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Mitigated Negative Declaration

Date:	December 12, 2012; amended on January 4, 2013 (amendments to the PMND are shown in deletions as ~~strikethrough~~; additions in double underline)
Case No.:	**2011.0038E**
Project Title:	**250 Fourth Street Project**
BPA Nos.:	N/A
Zoning:	Downtown Commercial-Support (C-3-S) Use District South of Market (SoMa) Youth and Family Special Use District 130-L Height and Bulk District
Block/Lot:	Assessor's Block 3733, Lot 8
Lot Size:	10,400 square feet
Project Sponsor:	Daniel Frattin, Reuben & Junius, LLP, (415) 567-9000
Lead Agency:	San Francisco Planning Department
Staff Contact:	Jeanie Poling, Environmental Planner San Francisco Planning Department 1650 Mission Street, CA 94103 (415) 575-9072 Jeanie.Poling@sfgov.org

PROJECT DESCRIPTION:

The proposed project includes construction of an 11-story, 78,000-square-foot (sf) visitor-serving hotel containing approximately 220 guest rooms, as well as 4,265 sf of restaurant and/or retail space and a 10,295 sf below-grade basement. The hotel would be a mid-range hotel with limited meeting and support space. In order to construct the proposed project, the existing 31,200 sf office/educational building would be demolished.

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 143–152.

In the independent judgment of the Planning Department, there is no substantial evidence that the project could have a significant effect on the environment.

BILL WYCKO
Environmental Review Officer

January 8, 2013
Date of Adoption of Final Mitigated Negative Declaration

cc: Daniel Frattin, Elizabeth Watty, M.D.F

INITIAL STUDY
250 Fourth Street Project – 2011.0038E
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B. PROJECT DESCRIPTION

250 Fourth Street Development, LLC, the project sponsor, proposes to construct a new hotel on Fourth Street, between Howard Street and Folsom Street, in the City and County of San Francisco. The proposed project would demolish the existing 31,200 square-foot (sf) office/educational building and construct a 220-room hotel in an 11-story, 78,000 sf building, as well as 4,265 sf of restaurant and/or retail space and a 10,295 sf below-grade basement.

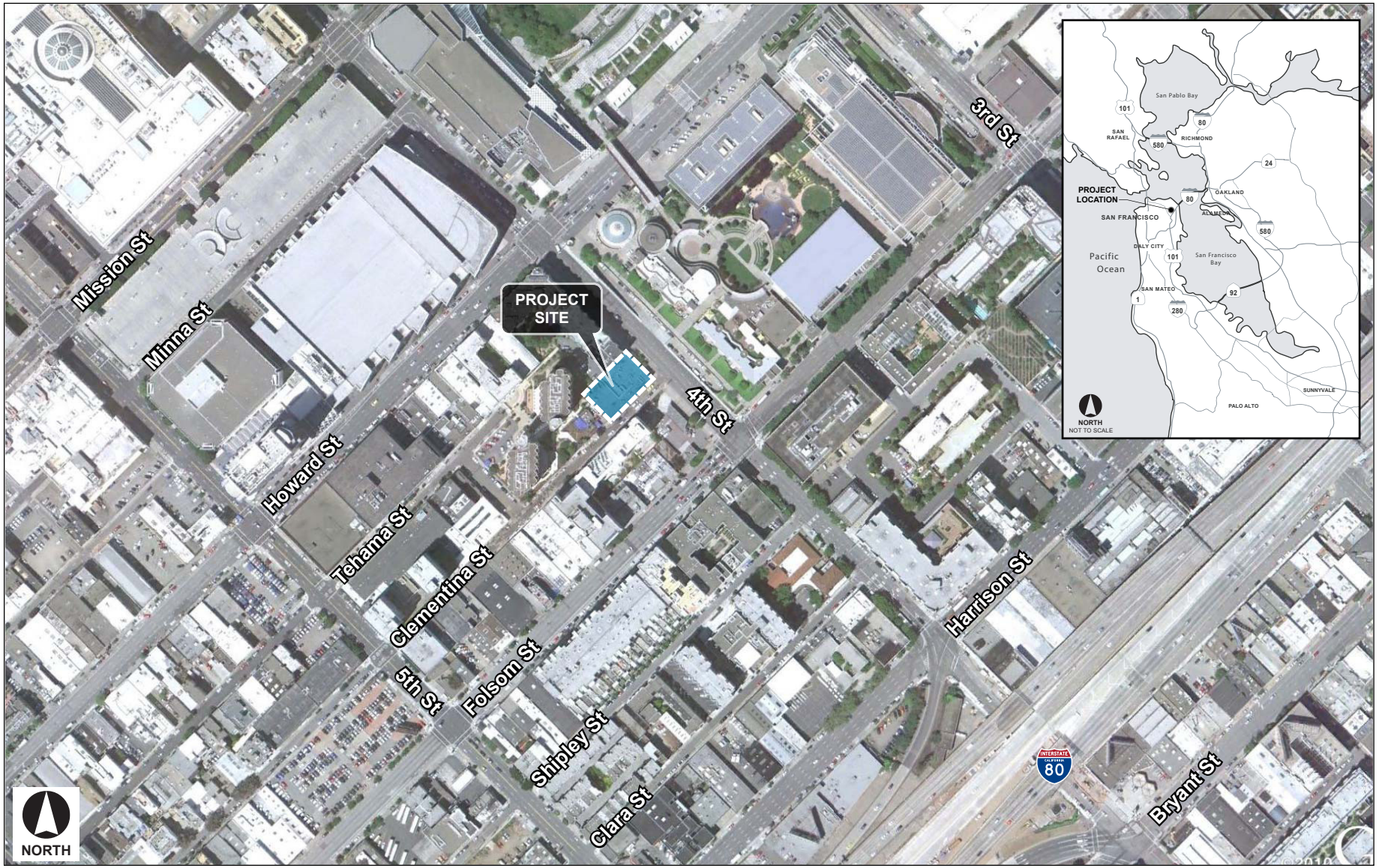
PROJECT LOCATION AND SITE CHARACTERISTICS

The project site is located at 250 Fourth Street (Assessor's Block 3733, Lot 8) on the northwest corner of the Fourth Street and Clementina Street intersection.[1] (See Figure 1, Project Location, p. 2) The property totals approximately 10,400 sf and is within the South of Market neighborhood. Directly across Fourth Street, to the east, are Yerba Buena Gardens and the Moscone Convention Center.

The project site is occupied by an approximately 31,200-sf office/educational building, constructed in 1946, and occupied by Olivet Theological University. On-site operations consist of two floors of office and classroom activities and associated property maintenance and housekeeping. The 30-foot-tall building occupies the entire site with a floor area ratio (FAR) of approximately 2.98. In addition, an 8,000 sf basement extends across the entire property. At the northern end of the lot (adjacent to Fourth Street and the residential building to the north), the basement lies about 11 feet below street level. Due to the grade change along Fourth Street, the basement is only one-half level below Clementina Street at approximately 6 feet below grade. As such, the existing building is considered to be 2.5 stories in height. On the Fourth Street and Clementina Street frontages, the existing building is surrounded by sidewalks and approximately eight street trees. There are no existing on-site parking spaces or loading zones, and no existing on-street loading spaces in front of the project site along Fourth Street or Clementina Street.

The project site is in a Downtown Commercial-Support (C-3-S) Zoning District and a 130-L Height and Bulk District. The C-3-S District also encompasses Yerba Buena Gardens, which includes San Francisco's Convention Center, hotels, museums and cultural facilities, housing, retail, and offices arranged around public gardens and plazas. The District accommodates important supporting functions such as wholesaling, printing, building services, and secondary office space.

[1] For the purpose of this analysis, true northwest is considered project north. Fourth Street is assumed to run in a north-south direction.



SOURCE: Atkins, 2011

250 FOURTH STREET PROJECT

FIGURE 1: PROJECT LOCATION

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The project site is also within the SoMa Youth and Family Special Use District, which is intended to expand the provision of affordable housing in the South of Market area. In addition, this designation is intended to protect and enhance the health and environment of youth and families by adopting policies that focus on certain lower density areas of this District for the expansion of affordable housing opportunities.

PROPOSED PROJECT

The proposed project includes construction of an 11-story (plus below-grade basement) visitor-serving hotel containing approximately 220 guest rooms, and a restaurant and/or retail space on the ground floor. The hotel would be a mid-range hotel[2] with limited meeting and support space and would be locally owned, but affiliated with an international hotel chain. No on-site parking would be provided under the proposed project, but one commercial vehicle loading zone and one passenger loading zone would be added along Clementina Street. In order to construct the proposed hotel, the existing 31,200-sf office/educational building would be demolished. Table 1 summarizes the existing uses, the net new construction, and the total space and amenities under the proposed project. Unless otherwise noted, all square footage figures in the table refer to gross floor area, as defined in *Planning Code* Section 102.9.

TABLE 1
PROJECT CHARACTERISTICS

Category	Existing Uses	Existing Uses to be Retained	Net New Construction	Total Project
Office/Educational	31,200 sf	0	-31,200 sf	0
Hotel	0	0	78,000 sf	78,000 sf
Restaurant/Retail	0	0	4,265[a] sf	4,265[a] sf
Parking	0	0	0 sf	0
Total Gross Square Footage	**31,200 sf**	**0**	**46,800[b] sf**	**78,000[b] sf**
Hotel Rooms	0	0	220 rooms	220 rooms
Building Height	30 feet	0	89'-11"	~130'
Number of Stories[c]	2.5 stories	basement	8.5 stories	11 stories + basement of 10,295 sf

Source: 250 Fourth Street Development, LLC, 2012.

Notes:

a. The ground-floor restaurant/retail space is exempt from the gross floor area calculations.

b. Excludes areas devoted to building maintenance/service, ground-floor retail, pedestrian circulation, mechanical space, and basement space devoted to building operations.

c. The existing building includes two stories plus a basement that is partially above-grade. The proposed project would include a below-grade only basement, which would require excavation.

[2] Mid-range hotels provide a sufficient level of service that appeal to a large percent of travelers.

Basement Level. Due to a change in grade, the existing 8,000-sf basement ranges from 6 feet below street level (at Clementina Street) to 11 feet below street level (towards the northern portion of the project site). The proposed project would excavate an additional 4 feet to accommodate the new basement. In addition, it is estimated that the future basement slab would be an additional 30 inches in depth. As such, construction could require excavation up to 5 to 6 feet below the existing bottom of the basement slab across the full extent of the property.

The proposed 10,295 sf basement would be used for storage and maintenance facilities associated with the hotel. In addition, the basement would include 10 bicycle parking spaces for employees and visitors. Two rental bicycles would be provided in the same area for visitors. Visitor bicycle parking would be valet assisted.

Ground Level. The 8,125-sf[3] ground floor of the hotel building (Figure 2, Proposed Ground-Level Plan, p. 5) would mainly include the hotel-serving amenities and 4,265 sf for restaurant and/or retail space. The main pedestrian entrance into the hotel lobby would be along Clementina Street near the corner of Clementina Street and Fourth Street. The approximately 1,200-sf lobby would include a seating area, a front desk, an office, a fire command room,[4] storage, and an elevator area. Outside of the lobby area would be the restaurant and/or retail space, stairwells, a laundry room, a trash enclosure, and building services. The restaurant/retail space would have large windows overlooking Clementina Street.

Two secondary pedestrian entrances would be provided along Fourth Street with a highly transparent frontage, providing open views into the building. One entrance would lead to the lobby while the other would lead to the restaurant or retail area. Sidewalk seating would also be provided on Fourth Street. A separate pedestrian service entrance would be provided in the southeast corner of the building for employees. In addition, a 1,560-sf outdoor open space patio would be included at grade in the northwest portion of the project site. A canopy would partially cover the patio area, and a raised planter would be included for stormwater dissipation. No parking would be included on the project site; however, a commercial vehicle and passenger loading zone would be provided in front of the main hotel entry on Clementina Street.

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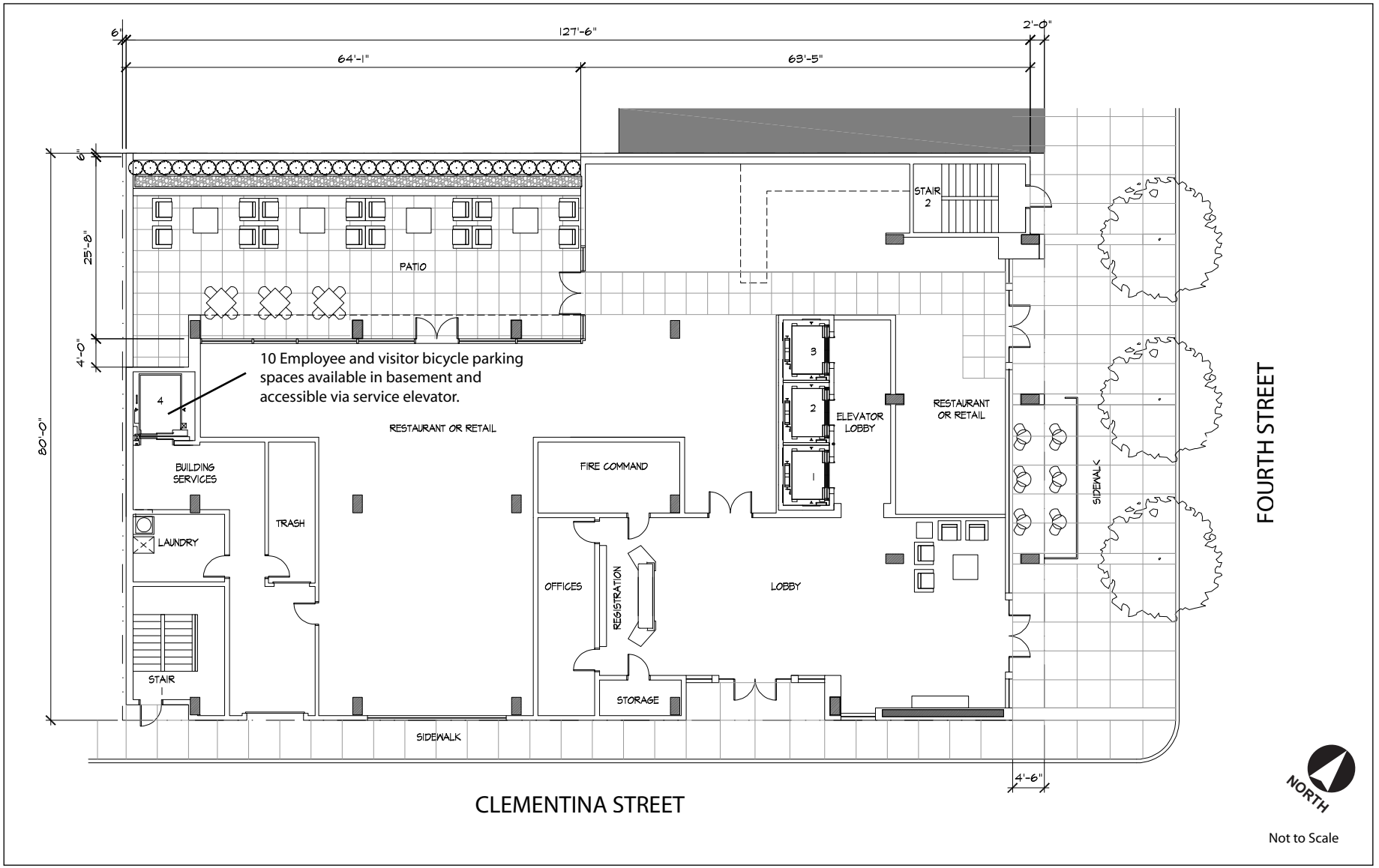
3 Excludes areas exempt from gross floor area per Section 102.9 of the *Planning Code*.

4 A "fire command" room is required per the California Building Code for new buildings classified as "high-rise," which is defined as any building that contains an occupied floor area that is located more than 55 feet above the lowest level of fire department vehicle access. As reflected in Table 1, the proposed project would be 130 feet in height and would, therefore, have an occupied floor above 55 feet. The fire command center is for fire department operations and must be approved by the Fire Department.



SOURCE: AXIS Architecture+Design, 2012.

250 FOURTH STREET PROJECT

FIGURE 2: PROPOSED GROUND-LEVEL PLAN

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A trash room for the hotel and restaurant/retail uses would be located on the ground floor, with access to Clementina Street. For the proposed uses, trash containers would be transported by the staff to the Clementina Street curb at the time of trash pickup and returned following pick-up. Building management would coordinate with the trash collectors regarding the specific locations of garbage containers.

Typical Guestroom Floor Plan (Floors 2-11). The typical guestroom floors would consist of approximately 8,100 sf[5] of hotel space (Figure 3, Proposed Typical Floor Plan, p. 7). A standard floor would include 22 rooms, an elevator lobby, stairwells, housekeeping areas, an ice vending room, an electrical room, and hallways.

