td>Tier 2</td>
<td>ARB Level 1 VDECS</td>
</tr>
<tr>
<td>3</td>
<td>Tier 2</td>
<td>Alternative Fuel*</td>
</tr>
</tbody>
</table>

\textbf{How to use the schedule:} If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1.

\textsuperscript{112} Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.
Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met. * Alternative fuels are not a VDECS.

1. The project sponsor should require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs should be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.

2. The project sponsor should require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.

3. The Plan should include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.

5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.

B. Reporting. Monthly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used. Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.
C. Certification Statement and On-site Requirements. Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.

TRANSPORTATION

**Improvement Measure IM-TR-1 -Pedestrian and Bicycle Traffic:** Include signage at the project driveway that exiting vehicles must yield to traffic, pedestrians, and bicyclists.

**Improvement Measure IM-TR-2 – Parking Access & Signage:** The Project Sponsor shall consult with SFMTA on the proposed design of the driveway (limiting access and egress to right-turn movements only), to determine if signage or additional striping is required on Cargo Way to clarify that no left turns are allowed into the project site driveway. The Project Sponsor would be responsible for funding the installation of any such new improvements.

**Improvement Measure IM-TR-3 - Construction:** Any construction traffic occurring between 7:00 a.m. and 9:00 a.m. or between 3:30 p.m. and 6:00 p.m. would coincide with peak hour traffic and could temporarily impede traffic and transit flow, although it would not be considered a significant impact. Limiting truck movements to the hours between 9:00 a.m. and 3:30 p.m., as per approved by the City, would minimize disruption of the general traffic flow on adjacent streets during the AM and PM peak periods.

**Improvement Measure IM-TR-4 - Transit Conditions:** To encourage use of alternative modes, the project sponsor could provide a transportation information package to tenants that would provide information on transit service, where Fast Passes could be purchased, the 511 Regional Rideshare Program, and bicycle parking facilities. The project sponsor could similarly encourage tenants to provide this or similar information on any tenant website to encourage visitors to use alternative modes of travel.

---

**G. PUBLIC NOTICE AND COMMENT**

A “Notification of Project Receiving Environmental Review” was sent out on August 23, 2011, to interested parties, neighborhood organizations and responsible agencies. One comment was received by a member of the public requesting to be kept on the project’s mailing list.
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.

Sarah Jones
Environmental Review Officer
for
John Rahaim
Director of Planning

DATE May 5, 2014
I. INITIAL STUDY AUTHORS AND PROJECT SPONSOR

INITIAL STUDY AUTHORS
Planning Department, City and County of San Francisco
Environmental Planning
1650 Mission Street, Suite 400
San Francisco, CA 94103

Environmental Review Officer: Sarah Jones
Senior Environmental Planner: Nannie Turrell
Environmental Planner: Monica Pereira
Transportation Planner: Brett Bollinger
Archeologist: Randall Dean
Archeologist: Allison Vanderslice
Air Quality Planner: Jessica Range
Current Planner: Diego Sanchez

PROJECT SPONSOR
Patrick Mulligan, Carpenters Local No. 22
International Brotherhood
2085 Third Street, San Francisco, CA 94107

ARCHITECT
Kevin Wilcock, David Baker and Partners
461 Second Street, Loft 127, San Francisco, CA, 94107
### Adopted Mitigation Measures

<table>
<thead>
<tr>
<th>Mitigation Measure M-CP-2: Testing</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CULTURAL RESOURCES</strong></td>
</tr>
<tr>
<td><strong>Mitigation Measure M-CP-2: Testing</strong></td>
</tr>
<tr>
<td>Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant’s work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Adopted Mitigation Measures</th>
<th>Responsibility for Implementation</th>
<th>Mitigation Schedule</th>
<th>Mitigation Action</th>
<th>Monitoring/Reporting Responsibility</th>
<th>Monitoring Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project sponsor and</td>
<td>Prior to any soil disturbance</td>
<td>Consultation with</td>
<td>Project sponsor,</td>
<td>After consultation with and approval</td>
<td></td>
</tr>
<tr>
<td>archaeologist</td>
<td></td>
<td>the Department’s</td>
<td>archaeologist,</td>
<td>by the ERO</td>
<td></td>
</tr>
<tr>
<td>archaeological consultant</td>
<td></td>
<td>Archeologist &amp;</td>
<td>and the ERO</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>ERO</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