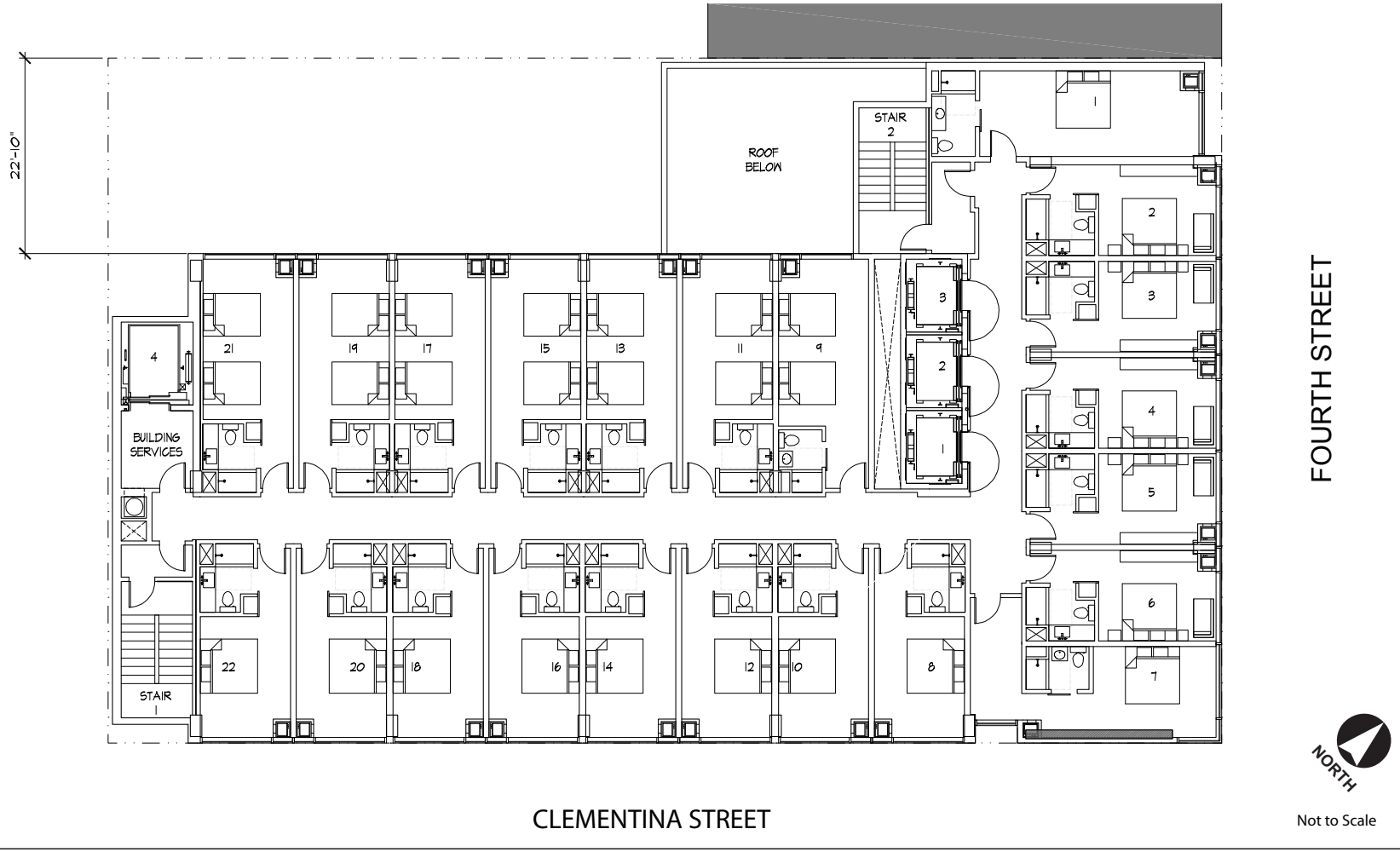
Roof Plan. The roof (Figure 4, Proposed Roof Plan, p. 8) would include a 1,374 sf roof deck, bathrooms, and mechanical areas. The deck would include a tempered glass railing and a glass canopy and would be accessible to all hotel guests. No green roof would be provided.

Building Articulation and Character. The proposed hotel building façade would be composed of cement plaster. The ground-floor façade would include vision glass, stone clad columns, and stainless steel-clad door frames, with translucent glass canopies and signage above the entries to the hotel and restaurant and/or retail. Each floor above the ground level would include insulated vision glass windows with Kynar-finished[6] metal sunscreens and Kynar-finished metal trim and panels. The roof deck would be enclosed by vision glass units and Kynar-finished metal trim fronting on Fourth Street. Figure 5 ~~through~~ and Figure ~~8~~6, pp. 9~~–12~~10, depict the building elevations and the exterior façades.

Parking and Loading. The proposed project would not include any on-site freight and service vehicle loading spaces, or vehicle parking spaces. Commercial vehicle, passenger vehicle, taxi, and tour bus loading is proposed to occur at the curb adjacent to the project site on Clementina Street. The proposed project would reconfigure the Clementina Street travel and parking lanes adjacent to the project site. Approximately five existing limited-time on-street parking spaces would be eliminated from the south side of Clementina Street to accommodate white and yellow loading zones on the north side of Clementina Street adjacent to the project site. In addition, the through-traffic lane on Clementina would be reconfigured from the northern portion of the street (existing) to the southern portion of the street (proposed). The proposed

5 Includes areas exempt from gross floor area calculations per Section 102.9 of the *Planning Code*.

6 Kynar is a finish for colorful metal buildings. Kynar is used for painted aluminum areas such as windows, storefronts, and metal curtain walls for tall buildings and large industrial parks. Source: Arkema, "Kynar® and Kynar Flex® PVDF," http://www.arkema-inc.com/kynar/page.cfm?pag=979?vm=r, accessed September 25, 2012.



SOURCE: AXIS Architecture + Design, 2012.

250 FOURTH STREET PROJECT

FIGURE 3: PROPOSED TYPICAL FLOOR PLAN

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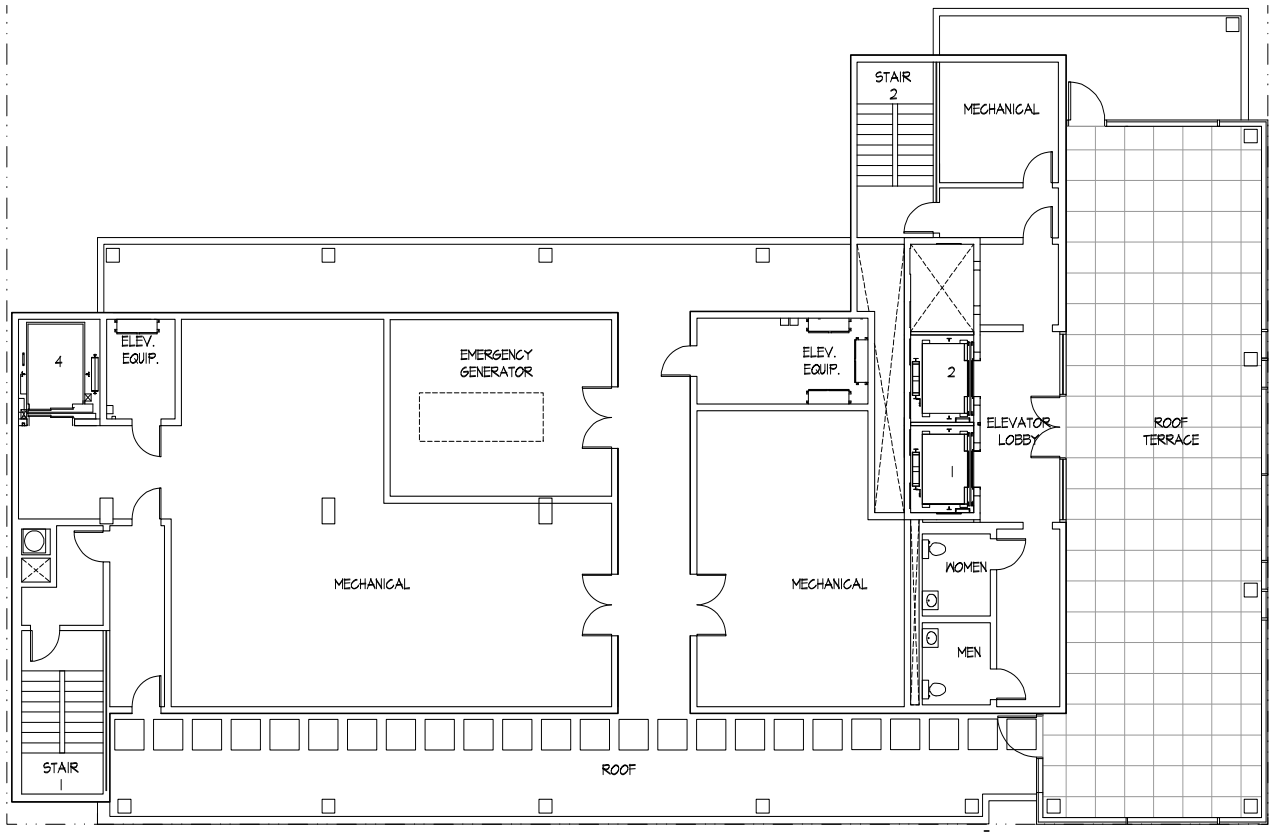
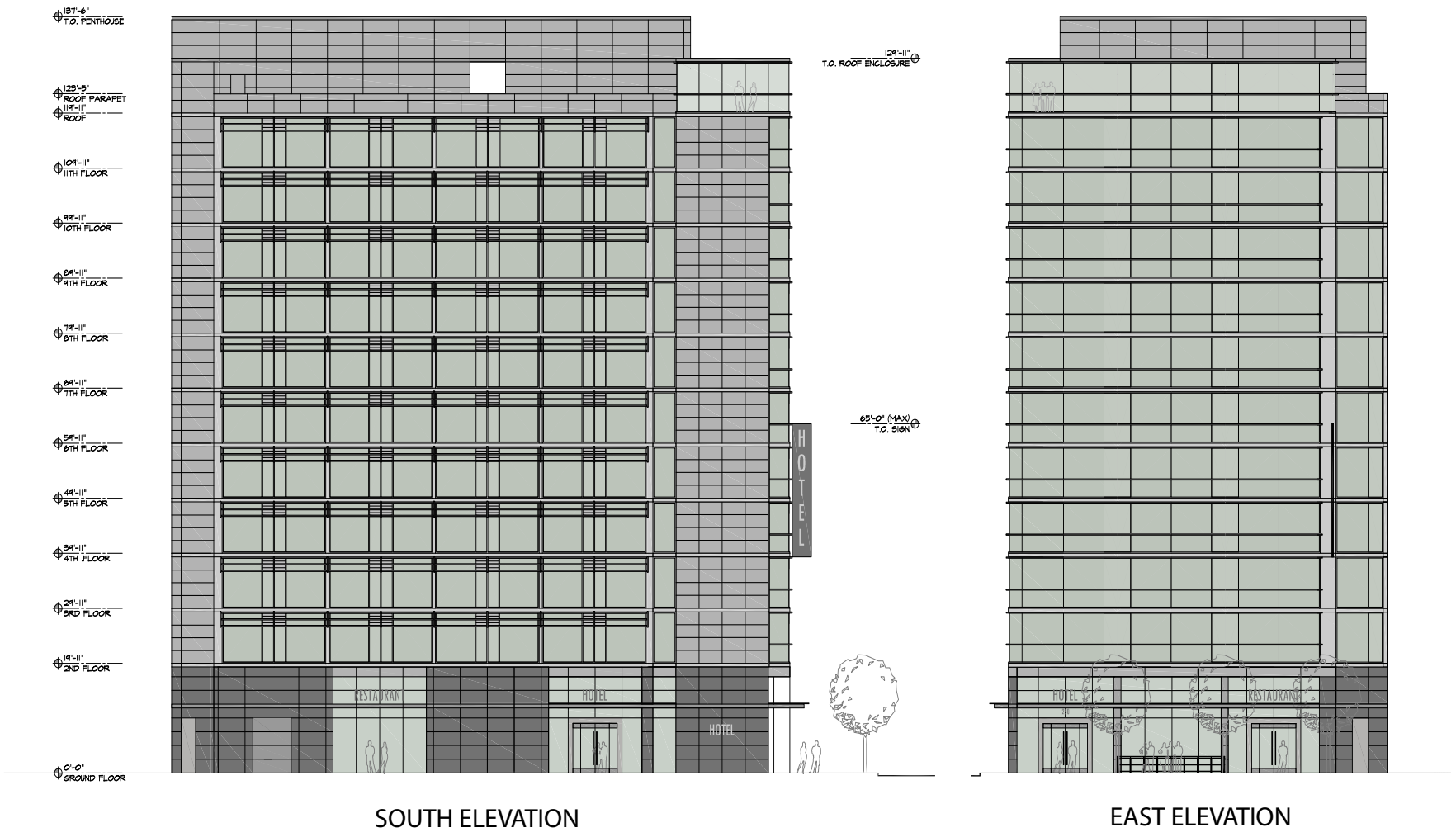
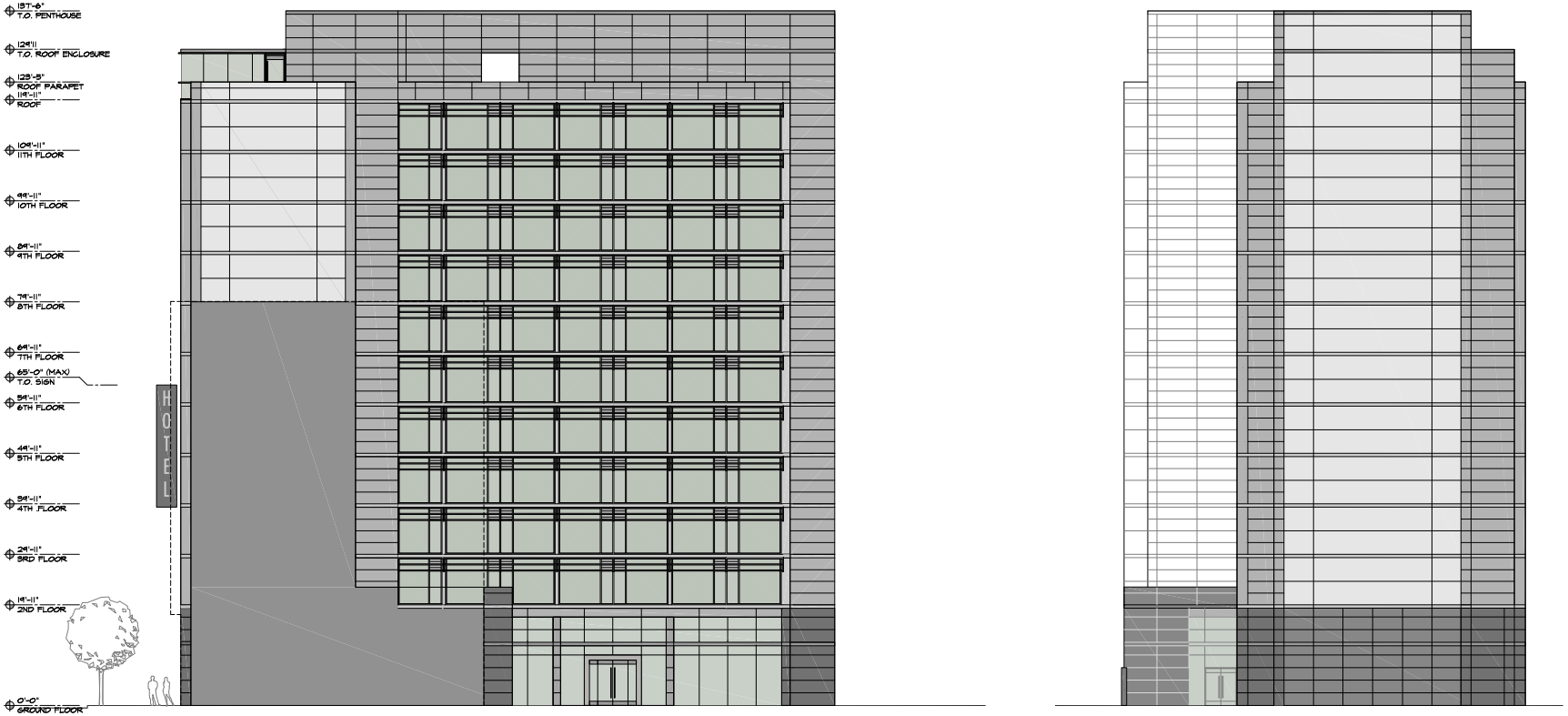


SOURCE: AXIS Architecture + Design, 2012.

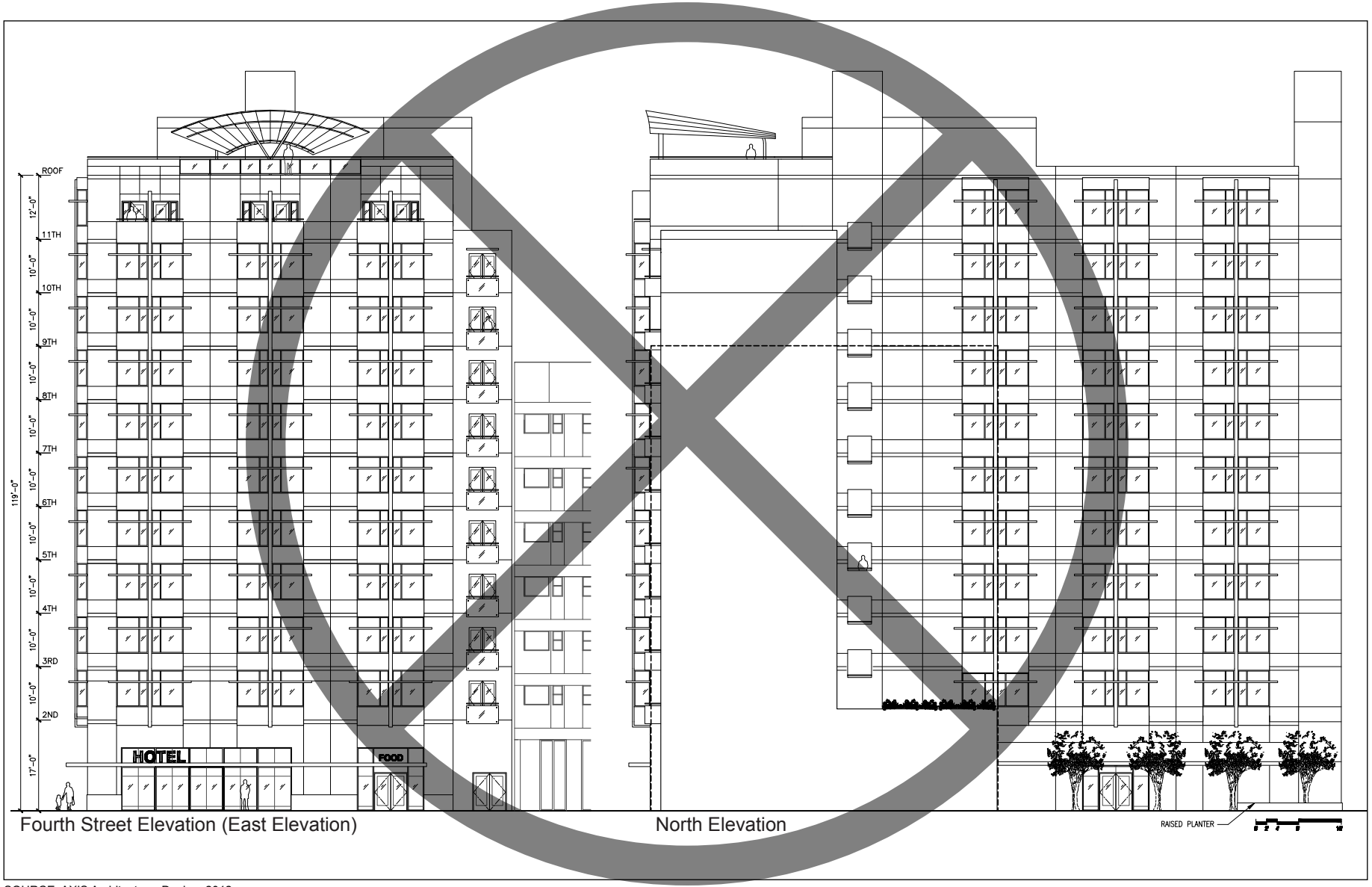


SOURCE: AXIS Architecture+Design, 2012.



SOURCE: AXIS Architecture + Design, 2012

FIGURE 6: NORTH AND WEST ELEVATIONS



SOURCE: AXIS Architecture+Design, 2012.

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FIGURE 7: NORTH AND EAST ELEVATIONS

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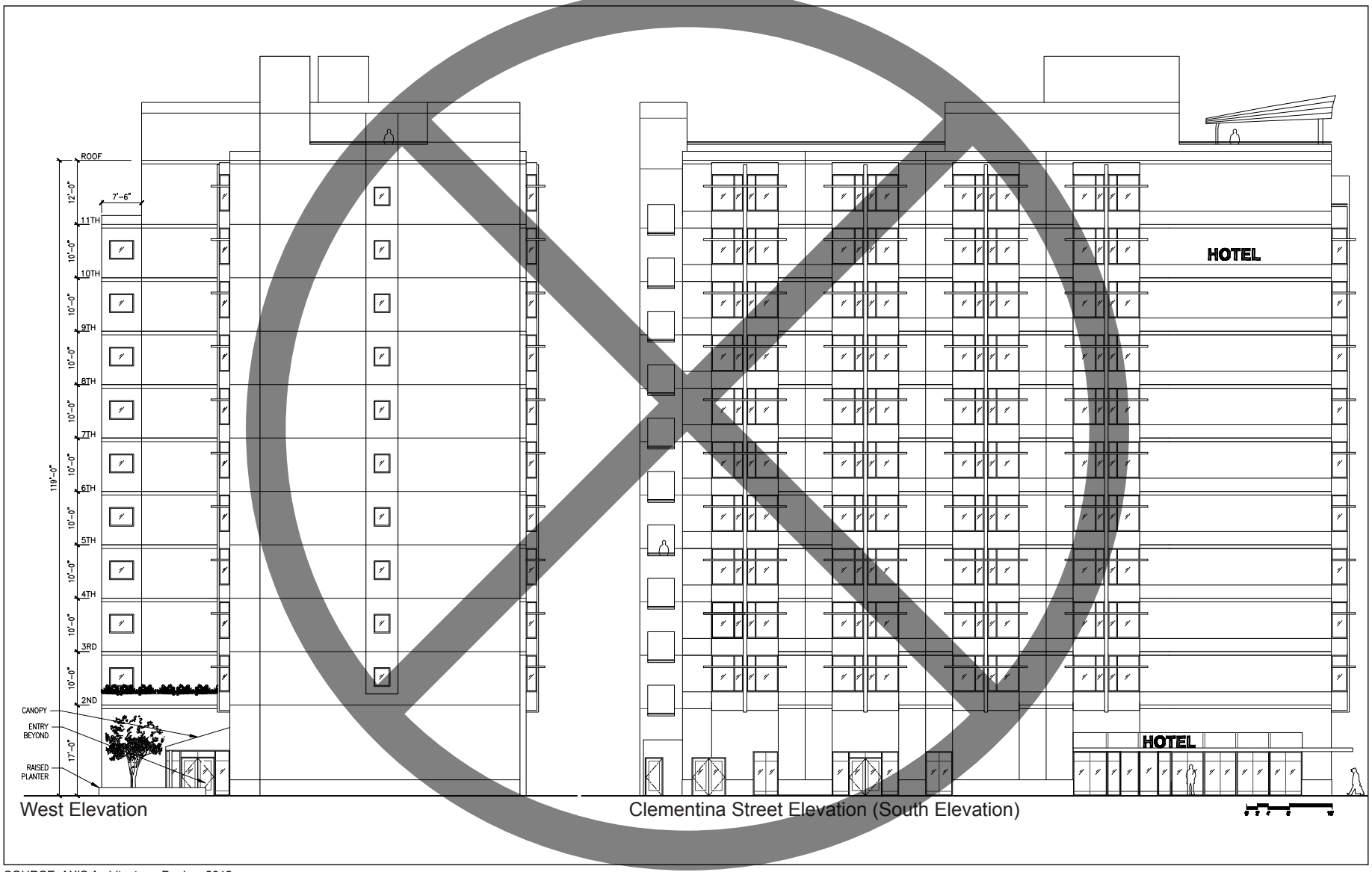

SOURCE: AXIS Architecture+Design, 2012.

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FIGURE 8: SOUTH AND WEST ELEVATIONS

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project would include 10 bicycle parking spaces in the basement for employees and visitors. In addition, two rental bicycles would be provided in the same area for visitors. Visitor bicycle parking would be valet assisted.

Construction Schedule. Project construction is estimated to begin in July 2013, with completion in January 2015. Construction would occur in three phases: demolition (one month), excavation/backfill (five months), and major construction (12 months). In total, construction would be expected to take 18 months. During construction, the project site would be barricaded and the sidewalks along Fourth Street and Clementina Street would be closed for a portion of the construction period.

Construction would occur Monday through Friday, 6:30 a.m. to 4:00 p.m. The daily average construction-related truck trips would be 25 to 45 trips, with a maximum of 70 trips during the peak construction period. No specific construction-related truck routing is anticipated. Construction workers would range from 25 to 45 workers per day, with a maximum of 70. Construction workers would be required to park in public parking facilities, the nearest one at the Fifth Street and Mission Garage.

Project Approvals. The proposed project would require the following approvals by the Planning Commission and the Zoning Administrator. The applicable *Planning Code* section is cited at the end of each approval item below.

- Conditional Use Authorization for hotel uses in the Downtown Commercial Support (C-3-S) Use District and for restaurant/bar uses in the Youth and Family Use District (*Planning Code* Sections 303(g), 216(b), and 249.40A; approved by the Planning Commission).
- Purchase of Transfer of Development Rights (TDR) to increase permitted FAR from 5:1 to 7.5:1 (*Planning Code* Section 128; approved by the Zoning Administrator).
- Downtown Authorization for tour bus loading and ground-level pedestrian wind comfort criterion exemptions (*Planning Code* Section 162 for tour bus loading and Section 148 for pedestrian wind comfort; approved by the Planning Commission).
- Variance pursuant to *Planning Code* Section 309 for active ground-floor uses (*Planning Code* Sections 145.1(c)(3); approved by the Zoning Administrator).

The proposed project would also require General Plan and Proposition M consistency findings per *Planning Code* Section 101.1 and building permits from the Department of Building Inspection. In addition, the proposed commercial vehicle and passenger loading/unloading zone on the north side of Clementina Street and the elimination of five limited-time on-street

parking spaces on the south side of the street would need to be approved at a public hearing through the San Francisco Municipal Transportation Agency (SFMTA).

As a new high-rise project of more than 5 units and greater than or equal to 75 feet in height, the proposed project would also be required to comply with the requirements of the Green Building Ordinance. Accordingly, the project will comply with the City's Green building Ordinance (San Francisco Building Code Chapter 13C) by attaining at least a LEED Silver rating plus six points or at least 95 GreenPoints from the GreenPoint Rated Multifamily New Construction checklist.

C. PROJECT SETTING

Land uses in the immediate area of the project site include residential, commercial, and community uses. The buildings in the immediate area include residential and residential-over-commercial buildings (mixed use) built between the 1970s and 2000s. The project site is bordered by 230 Fourth Street to the north, Fourth Street to the east, Clementina Street to the south, and an employee parking lot for the adjacent Clementina Towers apartment complex to the west. The properties in the vicinity of the project site include: a nine-story, 112-unit apartment building with ground-floor retail (230 Fourth Street/801-805 Howard Street) to the north; the Moscone Center (747 Howard Street) to the east across Fourth Street; a former 76-branded gasoline service and smog service station (800 Folsom Street; now closed) and a nine-story, 91-unit apartment building (317-321 Clementina Street) to the south across Clementina Street; and the Clementina Towers apartment complex (320 and 330 Clementina Street) within two 13-story apartment buildings set back from the street with open spaces and surface parking lots to the west.

The closest public open space to the project site is Yerba Buena Gardens, across Fourth Street to the east. This park is owned by the San Francisco Successor Agency and is generally bound by Mission Street to the north, Third Street to the east, Folsom Street to the south, and Fourth Street to the west. The garden includes meadows, trees, vegetation, waterfalls, public art, small cafes, terraces, small gardens, a carousel, play structures, and an outdoor amphitheater. Yerba Buena Gardens also contains the Center for the Arts Gallery, Center for the Arts Theater, Moscone Convention Center Ballroom, Moscone Center South, an ice skating rink, a bowling center, a childcare center, Zeum children's museum, and the Sony Metreon retail center.

In addition to residential, commercial, and open spaces, uses in the area include museums (San Francisco Museum of Modern Art, the Jewish Museum, and the Museum of Craft and Design), large retail facilities (Westfield San Francisco Center), and parking garages. Interstate 80 (I-80) is approximately 0.2 mile south of the project site.

D. COMPATIBILITY WITH EXISTING ZONING AND PLANS

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

SAN FRANCISCO PLANNING CODE

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

Uses and Conditional Use. The project site is currently zoned C-3-S (Downtown Support), which is intended to provide important supporting functions to the area such as wholesaling, printing, building services, and secondary office space, and Youth and Family Special Use District. The SoMa Youth and Family Special Use District was created as part of the Eastern Neighborhoods Plan to require baseline affordable housing requirements (i.e., 15 percent on site or 20 percent off-site/in-lieu) for development projects on parcels that are tangent to the major arterial streets in the Eastern Neighborhoods, such as Fourth Street, Fifth Street, Sixth Street, Seventh Street, Howard Street, Folsom Street, and Harrison Street. Permitted uses in the C-3-S District include, but are not limited to, dwellings at a density ratio not exceeding the number of units permitted in the nearest residential district, group housing, clinics, social service facilities, schools, churches, retail, health clubs, offices, theaters, recreation buildings, light manufacturing, and light food processing. Hotels and restaurant/bar uses are permitted in the C-3-S District by Conditional Use authorization, per *Planning Code* Sections 303(g), 216(b), and 249.40A. The proposed restaurant and/or retail are permitted within the C-3-S District.

In addition, a variance would be required to allow ground-floor lobby space that exceeds 25 percent of the building frontage and a variance to include building systems space within the first 25 feet of building depth on the southwest corner of the building. Lastly, a Downtown Authorization would be required for tour bus loading and ground-level pedestrian wind comfort criterion exemptions according to *Planning Code* Sections 162 and 148, respectively.

Height and Bulk. The project site is within the 130-L Height and Bulk District, which permits construction to a height of 130 feet. The L Bulk District has a maximum plan dimension of 250

feet in length and 300 feet in diagonal dimension for heights above 80 feet. The proposed hotel building would be approximately 130 feet tall, approximately 130 feet in horizontal length (from east to west), and approximately 153 feet in diagonal length. Therefore, the proposed building would be within the height and bulk limitations of the area.

Affordable Housing (Jobs-Housing Linkage Program). The provision of affordable housing by payment of an in-lieu fee is required for new hotel projects, per Section 413 of the *Planning Code*. As such, the proposed project is subject to the affordable housing requirements, and the project sponsor would need to contact the Mayor's Office of Housing to begin the process. According to the current fee schedule, per Section 413.6, hotel uses need to pay $14.95 per gross square feet (gsf).

Floor Area Ratio. FAR is a measure of building intensity based on the ratio between the total floor area to be built on a site and the size of that site. In the C-3-S District, a 5:1 FAR is allowed under Section 124(a). However, this FAR can be increased to 7.5:1 through the use of a transfer of development rights (TDR). The proposed project would have a FAR of 7.5:1 and, therefore, would require purchasing TDR from other properties.

Parking. For the hotel use, *Planning Code* Section 151 permits one parking space for each 16 guest bedrooms, but does not require parking. The proposed project would not include parking spaces. The proposed project complies with *Planning Code* parking requirements and allowances.

However, the proposed project would remove five existing limited-time parking spaces along the southern portion of Clementina Street in order to accommodate the proposed loading/unloading zones. Currently, Clementina Street includes one-hour parking permitted between 7:00 a.m. and 6:00 p.m., with a Tow-Away No Parking Anytime restriction between 1:00 a.m. and 6:00 a.m.

According to Section 155.4(f)(2) of the *Planning Code*, 6 bicycle spaces are required for hotel uses or for retail and/or restaurant uses with a floor area greater than 50,000 sf and less than 100,000 sf. Since the proposed project would include a total of 78,000 sf of hotel uses, as well as 4,265 sf of restaurant and/or retail space, six bicycle parking spaces would be required pursuant to *Planning Code* Section 155.4. Instead, the proposed project would provide 10 bicycle parking spaces within the basement for employees and visitors. In addition, two rental bicycles would be provided in the same area for visitors. Visitor bicycle parking would be valet assisted.