**3433 THIRD STREET/LOCAL 22 CARPENTER’S UNION HALL**

**MITIGATION MONITORING AND REPORTING PROGRAM**

**CASE NO. 2009.0065E**

**April 10, 2014**
Adopted Mitigation Measures

<table>
<thead>
<tr>
<th>Adopted Mitigation Measures</th>
<th>Responsibility for Implementation</th>
<th>Mitigation Schedule</th>
<th>Mitigation Action</th>
<th>Monitoring/Reporting Responsibility</th>
<th>Monitoring Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adopted Mitigation Measures</td>
<td>Archaeological consultant, and project sponsor</td>
<td>During soil disturbing activities</td>
<td>Archaeological consultant to monitor soil disturbing activities</td>
<td>Archaeological consultant and the ERO</td>
<td>Considered complete upon completion of Final Archeological Report</td>
</tr>
</tbody>
</table>

direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

Consultation with Descendant Communities: On discovery of an archeological site\(^1\) associated with descendant Native Americans, the Overseas Chinese, or other descendant group an appropriate representative\(^2\) of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

Archaeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected. The ERO, archaeological consultant, and project sponsor shall be considered complete upon approval of ATP by ERO.

---

\(^1\) By the term “archeological site” is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

\(^2\) An “appropriate representative” of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.
affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

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

<table>
<thead>
<tr>
<th>Adopted Mitigation Measures</th>
<th>Responsibility for Implementation</th>
<th>Mitigation Schedule</th>
<th>Mitigation Action</th>
<th>Monitoring/Reporting Responsibility</th>
<th>Monitoring Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
B. A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

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

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;

- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery.
of an archeological resource;

- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;

- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;

- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

<table>
<thead>
<tr>
<th>Adopted Mitigation Measures</th>
<th>Responsibility for Implementation</th>
<th>Mitigation Schedule</th>
<th>Mitigation Action</th>
<th>Monitoring/Reporting Responsibility</th>
<th>Monitoring Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>of an archeological resource;</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Adopted Mitigation Measures

<table>
<thead>
<tr>
<th>Responsibility for Implementation</th>
<th>Mitigation Schedule</th>
<th>Mitigation Action</th>
<th>Monitoring/Reporting Responsibility</th>
<th>Monitoring Schedule</th>
</tr>
</thead>
</table>

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

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

The scope of the ADRP shall include the following elements:
- Field Methods and Procedures. Descriptions of proposed field strategies, procedures, and operations.
- Cataloguing and Laboratory Analysis. Description of
### Adopted Mitigation Measures

<table>
<thead>
<tr>
<th>Adopted Mitigation Measures</th>
<th>Responsibility for Implementation</th>
<th>Mitigation Schedule</th>
<th>Mitigation Action</th>
<th>Monitoring/Reporting Responsibility</th>
<th>Monitoring Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>selected cataloguing system and artifact analysis procedures.</td>
<td>Archaeological consultant or</td>
<td>Discovery of human remains</td>
<td>Notification of County/City Coroner</td>
<td>Archaeological consultant and the ERO</td>
<td>Considered complete upon finding by the ERO that all State laws regarding human remains/ burial objects have been adhered to, consultation with:</td>
</tr>
<tr>
<td>• Discard and Deaccession Policy. Description of and rationale for field and post-field discard and deaccession policies.</td>
<td>Coroner</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Interpretive Program. Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Security Measures. Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Final Report. Description of proposed report format and distribution of results.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Curation. Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Human Remains and Associated or Unassociated Funerary Objects.**

The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner’s determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint an Archaeological consultant or Coroner to conduct the necessary investigations. The process of recovery and curation shall be in accordance with the policies and procedures established by the California State Native American Heritage Commission (NAHC).
## Adopted Mitigation Measures

| Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). | The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. |

## MITIGATION MONITORING AND REPORTING PROGRAM

<table>
<thead>
<tr>
<th>Adopted Mitigation Measures</th>
<th>Responsibility for Implementation</th>
<th>Mitigation Schedule</th>
<th>Mitigation Action</th>
<th>Monitoring/Reporting Responsibility</th>
<th>Monitoring Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Final Archaeological Resources Report</td>
<td>Archaeological consultant</td>
<td>Following completion of cataloguing, analysis, and interpretation of recovered archaeological data</td>
<td>Preparation of FARR</td>
<td>Archaeological consultant and the ERO</td>
<td>FARR is complete upon review and approval of the ERO</td>
</tr>
<tr>
<td>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 Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy of the FARR on CD along</td>
<td>Archaeological consultant</td>
<td>Following completion and approval of FARR by the ERO</td>
<td>Distribution of FARR after consultation with the ERO</td>
<td>The ERO</td>
<td>Considered complete upon certification to the ERO that copies of FARR have been distributed</td>
</tr>
</tbody>
</table>
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.