Freight Loading. *Planning Code* Section 152.1 does not require off-street freight loading space for hotel uses under 100,000 gsf in C-3 Zoning Districts. Since the proposed project would include

78,000 sf of hotel uses, a loading space is not required. In addition, retail and restaurant spaces only require loading areas if they are more than 10,000 gsf. The proposed project would include 4,265 sf of restaurant and/or retail space; therefore, loading would also not be required for these uses. The proposed project would not include on-site delivery and service vehicle loading, but would accommodate commercial vehicle loading/unloading along Clementina Street for the hotel and restaurant/retail uses. This 58-foot commercial loading/unloading zone would accommodate one to two trucks, depending on the vehicle size.

Tour Bus Loading. Per Section 162 of the *Planning Code*, hotels in C-3 Districts with over 200 rooms are required to provide one off-street tour bus loading space. Since the proposed project would accommodate 220 rooms, one tour bus loading space would be required. The project sponsor would request a waiver to the requirements for an on-site tour bus parking space in accordance with the provisions of Section 309 and would seek approval of on-street passenger loading/unloading zones to accommodate tour buses. Per *Planning Code* Section 162(b)(3), the requirements could be waived if site constraints restrict the ability to reasonably provide the space, or if space can be provided at adjacent curbs or in the immediate vicinity without adverse impacts on pedestrian circulation, transit operations, or general traffic circulation. The proposed project would instead include a 48-foot passenger loading/unloading zone along Clementina Street to accommodate the tour buses.

Ground-Level Wind Currents. The project site is located in an area that is subject to the San Francisco *Planning Code* Section 148, Reduction of Ground-level Wind Currents in C-3 Districts. *Planning Code* Section 148 specifically outlines wind reduction criteria for the C-3 District by requiring buildings in C-3 Districts to be shaped, or include other wind-baffling measures, so that the development would not excessive cause ground-level currents. The buildings should not result in wind currents above the comfort level of 11 miles per hour (mph) more than 10 percent of the time year round between 7:00 a.m. to 6:00 p.m. Similarly, the hazard criterion of the *Planning Code* requires that buildings not cause equivalent wind speeds to reach or exceed the hazard level of 26 mph as averaged from a single full hour of the year.

The proposed building would be approximately 130 feet in height and, therefore, has the potential to change wind conditions in the area. As such, a wind study has been prepared for the proposed project, as discussed in more detail in Section E.9, Wind and Shadow.

PLANS AND POLICIES

San Francisco General Plan Priority Planning Policies

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

In November 1986, the San Francisco voters approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the *Planning Code* to establish eight Priority Policies. These policies, and the sections of this environmental evaluation addressing the environmental issues associated with the policies, are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character (Question 1c, Land Use); (3) preservation and enhancement of affordable housing (Question 3b, Population and Housing, with regard to housing supply and displacement issues); (4) discouragement of commuter automobiles (Questions 5a, b, and f, 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 14a-d, Geology and Soils); (7) landmark and historic building preservation (Question 4a, Cultural Resources); and (8) protection of open space (Questions 9a and b, Wind and Shadow, and Questions 10a and c, Recreation and Public Spaces).

Prior to issuing a permit for any project which requires an initial study under the California Environmental Quality Act (CEQA), and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action which requires a finding of consistency with the General Plan, the City is required to find that the proposed project is consistent with the Priority Policies. As noted above, the consistency of the proposed project with the environmental topics associated with the Priority Policies is discussed in Section E, Evaluation of Environmental Effects, providing information for use in the case report for the proposed project. The case report and approval motions for the project will contain the Department's findings regarding consistency of the proposed project with the Priority Policies.

Regional Plans and Policies

The five principal regional planning agencies and their policy plans that guide planning in the nine-county Bay Area are: (1) the Association of Bay Area Governments' (ABAG's) *A Land Use Policy Framework* and *Projections 2009*, (2) the Bay Area Air Quality Management District's (BAAQMD's) *Clean Air Plan* and *Bay Area 2005 Ozone Strategy*, (3) the Metropolitan Transportation Commission's *Regional Transportation Plan – Transportation 2030*, (4) the San Francisco Regional Water Quality Control Board's (RWQCB's) *San Francisco Basin Plan*, and (5)

the San Francisco Bay Conservation and Development Commission's *San Francisco Bay Pla*n. Due to the size, location, and nature of the proposed project, there would be no anticipated conflicts with these regional plans.

E. SUMMARY OF ENVIRONMENTAL EFFECTS

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

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

F. EVALUATION OF ENVIRONMENTAL EFFECTS

All items on the Initial Study Checklist that have been checked "Less-Than-Significant Impact," "No Impact," or "Not Applicable" indicate that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect relating to that issue. For items that have been checked "Less Than Significant with Mitigation Incorporated," staff has determined that the proposed project would not have a significant adverse environmental effect provided that the project sponsor implements mitigation measures presented in the environmental impact analysis of this document, where applicable. A discussion is included for most issues checked "Less Than Significant with Mitigation Incorporated," "Less-Than-Significant Impact," "No Impact," or "Not Applicable." For all of the items without discussion, the conclusions regarding potential significant adverse environmental effects are based upon field observation, staff experience, 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*, the California Natural Diversity Database, and maps published by the California Department of Fish and Game. For each checklist item, the evaluation has considered the impacts of the project both individually and cumulatively.

CUMULATIVE PROJECTS

Two approaches to a cumulative impact analysis are provided in CEQA *Guidelines* Section 15130(b)(1). The analysis can be based on (a) a list of past, present, and probable future projects producing related impacts that could combine with those of a proposed project, or (b) a summary of projections contained in a general plan or related planning document. The analysis in this Initial Study employs both list-based and projections approaches, depending on which approach best suits the individual resource topic being analyzed. For instance, the aesthetics analysis considers individual projects that are anticipated in the project area that may alter the visual character and views in and surrounding the project area, while the transportation and circulation analysis relies on a citywide growth projection model that encompasses the proposed project and other nearby projects, which is the typical methodology that the San Francisco Planning Department applies to analysis of transportation impacts. Table 2 presents a list of projects approved or anticipated to be approved in the near future within one quarter-mile of the project site. These reasonably foreseeable probable future projects are considered in the cumulative analysis, as applicable.

TABLE 2
CUMULATIVE PROJECTS SUMMARY

Project Name	Timeframe/Description
Approved Projects	
Central Subway Project	Construction of Moscone Station to begin in 2013 and end in 2017. According to the EIR, the Moscone Muni station facility (at 266 Fourth Street) would include a one-story building, approximately 35 feet south of the project site.
900 Folsom Street Project	Approximately 24-month construction that began in 2012. Residential mixed-use development with 282 dwelling units 221 parking spaces located approximately 0.17 mile west of the project site.
260 5th Street Project	Approximately 24-month construction that began in 2012. Residential mixed-used development with 179 dwelling units and 102 parking spaces located approximately 0.15 mile west of the project site.
155 5th Street Project	18-month construction that began in 2012. Located approximately 0.18 mile west of the project site. Conversion of office building to dental college
San Francisco Museum of Modern Art Expansion/Fire Station Relocation and Housing Project	24-month construction schedule to begin in 2014. Located 0.25 mile north of the project site.
Transit Center District Plan and Transit Tower	The District Plan guides growth for the Transit Center District as a commercial epicenter revolving around the multi-modal Transbay Transit Center. The transit center includes a 61-story, 1,070-foot-tall tower and a 5-acre City park. The western boundary of the Plan Area is located 0.21 mile east of the project site.
Foreseeable Projects (Not Yet Approved)	
Western SoMa Community Plan, Rezoning of adjacent parcels, and 350 8th Street Project	The FEIR is scheduled for certification on December 6, 2012, and the plan is anticipated to be in effect in the spring of 2013. The project includes adoption of the Community Plan, which would guide future development within the Western SoMa area. It would also rezone approximately 47 parcels in the Community Plan area, and construct a mixed-use

TABLE 2
CUMULATIVE PROJECTS SUMMARY

Project Name	Timeframe/Description
	development at 350 8th Street, consisting of approximately 444 dwelling units, approximately 33,650 square feet of commercial space, approximately 8,150 square feet of light industrial/artist space, and approximately 1,350 square feet of community space. The eastern boundary is located approximately 0.22 mile southwest of the project site.
706 Mission Street – The Mexican Museum and Residential Tower Project	The Draft EIR was published on June 27, 2011, and the project includes new construction and rehabilitation of an existing building, resulting in 175-215 dwelling units, cultural, and retail uses. Located 0.21 mile north of the project site.
725-765 Harrison Street Project	EIR on hold; environmental review will move forward in coordination with the Central Corridor Plan. Demolition of 141,600 sf development on six lots and construction of 575 new residential units, 10,000 sf of retail/commercial space, and 656 parking spaces. Located 0.18 mile south of the project site.
Central Corridor Plan	The Draft Central Corridor Plan includes changes in land use and building heights. Environmental review to begin in 2013. No specific projects are included in the plan. The 250 Fourth Street project site is within the proposed Plan area.

Source: San Francisco Planning Department, October 4, 2012.

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

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

The project site is currently occupied by a 2.5-story, approximately 31,200 sf office/educational building. The project would demolish the existing building and construct an 11-story, 78,000 sf visitor-serving hotel containing approximately 220 guest rooms, as well as 4,265 sf of restaurant and/or retail space and a 10,295 sf below-grade basement. The proposed project would result in a net increase of approximately 46,800 sf.

Land use impacts are considered significant if the proposed project would disrupt or divide the physical arrangement of an established community, or have a substantial impact on the existing

character of the vicinity. Land uses in the vicinity of the project site include multi-family residential, commercial, and community uses including, but not limited to, the Moscone Center and Yerba Buena Gardens. The surrounding uses would be expected to continue in operation and to relate to each other as they do presently, without disruption from the proposed project. Because the new and expanded building elements would be constructed within the existing lot configuration, the proposed project would not physically divide or interfere with the arrangement of existing uses and activities that surround the project site. Although the proposed project would reconfigure the Clementina Street travel and parking lanes adjacent to the project site to accommodate commercial vehicles, passenger loading, and tour bus loading, reconfiguration would not substantially interfere with traffic and pedestrian circulation.[7] The proposed project would not impede the passage of persons or vehicles.

While the proposed project would create a new use on the subject property, the project would not cause a significant land use impact. Therefore, the proposed project would not physically divide an established community, resulting in a less-than-significant impact.

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

Land use impacts are considered to be significant if the proposed project would conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. As identified in the Project Description, the project site is in a Downtown Commercial-Support (C-3-S) Use District and a 130-L Height and Bulk District. To comply with requirements in the C-3-S District, prior to construction and operation, the project sponsor would obtain Section 303(g) Conditional Use authorization for the proposed hotel use; Sections 216(b) and 249.40A Conditional Use authorization for the restaurant/bar use in the SoMa Youth and Family Use District; Sections 309 and 162 Conditional Use authorization for exception to the tour bus loading requirements; Section 148 Conditional Use authorization for pedestrian wind comfort; and a street tree waiver. However, as noted in Section C, Compatibility with Existing Zoning and Plans, the retail uses are permitted within the C-3-S District.

In addition, a variance would be required to allow ground-floor lobby space that exceeds 25 percent of the building frontage and an exemption or variance would be required to include

[7] LCW Consulting, *250 Fourth Street Transportation Study*, October 16, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, San Francisco, as part of Case No. 2011.0038.

building systems space within the first 25 feet of building depth on the southwest corner of the building. Lastly, a Downtown Authorization would be required for tour bus loading and ground-level pedestrian wind comfort criterion exemptions according to *Planning Code* Sections 309/162 and 148, respectively.

As a new high-rise project of more than 5 units and greater than or equal to 75 feet in height, the proposed project would also be required to comply with the requirements of the Green Building Ordinance. Accordingly, the project will comply with the City's Green building Ordinance (San Francisco Building Code Chapter 13C) by attaining at least a LEED Silver rating plus six points, or at least 95 GreenPoints from the GreenPoint Rated Multifamily New Construction checklist.

The proposed project would meet the requirements established by the 130-L Height and Bulk District. In order to meet the allowable FAR as stipulated in the C-3-S District, the project sponsor would purchase a TDR. For the hotel use, *Planning Code* Section 151 permits one parking space for each 16 guest bedrooms, but does not require parking. The proposed project would not include parking spaces for the hotel patrons. The proposed project complies with *Planning Code* parking requirements and allowances.

In addition to *Planning Code* regulations, the proposed project would be subject to the requirements of several regional plans and policies. These plans and policies include, but are not limited to, the Bay Area Air Quality Management District's (BAAQMD) *2010 Clean Air Plan*; the Metropolitan Transportation Commission's *Regional Transportation Plan – Transportation 2030*; the San Francisco Regional Water Quality Control Board's (RWQCB's) *San Francisco Basin Plan* and applicable National Pollutant Discharge Elimination System permits; and the San Francisco Bay Conservation and Development Commission's *San Francisco Bay Plan*. Compliance with applicable plans, policies, and regulations are evaluated in their respective impact sections. As described throughout this document, the proposed project would not result in any significant environmental impacts. As such, the proposed project would have a less-than-significant impact with regard to consistency with existing plans, polices, and regulations.

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

Land use impacts are considered to be significant if the proposed project would have a substantial effect on the existing character of the vicinity. The change in land use on the site would not be considered a significant impact because the site is within the C-3-S Zoning District, where the proposed hotel use is permitted with Conditional Use authorization and the restaurant and/or retail space are permitted uses. Further, the maximum building height for the

proposed project would be approximately 130 feet, which is consistent with existing buildings in the project area.

Buildings surrounding the project site include residential and residential-over commercial buildings (mixed use) built between the 1970s and 2000s. In general, the project area is characterized by high-density development, including multi-family residential, commercial, and community land uses. As the project vicinity is comprised of recent development, construction of the proposed project would be consistent with the modern character of the area, and the South of Market neighborhood in general. In addition, the proposed project would be consistent with the gradual change of land uses in the Yerba Buena Redevelopment Area towards a focus on visitor-oriented services.

The proposed hotel building façade would be composed of cement plaster, similar to the adjacent high-density residential buildings. The existing building at the project site is several stories shorter than the surrounding development and architecturally inconsistent. The proposed project would improve visual consistency with adjacent buildings by increasing the height of development at the project site and improving the façade. Although the project site would be converted from an institutional use to a hotel and restaurant and/or retail space, this conversion in land use would not be substantially or demonstrably incompatible with the existing commercial and high-density residential uses in the project area. Further, the proposed project would not substantially change the character of the project site itself. The proposed project would change the land use and density of development at the project site, but the general character of the site would remain urban. Building setbacks would remain the same, and the proposed project would occupy the same footprint as the existing building.

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

Impact C-LU-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the site, would not have a cumulatively considerable contribution to a significant cumulative land use impact. (Less than Significant)

As shown in Table 2, p. 20, there are several approved projects and reasonable foreseeable future projects within a quarter-mile radius of the project site. Given that the cumulative projects would be consistent with the mixed-use nature of the project area, it is unlikely that they would have land use impacts that could combine with the less-than-significant impacts of the proposed project to such an extent that a cumulative land use impact would occur. As with the cumulative projects identified in Table 2, p. 20, changes in nearby neighborhoods in the project vicinity are likely to result in more cohesive (albeit potentially more intensified) land use

patterns, an enhanced pedestrian environment, and a wider range of transportation options. Such cumulative development would be expected to be consistent with the adopted plans and policies for the areas in which development occurs. These cumulative land use changes would be regulated by, and be consistent with, the General Plan and *Planning Code* provisions.

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. Therefore, the project would not result in any significant cumulative land use impacts. Land use impacts, both project-specific and cumulative, would be less than significant.

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

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

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

A project would have a significant effect on scenic vistas if it would substantially degrade important public view corridors and obstruct scenic views from public areas viewable by a substantial number of people. View corridors are defined by physical elements such as

buildings and structures that direct lines of sight and control view directions available to the public.

The Urban Design Element of the City's General Plan contains policies focused on the preservation of major views throughout the City. Policy 1.1 of the Urban Design Element is intended to recognize and protect major views in the City, with particular attention to those of open space and water. Significant views are broadly identified in the Urban Design Element as those of open space, the Bay, the Bay Bridge and Golden Gate Bridge, and architecturally and historically important buildings. Scenic views and vistas are limited in the project vicinity due to surrounding urban development and intervening buildings.

The project site is in a low-lying area of the City characterized by high-rise buildings. The existing building frontage on Fourth Street is built to the lot line and the proposed project would retain this frontage. The proposed hotel would be 11 stories and approximately 130 feet tall, representing an 8.5-story increase over the existing building. However, the proposed project would be similar in height to the surrounding development, located west and southwest of the project site.

The closest open space to the project site is the Yerba Buena Gardens located on the same block as the project site. The project site is not visible from the recreation and open space portions of Yerba Buena Gardens due to intervening buildings. In addition, there are no scenic views from this open space, due to the configuration of this southern portion of Yerba Buena Gardens, which has a courtyard consisting of children's play structures and open space among multi-story buildings. The 11-story building would be visible from this open space; however, the proposed project would be consistent with the height, bulk, and character of other buildings in the project area. As such, the proposed project would not degrade or obstruct any scenic views or vistas now observed from a public area. Therefore, the proposed project would have a less-than-significant impact on scenic views and vistas in the project area.

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

There are no scenic resources present on the project site or in the area that would be affected by the project. The project vicinity is highly urbanized and fully built out. There are no trees or other natural scenic resources at the project site that would be impacted by the proposed project. Further, the project vicinity is characterized by contemporary development and there are no significant historic resources that would be damaged by implementation of the proposed project. As such, the proposed project would result in no impact to scenic resources.

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

The visual character of the project area and vicinity is urban and mixed, with a variety of multi-family residential, commercial, and community land uses. The buildings in the immediate area include residential and residential-over commercial buildings built between the 1970s and 2000s. Properties in the vicinity of the project site include: a nine-story, 112-unit apartment building with ground-floor retail (230 Fourth Street/801-805 Howard Street) to the north; the Moscone Center (747 Howard Street) to the east across Fourth Street; a former 76-branded gasoline service and smog service station (800 Folsom Street; now closed) and a nine-story, 91-unit apartment building (317-321 Clementina Street) to the south across Clementina Street; and the Clementina Towers apartment complex (320 and 330 Clementina Street) within two 13-story apartment buildings set back from the street with open spaces and surface parking lots to the west. This southern portion of Yerba Buena Gardens is directly across Fourth Street to the east of the project site.

At 11 stories, the proposed project would conform to the project site's 130-L Height and Bulk District controls and would be compatible with the buildings heights in the surrounding area, which include a 9-story and 13-story apartment buildings. The proposed hotel building façade would be composed of colored exposed fine aggregate concrete. The ground-floor façade would include a honed stone base and metal entry canopies and signage above the entries to the hotel and restaurant and/or retail. As stated above, buildings immediately surrounding the project site are mixed-use residential with commercial and retail uses on the ground floor and apartments above. The proposed project would have a similar configuration and would thereby improve visual consistency in the project area.

The proposed project would intensify and change the use of the site, but would not change or be inconsistent with the mixed-use visual character of surrounding development. The proposed project would be in-fill development located in a densely developed urban area within surrounding buildings of comparable height and bulk. It would not appear out of scale with other existing buildings. Therefore, the proposed project would have a less-than-significant impact on the visual character of the project site and surroundings.

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

The proposed project would comply with Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass. The proposed project would include outdoor

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

Impact C-AE-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the site, would not have a cumulatively considerable contribution to a significant cumulative aesthetics impact. (Less than Significant)

There are several approved projects and reasonable foreseeable future projects within a quarter-mile radius of the project site, as identified in Table 2, p. 20. Similar to the proposed project, the approved and reasonable foreseeable projects would be contemporary in architectural design and would conform to the applicable land use designations, design requirements, and Height and Bulk District requirements as outlined in the City's *Planning Code*. The currently under-construction Moscone Station, which would not exceed one-story in height, is across Clementina Street to the south of the project site. Due to height and density of existing buildings, this is the only project that would likely create a cumulative visual impact with the proposed project. However, both the station and the proposed project would be consistent with the existing urban fabric of its surroundings, which reflects a wide range of building styles and sizes with contemporary high-rise buildings sometimes located adjacent to one-story industrial structures for the twentieth century. Architectural variety is common and accepted throughout this part of the City.

The project vicinity is highly urbanized and lacks unique scenic resources and historic structures. Therefore, cumulative development in the project vicinity would not adversely affect such resources to such a degree that a significant cumulative impact would occur in combination with the proposed project's less-than-significant aesthetic impacts. Further, even if these projects did have impacts related to aesthetics, the proposed project would not contribute in a cumulatively considerable way to substantially degrade views, damage scenic resources, or degrade the existing visual character of the area.

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

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

Impact PH-1: The proposed project would not induce substantial population growth in the City, either directly or indirectly, or create demand for additional housing. (Less than Significant)

The 2010 Census population for San Francisco was 805,235 residents.[8] According to City projections,[9] San Francisco is expected to reach a population of approximately 867,100 by 2020, a growth of approximately 61,865 new residents, or 7.7 percent. In general, a project would be considered growth inducing if its implementation would result in substantial population increases and/or new development through the extension of roads or other infrastructure that might not occur if the project were not implemented. Currently, there are no residential units on the project site and none are proposed.

The proposed project would include 220 hotel guest rooms, a restaurant, and retail space. It is anticipated that operation of the proposed project would accommodate approximately 97 new employees,[10] which could result in indirect population-related impacts. Specifically, the increase in employment at the project site could result in an increased housing demand and new residents within the City.

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8 U.S. Census Bureau, American Fact Finder, Table DP-1, *Profile of General Population and Housing Characteristics: 2010 Demographic Profile Data,* Geography: San Francisco County, California, http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml, accessed April 24, 2012.

9 Association of Bay Area Governments, Projections 2009: Forecasts for the San Francisco Bay Area to Year 2035, August 2009.

10 Based on a rate of 840 sf/employee for hotel uses and 450 sf/employee for retail/restaurant uses. Derived from the Association of Bay Area Governments 1987 Input-Output Model and Economic Multipliers for the San Francisco Bay Region, March 1995.

According to the 2010 Census, San Francisco has an average household size of 2.28 persons per household. It is unlikely that all 97 new employees would relocate to the City; however, under the worst case scenario, if all new employees relocated to the City, and brought their families, the proposed project could increase City population by approximately 222 residents. This increase would equate to approximately 0.4 percent of the total projected population increase in the City by 2020. Therefore, the new population as a result of the proposed project would not be substantial in the context of City's population and would not necessitate the construction of new housing in the City or the region. The proposed project's potential to induce population growth would be less than significant.

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

The project site does not currently include residential uses, nor does proposed project include residential uses; therefore the proposed project would have no impact with respect to displacement of existing people housing, necessitating the construction of replacement housing elsewhere.

Impact C-PH-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the site, would not have a cumulatively considerable contribution to a significant cumulative population and housing impact. (Less than Significant)

There are several approved projects and reasonable foreseeable future projects within a quarter-mile radius of the project site, as identified in Table 2, p. 20. The increase and population that would result from implementation of these cumulative projects, combined with the proposed project would be within the anticipated growth in population identified in the ABAG Projections 2009. These projections are used by the City to plan for and guide future population growth and housing needs. Because the proposed project would not result in a cumulatively considerable contribution to population growth and housing demand, and the cumulative population growth from the aforementioned projects would be within the City's anticipated growth, the proposed project would result in a less-than-significant cumulative impact.

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

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

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

A historic resource evaluation response (HRER) was prepared for the proposed project by Planning Department staff to determine whether the subject building is a historic resource and whether the proposed project would have any adverse effect on historic resources on the project site, or within the project vicinity.[11] The following discussion summarizes the HRER.

The original building permit for the existing development at the project site was approved April 23, 1946. The existing building was designed by Howard Edwin Sweeting as a warehouse for

[11] San Francisco Planning Department, *Historic Resource Evaluation Response, 250 Fourth Street*, June 13, 2011. This document is available for public review at the Planning Department at 1650 Mission Street, Suite 400, San Francisco, CA 94103, as part of Case File No. 2011.0038E.

the Tennessee-based S.E. Massengill Pharmaceutical Corporation. The existing development at the project site was designed as an international-styled commercial building without a dominant architectural style. The existing structure is not included on any historic surveys and it is not listed in the National Register of Historic Resources or the California Register of Historic Resources. However, because the building is older than 50 years of age, it is considered a "Category B" (properties requiring further consultation and review) property for the purposes of the Planning Department's CEQA review.

The HRER found that the subject building and similar property types do not constitute a significant association to the development patterns in local, State, or national history, which would qualify an individual property for the California Register of Historic Resources. Further, the existing building was not associated with the lives of persons important in local, regional, or national history. Howard Edwin Sweeting is not considered a Master Architect. In addition, the HRER determined that the existing building is not an example of a rare construction type and does not yield information important to prehistory or history.

According to the HRER, the project site and surrounding area are not part of a designated historic district. The 2010 *SoMa Survey*[12] conducted surveys in this neighborhood and did not find any historic building districts in the immediate blocks surrounding the project site. The buildings constructed on the adjacent block-faces are of mixed architectural character in a modern vocabulary, including residential and residential-over-commercial buildings built between the 1970s and 2000s. The closest City-designated historic district, the South End Historic District, is approximately 0.5 mile southeast and, due to distance, would not be impacted by the proposed project. Other historic districts in the area include the Sixth Street Lodginghouse Historic District, the Bluxome and Townsend Historic District, the South End Historic District, and the Western SoMa Light Industrial and Residential Historic District; however, none of these districts would be impacted by the proposed project. Therefore, demolition of the existing structure at the project site would not result in an adverse effect on a historic architectural resource or district, resulting in no impact.

[12] San Francisco Planning Department, South of Market Area Historic Resource Survey: SoMa Historic Evaluations Map, http://www.sf-planning.org/ftp/files/Preservation/soma_survey/SoMa_Survey_Findings_Map.pdf, accessed October 22, 2012.

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

Factors considered in determining the potential for encountering archaeological resources include the location, depth, and amount of excavation proposed, as well as any existing information about known resources in the area. The project site includes an existing 8,000-sf basement that, due to a change in elevation, ranges from 6 feet below grade (along Clementina Street) to 11 feet below grade (in the northern portion of the site). The proposed project would excavate an additional 4 feet to accommodate the new basement. In addition, it is estimated that the future basement slab would be an additional 30 inches in depth. As such, construction could require excavation up to 5 to 6 feet below the existing bottom of the basement slab across the full extent of the property.

Due to the proposed excavation work, the Planning Department conducted a study to determine whether any archaeological resources would be impacted. The information contained in this Initial Study is based on the Archaeological Research Design and Treatment Plan (ARDTP) prepared by consulting archaeologists Far Western Anthropological Research Group, Inc.[13]

According to the report, a total of 15 archaeological resources have been identified within a 0.25-mile radius of the project site. These include seven prehistoric sites, six historic-era sites, and two sites with prehistoric and historic-era material. Of these, 12 have been formally recorded by the Information Center as lying within the records search area. Three other sites (all historic sites) that have not been formally recorded are believed to be located in the search area according to the Anthropological Studies Center, Sonoma State University. All of these resources were encountered below the current urban land surface, typically during formal archaeological excavations, and many of the prehistoric sites were also buried under natural dune sand.

The seven prehistoric sites and one site with prehistoric and historic components are all shell midden sites. Seven of the 15 sites (CA-SFR-2, -113, -114, -147, -155, -154/H, and -175) have been recently determined to be eligible for the National Register of Historic Places under Criterion A, as "associated with events that have made a significant contribution to the broad patterns of our history." As part of recent work at CA-SFR-175, these seven sites were determined eligible as

[13] Far Western Anthropological Research Group, Inc. and ESA, *Archaeological Research Design and Treatment Plan for 250 Fourth Street, San Francisco, California*, August 2012. This document is available for public review at the Planning Department, 1650 Mission Street, San Francisco, as part of Case No. 2011.0038.

part of a National Register District (for archaeological resources) that is referred to as "Prehistoric Native American Shellmiddens on Mission Bay." These sites are considered to represent elements of a multi-village community network that was clustered around the shore of Mission Bay. Although no boundaries have been developed yet for this National Register District, the project site can be considered within the District due to its adjacency to CA-SFR-175.

The full extent of several of the prehistoric sites is uncertain, since only the portions within the relevant construction areas were studied, and additional portions extend beyond those limits. One of the prehistoric sites, CA-SFR-175, lies adjacent to the 250 Fourth Street project within Fourth Street. Midden material was recovered within a long trench on the east side of the road, within 20 meters of the parcel. Its full extent remains uncertain. The eight historic-era sites (two of which also contain prehistoric material) vary widely in size and character. Most include structural remains and many include refuse deposits, trash pits, and other features. All appear to date from the 1860s to the early 1900s.

Even though 5 to 10 feet of sand were removed along Fourth Street, an intact prehistoric site is located very close to the project site at relatively shallow depths. Given the context of the project site (both modern and mid-nineteenth century) and the varying topography, it is conceivable that remnants of prehistoric site CA-SFR-175 or other previously undocumented archaeological material may be present within the project site, particularly in the southeastern portion.

Ground-disturbing construction activity within the project site, particularly within previously undisturbed soils, could adversely affect the significance of archaeological resources by impairing the ability of such resources to convey important scientific and historical information. This effect would be considered a substantial adverse change in the significance of an historical resource and, therefore, would be a significant impact under CEQA. However, implementation of Mitigation Measure M-CP-2 would reduce this impact to a less-than-significant level.

Mitigation Measure M-CP-2: Archaeological Testing Plan

Based on a reasonable presumption that archaeological resources may be present within the 250 Fourth Street project site, the following measures shall be undertaken to avoid any significant adverse effect on buried or submerged historical resources, including human remains.

- The project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the San Francisco Planning Department archaeologist. The archaeological consultant shall undertake an archaeological testing program as specified in the *Archaeological Research Design and Treatment Plan for 250 Fourth Street, San Francisco, CA* (Far

Western Anthropological Research Group, August 2012). In addition, the consultant shall be available to conduct an archaeological monitoring and/or data recovery program, if required as a result of the archaeological testing program, and also in conformance with the project's *Archaeological Research Design and Treatment Plan* (ARDTP).

- The archaeological consultant's work shall be conducted at the direction of the Environmental Review Officer (ERO). In instances of inconsistency between the requirements of the project archaeological research design and treatment plan and requirements of this archaeological mitigation measure, the requirements of this archaeological mitigation measure shall prevail. All plans and reports prepared by the consultant 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.
- Archaeological 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 potential effects on significant archaeological resources as defined in CEQA *Guidelines* Section 15064.5 (a) through (c) to less than significant levels.
- *Consultation with Descendant Communities*. On discovery of an archaeological site associated with descendant Native Americans or the Overseas Chinese, the ERO and an appropriate representative of the descendant group shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archaeological field investigations of the site and to consult with the ERO regarding appropriate archaeological treatment of the site and recovered data from the site, and, if applicable, any interpretative treatment of the associated archaeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.
- *Archaeological Testing Program*. The archaeological consultant shall prepare and submit to the ERO for review and approval an archaeological testing plan (ATP). The archaeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archaeological resource(s) that could be adversely affected by the proposed project, the investigation method to be used, locations to be tested, and the justification for the selected investigation method(s) and locations. The purpose of the archaeological testing program shall be to identify and, to the extent possible, evaluate the legal significance (California Register/National Register eligibility) of any archaeological resource(s) that may be adversely affected the project. At the completion of the archaeological testing program, the archaeological consultant shall submit a written report of the findings to the ERO. Based on the archaeological testing program, the ERO shall determine what additional archaeological investigation and mitigation measures are warranted. If the ATP determines that a legally significant archaeological resource may be

potentially affected by the project, the preferred mitigation shall be preservation in place consistent with the preservation strategies set forth in CEQA Guidelines Section 15126.4(b)(3)(A) and (B), including avoidance of the archaeological site by project redesign; incorporation of the archaeological site into open space; physical insulation of the archaeological site, and deeding of the archaeological site into a permanent conservation easement. If it has been satisfactorily demonstrated to the ERO that preservation in place of the archaeological resource is infeasible through evaluation strategies including, but not necessarily limited to those noted in Guidelines Section 15126.6(b)(3)(B) and set forth above, an archaeological data recovery program consistent with an ERO-approved archaeological data recovery plan (ARDP) shall be implemented. Where the ERO determines that the archaeological resource is (also) of high public interpretive value, an interpretive use plan shall be submitted to the ERO for review and approval.

- *Archaeological Monitoring Program*. If the ERO in consultation with the archaeological consultant determines that an archaeological monitoring program (AMP) shall be implemented, the archaeological monitoring program shall minimally include the following provisions:
  - The archaeological 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 archaeological consultant shall determine what project activities shall be archaeologically 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.), and site remediation, shall require archaeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context.
  - The archaeological consultant shall advise all project contractors of the need to be on the alert for evidence of the presence of the expected resource(s), ways to identify the evidence of the expected resource(s), and the appropriate protocol in the event of apparent discovery of an archaeological resource.
  - The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archaeological consultant and the ERO until the ERO has, in consultation with project archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits.
  - The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis. If an intact archaeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archaeological 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 archaeological monitor has cause to believe that the pile-driving activity may affect an archaeological resource, the pile-driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archaeological consultant shall immediately notify the ERO of the encountered archaeological deposit. The archaeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit and present the findings of this assessment to the ERO.