**Adopted Mitigation Measures**

<table>
<thead>
<tr>
<th>Adopted Mitigation Measures</th>
<th>Responsibility for Implementation</th>
<th>Mitigation Schedule</th>
<th>Mitigation Action</th>
<th>Monitoring/Reporting Responsibility</th>
<th>Monitoring Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AIR QUALITY</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Improvement Measure M-AQ-2: Construction Emissions Minimization*

A. *Construction Emissions Minimization Plan.* Prior to issuance of a construction permit, the project sponsor should submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan should detail project compliance with the following requirements:

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities should meet the following requirements:

   a) Where accesses to alternative sources of power are available, portable
b) All off-road equipment should have:

i. Engines that meet or exceed either USEPA or ARB Tier 2 off-road emission standards,

and

ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).³

c) Exceptions:

i. Exceptions to A(1)(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor should submit documentation of compliance with A(1)(b) for onsite power generation.

ii. Exceptions to A(1)(b)(ii) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to (A)(1)(b)(ii),

³ Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.
the project sponsor must comply with the requirements of (A)(1)(c)(iii).

iii. If an exception is granted pursuant to (A)(1)(c)(ii), the project sponsor should provide the next cleanest piece of off-road equipment as provided by the step down schedule below.

Off-Road Equipment Compliance Step Down Schedule

<table>
<thead>
<tr>
<th>Compliance</th>
<th>Engine Emission</th>
<th>Emissions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Tier 2</td>
<td>ARB Level 2 VDECS</td>
</tr>
<tr>
<td>2</td>
<td>Tier 2</td>
<td>ARB Level 1 VDECS</td>
</tr>
<tr>
<td>3</td>
<td>Tier 2</td>
<td>Alternative Fuel*</td>
</tr>
</tbody>
</table>

How to use the schedule: If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met. * Alternative fuels are not a VDECS.

1. The project sponsor should require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs should be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
### Adopted Mitigation Measures

<table>
<thead>
<tr>
<th></th>
<th>Responsibility for Implementation</th>
<th>Mitigation Schedule</th>
<th>Mitigation Action</th>
<th>Monitoring/Reporting Responsibility</th>
<th>Monitoring Schedule</th>
</tr>
</thead>
</table>

2. The project sponsor should require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.

3. The Plan should include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.

5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.

B. Reporting. Monthly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the
actual amount of alternative fuel used. Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

C. Certification Statement and On-site Requirements. Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.

TRANSPORTATION AND CIRCULATION

Improvement Measure IM-TR-1 - Pedestrian and Bicycle Traffic
Pedestrian and Bicycle Traffic: Include signage at the project driveway that exiting vehicles must yield to traffic, pedestrians, and bicyclists.

<table>
<thead>
<tr>
<th>Adopted Mitigation Measures</th>
<th>Responsibility for Implementation</th>
<th>Mitigation Schedule</th>
<th>Mitigation Action</th>
<th>Monitoring/Reporting Responsibility</th>
<th>Monitoring Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project sponsor</td>
<td>Prior to construction permit is issued</td>
<td>Design signage program</td>
<td>SFMTA and Planning</td>
<td>Considered complete once SFMTA and the ERO approves signage program</td>
<td></td>
</tr>
</tbody>
</table>

Improvement Measure IM-TR-2 - Parking Access and Signage
Parking Access & Signage: The Project Sponsor shall consult with SFMTA on the proposed design of the driveway (limiting access and egress to right-turn movements only), to determine if signage or additional striping is required on Cargo Way to clarify that no left turns are allowed into the project site driveway. The Project Sponsor would be responsible for funding the installation of any such new
Improvement Measure IM-TR-3 - Construction

Any construction traffic occurring between 7:00 a.m. and 9:00 a.m. or between 3:30 p.m. and 6:00 p.m. would coincide with peak hour traffic and could temporarily impede traffic and transit flow, although it would not be considered a significant impact. Limiting truck movements to the hours between 9:00 a.m. and 3:30 p.m., as per approved by the City, would minimize disruption of the general traffic flow on adjacent streets during the AM and PM peak periods.

Improvement Measure IM-TR-4 - Transit Conditions

To encourage use of alternative modes, the project sponsor could provide a transportation information package to tenants that would provide information on transit service, where Fast Passes could be purchased, the 511 Regional Rideshare Program, and bicycle parking facilities. The project sponsor could similarly encourage tenants to provide this or similar information on any tenant website to encourage visitors to use alternative modes of travel.

<table>
<thead>
<tr>
<th>Adopted Mitigation Measures</th>
<th>Responsibility for Implementation</th>
<th>Mitigation Schedule</th>
<th>Mitigation Action</th>
<th>Monitoring/Reporting Responsibility</th>
<th>Monitoring Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Project sponsor and construction contractor</td>
<td>During construction</td>
<td>Restrict truck movements and deliveries during peak hours</td>
<td>SFMTA and DPW to monitor compliance</td>
<td>Monthly reporting of construction traffic to SFMTA; Considered complete upon approval by SFMTA of final report summarizing construction traffic</td>
</tr>
<tr>
<td></td>
<td>Prior to commencement of construction</td>
<td>Prepare alternative transportation information package</td>
<td>Planning</td>
<td>After consultation with and approval by the ERO</td>
<td></td>
</tr>
</tbody>
</table>