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

- *Archaeological Data Recovery Program*. The archaeological data recovery program shall be conducted in accord with an archaeological data recovery plan (ADRP). The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archaeological 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 archaeological resource is expected to contain. That is, the ADRP shall 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, shall 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 archaeological resources if non-destructive 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 archaeological data recovery program.

  - *Security Measures.* Recommended security measures to protect the archaeological 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) (Public Resources Code Section 5097.98). The archaeological 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* Section 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 Archaeological Resources Report*. The archaeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO. The FARR shall evaluate the historical significance of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archaeological 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: the California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one copy; the ERO shall receive a copy of the transmittal of the FARR to the NWIC; and the Environmental Planning Division of the San Francisco Planning Department shall receive one bound copy, one unbound copy, and one unlocked, searchable PDF copy on CD, 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 high interpretive value of the resource, the ERO may require a different final report content, format, and distribution from that presented above.

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

Paleontological resources, or fossils, are the remains, imprints, or traces of once-living organisms preserved in rocks and sediments. Paleontological resources include vertebrate,

invertebrate, and plant fossils or the trace or imprint of such fossils. The fossil record is the only evidence that life on earth has existed for more than 3.6 billion years. Fossils are considered nonrenewable resources because the organisms from which they derive no longer exist. Thus, once destroyed, a fossil can never be replaced. Paleontological resources are lithologically dependent; that is, deposition and preservation of paleontological resources are related to the lithologic unit in which they occur. If the rock types representing a deposition environment conducive to deposition and preservation of fossils are not favorable, fossils will not be present. Lithological units which may be fossiliferous include sedimentary and volcanic formations.

According to the geotechnical review conducted for the proposed project, the project site is underlain by approximately 3 to 14 feet of fill consisting mainly of loose to medium dense sand with varying amounts of silt.[14] The fill is underlain by native medium dense to very dense, fine-grained sand extending to a depth of approximately 20 to 30 feet. This sand layer is underlain by a marsh deposit that generally consists of clayey and/or silty sand and sandy clay and silt. In addition, soil borings taken for the geotechnical review indicate the presence of Colma formation, Old Bay Clay, and bedrock of the Franciscan Formation on the order of 230 feet below existing street grade. The proposed excavation, as discussed in the Project Description and in Impact CP-2, would extend an additional 5 to 6 feet below the existing basement. The existing basement is between 6 and 11 feet below the existing grade; therefore, the depth of excavation would be a maximum of appropriately 11 to 17 feet the existing grade, well above the 230-foot depths where geologic formations containing lithological units (containing fossils). Therefore, the proposed project would have less-than-significant impacts on paleontological resources and geological features.

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

Impacts on Native American burials are considered under Public Resources Code (PRC) Section 15064.5(d)(1). When an Initial Study identifies the existence of, or the probable likelihood of, Native American human remains within the project site, the lead agency is required to work with the appropriate tribal entity, as identified by the California Native American Heritage Commission (NAHC). The 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 a dedicated cemetery (Health and Safety Code Section

[14] Rockridge Geotechnical, *Geotechnical Review, 250 Fourth Street, San Francisco, California*, August 17, 2011.

7050.5) and the requirements of CEQA pertaining to Native American human remains. The proposed project's treatment of human remains and of associated or unassociated funerary objects discovered during any soils-disturbing activity would comply with applicable state laws, including immediate notification of the City and County of San Francisco 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).

Previous development at the project site has resulted in substantial ground-disturbing activities. Therefore, if human remains were present at the project site, it is likely that they were previously disturbed. As such, the proposed project is not anticipated to disturb any human remains, including Native American burials. Nonetheless, in an abundance of caution, this Initial Study considers the project's impact on human remains to be significant. Implementation of Mitigation Measure M-CP-2, Archaeological Testing Plan, would reduce this impact to a less-than-significant level.

Impact C-CP-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the site, would have a cumulatively considerable contribution to a significant cumulative cultural resources impact. (Less than Significant with Mitigation)

There are several approved projects and reasonable foreseeable future projects within a quarter-mile radius of the project site, as identified in Table 2, p. 20. Although some cumulative projects in the area could result in significant and unavoidable cumulative impacts to historical resources, such as the Western SoMa Area Plan, 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 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 cumulative impacts to historic architectural resources.

However, ground-disturbing activities in the vicinity of the project site could encounter previously recorded and/or unrecorded archaeological resources as well as human remains. The proposed project, in combination with past, present, and reasonably foreseeable projects in the vicinity that also involve ground disturbance and could also encounter previously recorded and unrecorded archaeological resources and/or human remains, could result in a significant cumulative impact to these cultural resources.

Implementation of Mitigation Measure M-CP-2 would reduce the project's contribution to cumulative impacts to a less-than-significant level. Project-related impacts on archaeological resources and human remains are site-specific and generally limited to the project's

construction area. Mitigation Measure M-CP-2 would reduce the proposed project's impacts to a less–than-significant level, and the proposed project's contribution to cumulative impacts on archaeological resources and/or human remains would also be less than significant with implementation of this measure.

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

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

Below is a list of significance criteria used by the San Francisco Planning Department to assess whether a proposed project would result in significant impacts to the transportation network. These criteria are organized by transportation mode to facilitate the transportation impact analysis; however, the transportation significance thresholds are essentially the same as the ones presented above in the checklist.

- The operational impact on signalized intersections is considered significant when project-related traffic causes the intersection level of service (LOS) to deteriorate from LOS D or better to LOS E or F, or from LOS E to LOS F. The project may result in

significant adverse impacts at intersections that operate at LOS E or F under existing conditions depending upon the magnitude of the project's contribution to the worsening of the average delay per vehicle. In addition, the project would have a significant adverse impact if it would cause major traffic hazards or contribute considerably to cumulative traffic increases that would cause deterioration in levels of service to unacceptable levels.

- The project would have a significant effect on the environment if it would cause a substantial increase in transit demand that could not be accommodated by adjacent transit capacity, resulting in unacceptable levels of transit service; or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service levels could result. With the Muni and regional transit screenlines analyses, the project would have a significant effect on the transit provider if project-related transit trips would cause the capacity utilization standard to be exceeded during the peak hour.
- The project would have a significant effect on the environment if it would result in substantial overcrowding on public sidewalks, create potentially hazardous conditions for pedestrians, or otherwise interfere with pedestrian accessibility to the site and adjoining areas.
- The project would have a significant effect on the environment if it would create potentially hazardous conditions for bicyclists or otherwise substantially interfere with bicycle accessibility to the site and adjoining areas.
- A project would have a significant effect on the environment if it would result in a loading demand during the peak hour of loading activities that could not be accommodated within proposed on-site loading facilities or within convenient on-street loading zones, and created potentially hazardous conditions or significant delays affecting traffic, transit, bicycles, or pedestrians.
- The project would have a significant effect on the environment if it would result in inadequate emergency access.
- Construction-related impacts generally would not be considered significant due to their temporary and limited duration.

The project site is located within San Francisco's South of Market neighborhood, on the northwest corner of the intersection of Fourth Street and Clementina Streets, on the block bounded by Fourth Street, Clementina Street, Fifth Street, and Howard Street. The project site has frontages both on Fourth Street and on Clementina Street. The proposed project includes construction of an 11-story (plus below-grade basement) visitor-serving hotel containing approximately 220 guest rooms, a restaurant, and retail space. The proposed project would not provide on-site parking, but one commercial vehicle loading zone and one passenger loading zone would be added along Clementina Street. This section of the document describes the

potential impacts that these improvements could have on traffic, transit, pedestrian, bicycle, loading, and emergency vehicle circulation, as well as any potential transportation impacts related to construction of the proposed streetscape improvements. This section of the Initial Study also provides a parking analysis for informational purposes.

The following analysis is based on the *250 Fourth Street Transportation Study (TIS)*, prepared by LCW Consulting.[15]

Regional Access

Regional access to the project site is provided by Interstate 80 (I-80), US Highway 101 (US 101) and Interstate 280 (I-280). I-80 provides the primary regional access to the project area. The San Francisco-Oakland Bay Bridge is part of I-80 and connects San Francisco with the East Bay and other destinations to the east. I-80 runs to the south of the project site. Access to the project site from I-80 westbound is via the Fremont Street off-ramp or the Harrison Street/Fifth Street off-ramp, and access to I-80 westbound is via the on-ramp at the intersection of Harrison Street and Fourth Street. Access from I-80 eastbound is via the Bryant Street/Fourth Street off-ramp, and access to I-80 eastbound is via the on-ramps at the intersections of Harrison Street/Essex Street, Harrison Street/First Street, Bryant Street/Sterling Street, and Bryant Street /Fifth Street.

US 101 provides access to both the north and south of the study area. I-80 joins US 101 to the southwest of the project site and provides access to the Peninsula and South Bay. Nearby access to US 101 to the south is provided from I-80, including the on- and off-ramps at Fourth Street and Fifth Street. In addition, US 101 connects San Francisco and the North Bay via the Golden Gate Bridge. Within the northern part of San Francisco, US 101 operates on surface streets (i.e., Van Ness Avenue and Lombard Street).

I-280 provides regional access from the South of Market area of downtown San Francisco to southwest San Francisco and the South Bay/Peninsula. I-280 and US 101 have an interchange to the south of downtown San Francisco. Nearby access points to I-280 are located at King Street (near Fifth Street) and Sixth Street (at Brannan Street).

Local Access

The following discussion of the existing local roadway system in the vicinity of the project site includes the roadway designation, number of travel lanes, and traffic flow directions. In the

[15] LCW Consulting, *250 Fourth Street Transportation Study*, October 16, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, San Francisco, as part of Case No. 2011.0038.

South of Market area, streets that run in the northwest/southeast direction are considered north-south streets, whereas streets that run in the southwest/northeast direction are considered east-west streets.

Market Street is a two-way arterial that runs between Steuart Street and Portola Drive. Market Street runs in an east-west direction. In the vicinity of the project site, Market Street has two lanes in each direction and on-street parking is prohibited, although there are loading zones on most blocks. Numerous bus lines and the F-Market & Wharves historic streetcar line run on Market Street between Steuart Street and Castro Street. In the San Francisco General Plan, Market Street is designated as a Transit Conflict Street in the Congestion Management Plan (CMP) Network, a Transit Preferential Street (transit-oriented), a Citywide Pedestrian Network Street, and a Neighborhood Commercial Street. In addition, Market Street between Castro Street and Steuart Street is part of Bicycle Route 50.

Mission Street is a four-lane arterial that runs in an east-west direction between The Embarcadero and Van Ness Avenue, and continues in a north-south direction west of Van Ness Avenue. One of Mission Street's two lanes in the eastbound and westbound directions, between 11th Street and Beale Street, is dedicated as a right-turn/bus-only lane on weekdays between 7:00 a.m. and 6:00 p.m. On-street, metered parking is generally provided along both curbs, but is prohibited during the AM and PM peak periods. The General Plan designates Mission Street as a Transit Conflict Street in the CMP Network, as a Transit Preferential Street, (transit-oriented) within the downtown core, as a Neighborhood Pedestrian Street (Neighborhood Commercial), and as a Citywide Pedestrian Network Street.

Howard Street runs between The Embarcadero and South Van Ness Avenue. It is a two-way arterial with two travel lanes in each direction between The Embarcadero and Fremont Street, and a one-way arterial west of Fremont Street with three to four travel lanes in the westbound direction. In the vicinity of the project site, Howard Street has on-street parking on both sides of the street; however, parking is prohibited along the north curb during the PM peak period (4:00 p.m. to 6:00 p.m.). The San Francisco General Plan identifies Howard Street as a Major Arterial in the CMP Network, as a Metropolitan Transportation System (MTS) street and as a Transit Preferential Street (transit-important) between Main and Beale Streets. Howard Street is part of Bicycle Route 30, and a bicycle lane is provided on the north side of Howard Street between Fremont and 11th Streets.

Clementina Street extends discontinuously between Ninth and First Streets. In the vicinity of the proposed project, Clementina Street runs one-way eastbound (21 feet wide) between Fourth and Sixth Streets, with one travel lane, and on-street parking (1-hour non-metered) on the south side of the street. No parking is allowed on the north side of Clementina Street. Clementina

Street has a 9-foot-wide sidewalk on the south side of the street and a 7-foot-wide sidewalk on the north side of the street.

Folsom Street runs between The Embarcadero and Ripley Street (south of Cesar Chavez Street). Folsom Street is a four-lane eastbound one-way arterial from Eleventh Street to Main Street, and is a two-way arterial with three eastbound lanes and one westbound lane between Main Street and The Embarcadero. The San Francisco General Plan identifies Folsom Street as a Major Arterial in the CMP Network and as an MTS Street. Folsom Street is part of Bicycle Route 30, and has a bicycle lane on the south side of the street.

Harrison Street runs between The Embarcadero and Norwich Street (south of Cesar Chavez Street). Harrison Street operates two ways between The Embarcadero and Third Street, one-way westbound between Third and Tenth Streets, and two-way between Tenth and Norwich Streets. Between Beale and First Streets, Harrison Street has one eastbound and three westbound travel lanes, and curb parking on both sides of the street. The San Francisco General Plan identifies Harrison Street as a Major Arterial in the CMP Network, an MTS Street, a Transit Preferential Street (transit-important), and a Neighborhood Commercial Street.

Third Street is a north-south arterial between Bayshore Boulevard and Market Street. North of Market Street, Third Street connects with Kearny Street and Geary Street. North of Townsend Street, Third Street is a one-way northbound roadway. In the vicinity of the project site, Third Street has five travel lanes during peak periods, and the east curb lane is reserved for transit vehicles. On-street parking is generally provided along both sides of the street, but is prohibited during the morning and evening peak periods (7:00 a.m. to 9:00 a.m., and 3:00 p.m. to 6:00 p.m.). In the San Francisco General Plan, Third Street is designated as a Major Arterial in the CMP Network, an MTS street, an Transit Preferential Street (transit-important), a Citywide Pedestrian Network Street, and a Neighborhood Commercial Street.

Fourth Street is a north-south roadway between Market Street and Townsend Street. North of Market Street, Fourth Street connects with Stockton Street and Ellis Street. Between Market and Townsend Streets, Fourth Street is a one-way southbound roadway with four travel lanes during peak periods. Fourth Street generally has on-street metered parking and sidewalks on both sides of the street. In the vicinity of the project site, between Howard and Folsom Streets, on-street parking on Fourth Street is prohibited at all times on the east side of the street, and between 3:00 p.m. and 7:00 p.m. on the west side of the street (adjacent to the project site). In the San Francisco General Plan, Fourth Street is designated as a Major Arterial in the CMP Network, an MTS Street, a Transit Preferential Street (transit-important), and a Neighborhood Commercial Street.

Fifth Street is a north-south roadway between Market Street and Townsend Street. North of Market Street, Fifth Street becomes Cyril Magnin Street. Fifth Street is a two-way street, with two travel lanes in each direction. In the vicinity of the project site, Fifth Street has on-street metered parking and sidewalks on both sides of the street. In the San Francisco General Plan, Fifth Street is designated as a Major Arterial in the CMP Network, an MTS Street, and a transit Preferential Street (transit important). Fifth Street is part of Bicycle Route 19.

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

Policy 10.4 of the Transportation Element of the San Francisco General Plan states that the City will "[c]onsider the transportation system performance measurements in all decisions for projects that affect the transportation system." To determine whether the proposed project would conflict with a transportation- or circulation-related plan, ordinance, or policy, this section analyzes the proposed project's effects on intersection operations, transit demand, pedestrian and bicycle circulation, parking, and freight loading, as well as construction impacts.

Trip Generation

The proposed project would generate approximately 2,393 person-trips (inbound and outbound) on a daily basis. During the PM peak hour, the proposed project would generate approximately 269 person-trips (inbound and outbound). In order to determine the number of auto, transit, and other trips that would be generated by the proposed project, the estimated person-trips were assigned to travel modes based on San Francisco Guidelines.[16] During the PM peak hour, about 34 percent of all person-trips would be by auto, 39 percent by transit, and 27 percent by other modes. The proposed project would generate approximately 59 vehicle-trips during the PM peak hour (17 inbound and 42 outbound). Table 3 summarizes the weekday PM peak hour trip generation by mode for the proposed project.

[16] San Francisco Planning Department, Transportation Impact Analysis Guidelines for Environmental Review, October 2002, http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=6753, accessed October 22, 2012.

TABLE 3
PROPOSED PROJECT TRIP GENERATION BY MODE – WEEKDAY PM PEAK HOUR

	Person-Trips				Vehicle
Land Use	Auto	Transit	Walk/Other[a]	Total	Trips
Hotel	51	71	32	154	36
Restaurant/Retail	41	34	40	115	23
Total	92	105	72	269	59

Source: LCW Consulting, 2012.
Note:
a. "Other" mode includes bicycles, motorcycles, and taxis.

Although the proposed project is calculated to generate approximately 59 PM peak hour vehicle trips, these vehicle trips are not anticipated to substantially change the level of service at the intersections evaluated in the project vicinity. Changes in average delay at the study intersections are summarized in Table 4.

TABLE 4
INTERSECTION LEVEL OF SERVICE – EXISTING PLUS PROJECT CONDITIONS – WEEKDAY PM PEAK HOUR

	Existing		Existing plus Project	
Intersection	Delay[a]	LOS[b]	Delay	LOS
Fifth/Howard	21.0	C	21.2	C
Fifth/Folsom	19.0	B	19.0	B
Fourth/Mission	41.8	D	42.0	D
Fourth/Howard	34.2	C	34.3	C
Fourth/Clementina[c]	12.9 (eb)	B	13.6 (eb)	B
Fourth/Folsom	39.8	D	40.4	D
Third/Market	**56.2**	**E**	**56.7**	**E**

Source: LCW Consulting, 2012.
Notes
a. Delay presented in seconds per vehicle. Intersections operating at LOS E or LOS F highlighted in **bold.**
b. Intersections operating at LOS E or LOS F highlighted in **bold.**
c. Intersection STOP sign-controlled. Delay and LOS presented for the eastbound STOP-sign-controlled approach.

During the weekday PM peak hour, the signalized intersection of Third/Market would continue to operate at LOS E. The contributions of the proposed project to the critical movements that operate poorly were reviewed to determine if the project contributions would be considered significant.

At the intersection of Third/Market, which currently operates at LOS E conditions during the PM peak hour, the proposed project would add three northbound vehicle trips, which represents 0.2 percent of the total PM peak-hour northbound approach volume of 1,908

vehicles. The project contribution to this approach, which operates poorly, would be minimal; therefore, the contribution to the overall intersection LOS E conditions would not be considered significant. Overall, the proposed project traffic would not represent a considerable contribution to the intersection of Third/Market and would not cause any intersection operating at LOS D or better to operate at LOS E or LOS F. The addition of project trips associated with the proposed project would not significantly impact any study intersections. Therefore, the proposed project's impacts on traffic operations would be less than significant.

Loading

The proposed project would not provide on-site freight delivery and service vehicle loading spaces. Pursuant to *Planning Code* Section 152.1, off-street freight loading spaces would not be required for hotel uses under 100,000 square feet. Since the proposed project would include 78,000 sf of hotel uses, a loading space is not required. In addition, retail and restaurant spaces only require loading areas if they are more than 10,000 gsf. The proposed project would include 4,265 sf of restaurant and/or retail space; therefore, loading would also not be required for these uses. The proposed project would not include on-site delivery and service vehicle loading, but would accommodate commercial vehicle loading/unloading along Clementina Street for the hotel and restaurant/retail uses. This 58-foot commercial loading/unloading zone would accommodate one to two trucks, depending on the vehicle size. Therefore, the proposed project would be in compliance with *Planning Code* requirements.

Per Section 162 of the *Planning Code*, hotels in C-3 Districts with over 200 rooms are required to provide one off-street tour bus loading space. Since the proposed project would accommodate 220 rooms, one tour bus loading space would be required. Per *Planning Code* Section 162(b)(3), the requirements could be waived if site constraints restrict the ability to reasonably provide the space, or if space can be provided at adjacent curbs or in the immediate vicinity without adverse impacts on pedestrian circulation, transit operations, or general traffic circulation. The project sponsor would request a waiver to the requirements for an on-site tour bus parking space in accordance with the provisions of Section 309 and would seek approval of a 48-foot passenger loading/unloading zone along Clementina Street to accommodate tour buses.

In order to accommodate the commercial and passenger loading zones, the proposed project proposes to reconfigure the Clementina Street travel and parking lanes adjacent to the project site. The proposed changes to the curb regulations on Clementina Street to accommodate the loading/unloading zones include:

- On the north side of the street, adjacent to the project site, replace approximately 106 feet of the No Parking Anytime restriction with the following curb parking regulations:

A 48-foot-long white passenger loading/unloading zone would be provided on the north side of Clementina Street at the approach to Fourth Street that would accommodate about two vehicles. In addition, this passenger loading/unloading zone would accommodate any taxis waiting for passengers. In order to ensure that adequate curb space is available for active passenger loading/unloading, a sign would be posted approximately 20 feet west of the Clementina Street crosswalk indicating that taxi queuing is not permitted west of the sign. This would allow for queuing of one taxi, while still allowing 28 feet for active loading/unloading for another vehicle (for a total of two vehicles within the passenger loading/unloading zone).

A 58-foot-long yellow commercial vehicle loading/unloading zone would be provided west of the proposed passenger loading/unloading zone. The 58-foot-long yellow zone would accommodate one to two trucks, depending on the vehicle size.

- On the south side of the street, replace about 130 feet of the existing parking regulations with No Parking Anytime Tow-Away regulation. About five on-street limited-time parking spaces would be eliminated as part of this restriction. The existing driveway into 321 Clementina Street would not be affected.

The proposed project would generate about 22 deliveries/service vehicle trips per day on weekdays, which would result in a demand for two loading spaces during the peak hour of loading activities, and one space during the average hour of loading activities. This loading demand would be accommodated within the proposed 58-foot yellow commercial vehicle loading/unloading zone on Clementina Street.

The hotel-related passenger loading/unloading demand could be accommodated within the proposed 48-foot passenger loading/unloading zone. In addition, tour bus parking and taxi loading could also be accommodated within the white passenger loading/unloading zone. The proposed passenger and commercial vehicle loading/unloading zones on the north side of the street, and the elimination of on-street parking on the south side of the street, would need to be approved through SFMTA.[17]

Since the proposed project proposes to include reconfiguration of the curb adjacent to the project site on Clementina Street to accommodate deliveries and passenger loading/unloading demand, loading impacts would be considered less than significant**.**

[17] The project sponsor would need to apply for a permit through SFMTA's Parking and Traffic Color Curb Program, and the change in curb regulation would need to be approved by SFMTA.

Construction Impacts

It is anticipated that construction of the proposed project would take approximately 18 months. Detailed plans for construction activities have not yet been finalized; however, there would be three partially overlapping construction phases:

- Phase 1 – Demolition (one month)
- Phase 2 – Excavation and backfill (five months)
- Phase 3 – Major construction (12 months)

During the projected 18-month construction period, temporary and intermittent traffic and transit impacts would result from truck movements to and from the project site. Truck movements during periods of peak traffic flow would have greater potential to create conflicts than during non-peak hours because of the greater numbers of vehicles on the streets during the peak hour that would have to maneuver around queued trucks. Construction activities associated with the proposed project are not anticipated to result in substantial impacts on the City's transportation network. However, as required, the project sponsor and construction contractors would meet with the City's Transportation Advisory Staff Committee (TASC) to determine feasible measures to reduce traffic congestion, including effects on the transit system and pedestrian circulation impacts during construction of the proposed project. TASC consists of representatives from the SFMTA Sustainable Streets Division (SSD), the Fire Department, MUNI, and the Planning Department. Thus, impacts related to an applicable transportation circulation system plan or policy would be less than significant, and the project would not conflict with any applicable congestion management program. Nonetheless, Improvement Measure I-TR-1 would further reduce the proposed project's less-than-significant construction-related impacts.

Improvement Measure I-TR-1: Coordination of Construction Activity

Traffic Control Plan for Construction. To reduce potential conflicts between construction activities and pedestrians, transit, and vehicles at the project site, the contractor should prepare a traffic control plan for the project construction period. The project sponsor and construction contractor(s) should meet with Sustainable Streets Division, San Francisco Municipal Transportation Agency, the Fire Department, MUNI Operations and other City agencies to coordinate feasible measures to reduce traffic congestion, including temporary transit stop relocations (not anticipated, but if determined necessary) and other measures to reduce potential traffic and transit disruption and pedestrian circulation effects during construction of the proposed project. This review should consider other ongoing construction in the project area. The

contractor should be required to comply with the *City of San Francisco's Regulations for Working in San Francisco Streets*, which establish rules and permit requirements so that construction activities can be done safely and with the lowest level of possible conflicts with pedestrians, bicyclists, transit and vehicular traffic. As part of this effort, alternate construction staging locations should be identified and assessed.

Carpool and Transit Access for Construction Workers. To minimize parking demand and vehicle trips associated with construction workers, the construction contractor should encourage carpooling and transit to the project site by construction workers in the Construction Management Plan.

Project Construction Updates for Adjacent Businesses and Residents. To minimize construction impacts on access to nearby institutions and businesses, the project sponsor should provide nearby residences and adjacent businesses with regularly updated information regarding project construction, including construction activities, peak construction vehicle activities (e.g., concrete pours), travel lane closures, and other lane closures (e.g., sidewalks/parking). A web site should be created by project sponsor that would provide current construction information of interest to neighbors, as well as contact information for specific construction inquiries or concerns.

PARKING

The proposed project would not provide on-site parking, and the provision of loading zones on the north side of Clementina Street would necessitate the removal of approximately five limited-time parking spaces from the south side of Clementina Street. San Francisco does not consider parking supply as part of the permanent physical environment and, therefore, does not consider changes in parking conditions to be environmental impacts as defined by CEQA. The San Francisco Planning Department acknowledges, however, that parking conditions may be of interest to the public and the decision makers. Therefore, this report presents a parking 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.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact (CEQA Guidelines

Section 15131(a)). The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles, or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular, would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Article 8A, Section 8A.115, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." The project site is well served by public transit and alternative modes of transportation. MUNI bus lines operate on all of the streets surrounding the project site. Further, the project site is approximately three blocks from the Powell BART station, which provides transit to destinations within the City and the greater Bay Area. As described under Local Access, above, there are several bicycle routes near the project site, with the closest routes on Howard and Folsom Streets (Bicycle Route 30), on Second Street (Bicycle Route 11), and on Market Street (Bicycle Route 50). Fourth Street is not a designated bicycle route.

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. Moreover, the secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area. Hence, any secondary environmental impacts 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, reasonably address potential secondary effects.

In summary, changes in parking conditions are considered to be social impacts rather than impacts on the physical environment. Accordingly, the following parking analysis is presented for informational purposes only.

Based on San Francisco's Transportation Impact Guidelines for Environmental Review, and as described in the TIS, the proposed project would generate a parking demand of 87 parking spaces, including 72 spaces for the hotel and 15 spaces for the restaurant/retail use. However, in

accordance with *Planning Code* Section 151, the proposed project would not provide any on-site parking, nor would it provide valet parking for either the hotel or restaurant use. The parking demand would be accommodated within nearby garages and street parking. The Fifth & Mission Garage, which contains about 2,585 parking spaces and is open 24 hours a day, is located about 900 feet to the north of the project site, and it is anticipated that many hotel and restaurant guests that drive would park their vehicles at this garage. During weekday, midday conditions, the garage is 63 percent occupied. Other nearby parking facilities include the Moscone Garage, Royal Parking Garage, St. Francis Place Garage, and Third/Harrison Street lot; collectively, these garages and lots are 74 percent occupied during weekday, midday conditions. The TIS concludes that the adequate nearby parking is available to serve the proposed project.

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

The proposed project would alter the project site and the parking/loading configuration around the site. The proposed project would be built to the lot line along Fourth Street and Clementina Street. The proposed project would change the curb regulations along Clementina Street and on Fourth Street as described in Impact TR-1, above. However, any change to curb regulations would require approval at a public hearing through the SFMTA. Further, modification to existing on-street parking restrictions would not result in a substantial traffic-related hazard. Additionally, as described in Section E.1, Land Use and Land Use Planning, the proposed project would not be inconsistent with the zoning designation for the project area. Therefore, transportation hazard impacts due to a design feature or resulting from incompatible uses would be less than significant.

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

Emergency access to the project site would remain unchanged from existing conditions. Emergency service providers would continue to be able to pull up to the project site from Fourth Street or Clementina Street. Therefore, the proposed project's impacts on emergency vehicle access would be less than significant**.**

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

During the weekday PM peak hour, the proposed project would generate 105 new transit trips (24 inbound and 81 outbound). These new transit trips would utilize the nearby MUNI lines and regional transit lines, and may include transfers to other MUNI bus and light rail lines, or other regional transit providers. Based on the location of the project site and the anticipated origin/destination of the new employees and visitors to the hotel and restaurant/retail use, the transit trips were assigned to MUNI and the various regional transit operators. The addition of the project-generated riders would not substantially increase the peak hour capacity utilization of the MUNI bus and light rail lines considered for the proposed project. Although a number of MUNI lines operate on Fourth Street, and travel in the western-most travel lane adjacent to the project site, there are no bus stops adjacent to the project site.

As part of the Central Subway Project, a subway station will be constructed south of the project site, between Clementina Street and Folsom Street. The Central Subway Project will include reconfiguration of the existing bus stops on Fourth Street, and SFMTA is considering locating a new bus stop on Fourth Street in front of the project site. The proposed project would not result in any new driveways or changes to the parking or travel lane configuration on Fourth Street. While the proposed project would reconfigure the travel lanes and eliminate five limited-time parking spaces on Clementina Street to accommodate the proposed loading zones, Clementina Street is not an existing public transit route. Therefore, the proposed project would not affect MUNI operations on Fourth Street and in the project area.

On a regional level, it was estimated that during the weekday PM peak hour there would be 16 transit trips generated by the proposed project and destined for the East Bay, two transit trips to the North Bay, and five transit trips to the South Bay. In general, the addition of project-related passengers to regional transit providers (e.g., BART and AC Transit) would not have a substantial effect on the regional transit providers during the weekday PM peak hour, as the capacity utilization for all the transit providers would remain similar to those under existing conditions.

Since the proposed project would not substantially affect the capacity utilization of the local and regional transit lines, and would not affect bus operations on Fourth Street, transit impacts would be less than significant. Additionally, because the proposed project would not adversely affect operation of local and regional transit services and would encourage the use of alternative

modes of transit, the proposed project would not conflict with the City's transit policies, including the Transit First Policy. Implementation of Improvement Measure I-TR-4a would further reduce the project's less-than-significant impacts related to transit impacts.

> ***Improvement Measure I-TR-4a: Transportation Demand Management***
>
> To encourage the use of alternative transportation modes, the hotel operator should provide an option for hotel guests registering online to purchase a one-, three-, or seven-day MUNI Passport or pre-loaded Clipper Cards, and should have MUNI Passports and pre-loaded Clipper Cards available for purchase at the hotel. The hotel operator should provide information on the hotel website about how to access the hotel and nearby attractions via transit, walking, and bicycling.

Bicycle Conditions

The project site is within bicycling distance of tourist destinations and major transit hubs (Ferry Building, Transbay Terminal, and Caltrain). During the weekday PM peak hour, it is anticipated that a portion of the 72 walk/other trips generated by the new hotel and restaurant/retail uses would be bicycle trips.

As described under Local Access, above, there are several bicycle routes near the project site, with the closest routes on along Howard and Folsom Streets (Bicycle Route 30), on Second Street (Bicycle Route 11), and on Market Street (Bicycle Route 50). Fourth Street is not a designated bicycle route. On June 26, 2009, the SFMTA approved an update to the City's Bicycle Plan. The Plan includes updated goals and objectives to encourage bicycle use in the City, describes the existing bicycle route network (a series of interconnected streets and pathways on which bicycling is encouraged) and identifies improvements to achieve the established goals and objectives. Although the proposed project would result in an increase in the number of vehicles in the vicinity of the project site, this increase would not be substantial enough to affect bicycle travel in the area. Therefore, the proposed project would have a less-than-significant impact on bicycle conditions in the project vicinity**.** Furthermore, the proposed project would not conflict with the City's bicycle plan, or other plan, policy, or program related to bicycle use in San Francisco.

The following improvement measure would further reduce the project's less-than-significant impacts related to safe bicycle traveling conditions.

Improvement Measure I-TR-4b: Installation of Bicycle Racks on Fourth Street Sidewalk

To accommodate hotel and restaurant/retail visitors arriving by bicycle, the project sponsor should request San Francisco Municipal Transportation Agency to install bicycle rack(s) on the Fourth Street sidewalk. The project sponsor should work with San Francisco Municipal Transportation Agency as to the number and location of the bicycle rack(s).

Pedestrian Conditions

Pedestrian trips generated by the proposed project would include walk trips to and from the project site, walk trips to and from the local and regional transit operators, plus walk trips to and from nearby parking facilities. Pedestrian volumes adjacent to the project site on Fourth Street are moderate to high, and are low on Clementina Street. During the weekday PM peak hour, the new hotel and restaurant/retail use would add about 177 pedestrian trips to the sidewalks in the vicinity of the proposed project (including 105 trips destined to and from the transit lines and 72 walk/other trips). These trips could be accommodated within the existing sidewalk network.

The adjacent signals at the intersections of Fourth/Howard and Fourth/Folsom currently have pedestrian signals, and pedestrians have an exclusive pedestrian phase at the intersection of Fourth/Howard. Overall, the proposed project's impacts on pedestrians would be less than significant and the proposed project would not conflict with any plan, policy, or program related to pedestrian use in the City.

Impact C-TR-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the site, would not have a cumulatively considerable contribution to a significant cumulative transportation impact. (Less than Significant)

Construction. It is anticipated that project-related construction activities may overlap with the construction activities of other projects in the area, notably the proposed expansion of the San Francisco Modern Art Museum on Third Street between Howard and Mission Streets, the 706 Mission Street building on Third Street between Mission and Market Streets, the ongoing construction of the Central Subway on Fourth Street (which is anticipated to continue through

2017),[18] and the construction of the Central Subway Moscone Station on Fourth Street between Clementina Street and Folsom Street (anticipated to occur between 2013 and 2017).

The construction activities associated with these nearby projects, and particularly the construction of the Central Subway Moscone Station, would affect access, traffic, and transit operations, and pedestrian and bicycle movements. It is anticipated that the construction manager for each project would be required to work with the various departments of the City to develop a detailed and coordinated plan that would address construction vehicle routing, traffic control, and pedestrian movement adjacent to the construction area for the duration of the overlap in construction activity.

Construction of the Central Subway Moscone Station would require travel lane and sidewalk closures during the four-year construction period between 2013 and 2017.[19] Preliminary temporary traffic routing plans for Phase 1 (west side work area) of the Central Subway Moscone Station construction anticipates closure of the western travel lanes on Fourth Street, closure of Clementina Street at the approach to Fourth Street, closure of a portion of the Fourth Street sidewalk adjacent to the project site, and closure of the Fourth Street sidewalk adjacent to the station site (i.e., between Clementina Street and Folsom Street). Under Phase 1, vehicular access to the project site would be constrained, and construction vehicle access and staging would need to be coordinated. Phase 2 (east side work area) anticipates closure of the eastern travel lanes of Fourth Street. However, Clementina Street and sidewalks along Fourth Street adjacent to the project site and station site would remain open.

Given the limited duration (18 months) and extent of project-related construction activities, particularly in the context of the other major projects that would occur in the area, the project would not result in a cumulatively considerable contribution to construction impacts that could affect access, traffic and transit operations, and pedestrian/bicycle movements. The proposed project would result in a less-than-significant cumulative impact. Improvement Measure I-TR-1,

[18] Tunneling, using a tunnel boring machine (TMB), would be employed for the majority of Central Subway construction on Fourth Street. The only visible tunneling activity would occur at the portal construction location on Fourth Street between Bryant and Harrison Streets and at the excavation site on Columbus Avenue at Union Street. Construction of the Central Subway along Fourth Street would, therefore, not involve substantial closure of travel lanes or significant reroutes of traffic. Increased truck activity to remove excavated materials would occur at the portal construction location on Fourth Street between Bryant and Harrison Streets.

[19] Personal communication between Jeanie Poling, San Francisco Planning Department, and David Greenaway of SFMTA on June 21, 2012, and H. Quon Chin of SFMTA on August 15, 2012 and August 16, 2012.

Coordination of Construction Activity, would further reduce potential conflicts between construction activities and pedestrians, transit, and vehicles.

Operation. The assessment of future year 2030 cumulative traffic conditions is based on the traffic analysis conducted for the Transit Center District Plan EIR.[20] The San Francisco County Transportation Authority (SFCTA) countywide travel demand forecasting model was used to develop future year 2030 cumulative traffic volumes at the study intersections and transit ridership projections. The SFCTA model output, based on projections developed for the Transit Center District Plan, takes into account both the future development expected in the Transbay and South of Market areas, as well as the expected growth in housing and employment for the remainder of San Francisco and the nine-county Bay Area.

Under 2030 cumulative conditions, vehicle delays would increase at the study intersections over existing conditions, and five of the seven study intersections would operate at LOS E or LOS F conditions (as compared with one under existing conditions). Table 5 compares intersection LOS under existing and 2030 cumulative conditions.

TABLE 5
INTERSECTION LEVEL OF SERVICE – EXISTING AND 2030 CUMULATIVE CONDITIONS – WEEKDAY PM PEAK HOUR

	Existing		2030 Cumulative	
Intersection	**Delay (v/c)[a]**	**LOS**	**Delay (v/c)[a]**	**LOS**
1. Fifth/Howard	21.0	C	**64.8**	**E**
2. Fifth/Folsom	19.0	B	32.0	C
3. Fourth/Mission	41.8	D	**>80 (1.33)**	**F**
4. Fourth/Howard	34.2	C	**>80 (1.12)**	**F**
5. Fourth/Clementina[b]	12.9 (eb)	B	15.9 (eb)	C
6. Fourth/Folsom	39.8	D	**>80 (1.23)**	**F**
7. Third/Market	**56.2**	**E**	**>80 (1.10)**	**F**

Source: LCW Consulting, 2012.

Notes:

a. Delay presented in seconds per vehicle. Intersections operating at LOS E or LOS F are highlighted in bold. Volume-to-capacity (v/c) ratio is presented for signalized intersections operating at LOS F.

b. Unsignalized intersection.

c. eb - eastbound

For those intersections operating at LOS E or LOS F under 2030 cumulative conditions, the proposed project's contribution to 2030 cumulative traffic volumes at those intersections' critical movements was examined. Based on this assessment, it was determined that proposed project's

[20] San Francisco Planning Department, *Transit Center District Plan and Transit Tower EIR*, Case Nos. 2007.0558E and 2008.0789E.

vehicle trips would represent a less than cumulatively considerable contribution to LOS E or LOS F operating conditions and, therefore, cumulative traffic impacts at the study intersections would be less than significant.

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

A project would have significant noise impacts if it were to expose persons or generate noise levels or ground-borne vibrations in excess of established standards, increase permanent or temporary ambient noise levels, expose people near airports or private airstrips to excessive noise levels, or be substantially affected by existing noise levels. The project site is not in an airport land use plan area or in the vicinity of a private airstrip. Therefore, topics 6e and 6f are not applicable to the proposed project.

The proposed 11-story visitor-serving hotel would be adjacent to existing residential and residential-over-commercial uses to the north, south, and west. The Moscone Center and Yerba Buena Gardens are across Fourth Street from the project site. The existing noise environment in the project area is defined predominantly by transportation-related noise along Howard, Fourth, and Folsom Streets. Daily activities consisting of parking events, commercial deliveries, people walking and conversing, and occasional emergency vehicles operating contribute to the noise environment, but, to a lesser extent than traffic noise. Noise-sensitive land uses include

those uses where exposure to elevated noise levels would result in adverse effects, as well as uses where quiet is an essential element of their intended purpose. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. The nearest noise-sensitive receivers in the vicinity of the project site are multi-family residential buildings located to the north and west.

A noise survey was conducted by Atkins on December 20, 2011 to document the existing noise environment at the project site and noise-sensitive receptors near the project site. In accordance with American National Standards Institute (ANSI) standards, 15-minute short-term measurements were conducted at four locations in the project vicinity to establish existing conditions. The dominant noise source at the site is from vehicle traffic along Fourth Street measuring 68 dBA Leq and 78 dBA L_{max}.[21] Noise survey results are shown in Table 6.

TABLE 6
SUMMARY OF NOISE LEVELS – DECEMBER 20, 2011

Site	Location	Time (p.m.)	A-Weighted Sound Level (dBA)						Traffic Counts		
			L_{eq}	L_{min}	L_{max}	L_{10}	L_{50}	L_{90}	Autos	MT	HT
ST-1	4th Street – between Howard Street and Folsom Street	2:50-3:05	68.0	56.4	77.7	71.2	67.1	59.9	312	14	1
ST-2	Clementina Street – between 4th Street and Gallagher Lane	3:23-3:38	65.8	49.6	83.6	65.5	54.4	51.0	15	1	0
ST-3	Yerba Buena Park	3:52–4:07	61.2	54.3	72.6	63.9	59.5	56.5	--	--	--
ST-4	Metreon	4:17–4:32	64.6	61.6	77.4	66.1	62.4	62.2	--	--	--

Source: Data collected by Atkins 2011.

Notes: dBA = A-weighted decibels; L_{eq} = equivalent noise level; L_{max} = maximum noise level; L_n = noise level exceeded n percent of a specific period of time; MT = Medium Truck; HT = Heavy Truck

[21] Noise measurements were taken using a Larson Davis Laboratories Model 720 precision integrating sound-level meter (SLM). The SLM was calibrated before and after use with an LDL Model CAL200 acoustical calibrator to ensure that the meter was functioning properly and measurements would be accurate. The equipment used meets all pertinent specifications of the ANSI for Type 1 sound-level meters (ANSI S1.4-1983[R2006]).

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

Exposure to Noise and Vibration during Operation

The Environmental Protection Element of the San Francisco General Plan contains Land Use Compatibility Guidelines for Community Noise.[22] These guidelines, which are similar to state guidelines set forth by the Governor's Office of Planning and Research, indicate maximum acceptable noise levels for various land uses. For residential uses, the maximum satisfactory noise level without incorporating noise insulation into a project is 60 dBA (Ldn),[23] while the guidelines indicate that residential development should be discouraged at noise levels above 70 dBA (Ldn).[24] Where noise levels exceed 65 dBA, a detailed analysis of noise-reduction requirements is typically necessary before final review and approval, and new residences must include noise-insulation features in their design. In addition, Title 24 of the California Code of Regulations establishes uniform noise-insulation standards for residential and non-residential buildings, including hotels.

Based on the measured noise levels, the project site is within the San Francisco Land Use Compatibility Guidelines for Community Land Use Category C, in which "new construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise-reduction requirements must be made, and needed noise-insulation features included in the design."

As part of its design, the proposed project would comply with the California Building Code interior noise requirements of 45 dBA L_{dn} by incorporating in its building design the use of

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[22] San Francisco Planning Department, San Francisco General Plan, Environmental Protection Element, Policy 11.1 *Land Use Compatibility Chart*, http://www.sf-planning.org/ftp/General_Plan/I6_Environmental_Protection.htm, accessed January 23, 2012.

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

exterior noise-reducing materials. Sound-rated windows, gypsum board, and batt and blown-in insulation could be included to achieve the 45 dBA L_{dn} interior noise standard. The Department of Building Inspection (DBI) would review project plans for compliance with Title 24 noise standards. Compliance with Title 24 standards and with the City's General Plan would ensure that effects from exposure to ambient noise would result in less-than-significant impacts.

In addition, operation of the proposed project would not include activities that would produce substantial groundborne vibration. As such, operational vibration impacts would be less than significant.

Generation of Traffic Noise during Operation

In order for a significant traffic noise impact to occur, a doubling of existing traffic volumes on the local roadway network that are attributable to the proposed project, could cause an increase of 3 dBA over existing traffic noise levels.[25] Based on the traffic report for the proposed project, the contribution to existing traffic volumes on the local roadway network would be incremental, resulting in only 59 total trips during the weekday PM peak hour; traffic volumes would not double.[26] The proposed project would not increase traffic volumes to a degree that would cause a noticeable increase in the ambient noise level in the project vicinity. Therefore, impacts of the proposed project related to the generation of traffic noise during operation would be less than significant.

Generation of Building Noise during Operation

The proposed project includes mechanical equipment that could produce operational noise, such as that from heating and ventilation systems. These operations would be subject to Section 2909 of the City's Noise Ordinance (Article 29 of the San Francisco Police Code). As amended in November 2008, this section establishes a noise limit from mechanical sources, such as building equipment, specified as a certain noise level in excess of the ambient noise level at the property line; for noise generated by residential uses, the limit is 5 dBA in excess of ambient level.[27] In addition, the noise ordinance provides for a separate fixed-source noise limit for residential interiors of 45 dBA at night and 55 dBA during the day and evening hours (until 10:00 p.m.). The proposed project would comply with Article 29, Section 2909, by including acoustical construction improvements to achieve an interior day-night equivalent sound level of

[25] California Department of Transportation, *Technical Noise Supplement*, 2009. Sacramento, CA.

[26] LCW Consulting, *250 Fourth Street Transportation Study*, October 16, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, San Francisco, as part of Case No. 2011.0038.

[27] Entertainment venues are also subject to a separate criterion for low-frequency (bass) noise.

45 dB. As shown in Figure 4, p. 8, of the Project Description, the proposed project includes the use of mechanical rooms for noise sources associated with operation of the building. Furthermore, compliance with Article 29, Section 2909, would minimize noise from building operations. Therefore, noise effects related to building operation would be less than significant.

Generation of Occupants' Noise during Operation

The subject property has operated as an office/education building. The proposed project would change the use of the project site from office/education to an 11-story, 220-room hotel, with 4,265 sf of restaurant and/or retail use on the ground floor, as well as hotel "front-of-the-house" space. The project would include "quiet hours" between 10:00 p.m. to 7:00 a.m., ensuring that noise from building occupants would not become a nuisance to neighbors. In addition, the on-site facility manager would be responsible for ensuring that the facility complies with all applicable provisions of Section 2909 of the San Francisco Police Code, which sets noise limits for commercial property uses. Therefore, impacts related to occupant noise during operation would be less than significant.

Impact NO-2: During construction, the proposed project would result in a temporary or periodic increase in ambient noise and vibration levels in the project vicinity, above levels existing without the project, but any construction-related increase in noise and vibration levels would not be substantial. (Less than Significant)

Demolition of the existing 2.5-story building and construction of the 11-story building would temporarily increase noise in the vicinity during the 18-month construction period. Construction equipment would generate noise and possibly vibrations that could be considered an annoyance by occupants of nearby properties. No heavy external excavation equipment, such as pile drivers, would be used during construction. Construction noise and vibration would fluctuate depending on the construction phase, equipment type and duration of use, and distance between noise source and listener. Further, construction noise and vibration would be intermittent and limited to the period of construction.

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the Police Code). The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Section 2908 of the ordinance prohibits construction between 8:00 p.m. and 7:00 a.m., if noise would exceed the ambient noise level by 5 dBA at the proposed project property line, unless a special permit is authorized by the Director of the Department of Public Works (DPW) or DBI. Furthermore, complying with the ordinance's allowable construction time of day would reduce the potential to cause sleep disturbances due to noise at nearby sensitive receptors. Compliance

with the noise ordinance would ensure that potential construction noise impacts would be less than significant, including noise effects on nearby residents.

Impact C-NO-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would not have a cumulatively considerable contribution to a significant cumulative noise impact. (Less than Significant)

There are several approved projects and reasonable foreseeable future projects within a quarter-mile radius of the project site, as identified in Table 2, p. 20. Local traffic noise would increase in conjunction with foreseeable residential and commercial growth in the project vicinity. According to the Western SoMa Community Plan EIR, existing receptors could be subject to significant cumulative noise impacts due to increased traffic noise, including truck traffic. As a conservative scenario, the Western SoMa Community Plan analysis assumes a doubling of truck traffic on streets identified as truck routes with no decrease in truck traffic elsewhere. Implementation of the mitigation measures proposed in the Western SoMa Community Plan EIR would reduce the impacts, but the cumulative impacts could be significant and unavoidable.

However, the proposed project is not anticipated to result in a doubling of traffic volumes along nearby streets; therefore, the project would not contribute considerably to cumulative traffic-related increases in ambient noise. Moreover, the proposed project's mechanical equipment and occupants would be required to comply with the City's Noise Ordinance and, therefore, would not contribute to any significant cumulative increases in ambient noise that would result from cumulative development. Therefore, the proposed project would not result in cumulatively considerable noise impacts, and cumulative noise impacts would be less than significant.

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

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐	☐

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. 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. 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 *2010 Clean Air Plan* contains the following primary goals:

- Attain air quality standards;
- Reduce population exposure and protect public health in the San Francisco Bay Area; and
- Reduce greenhouse gas 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 an applicable air quality plan.

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 (NO_2), sulfur dioxide (SO_2), 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[28] or unclassified for most criteria pollutants with the exception of ozone, $PM_{2.5}$, and PM_{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 individually 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.[29]

Land use projects may contribute to regional criteria air pollutants during the construction and operational phases of a project. Table 7 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 7
CRITERIA AIR POLLUTANT SIGNIFICANCE THRESHOLDS

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

Source: BAAQMD, 2012.

[28] "Attainment" status refers to those regions that are meeting federal and/or state standards for a 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.

[29] Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines,* May 2011, page 2-1.

Ozone Precursors. As discussed previously, the SFBAAB is currently designated as in non-attainment for ozone and particulate matter (PM_{10} and $PM_{2.5}$).[30] 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_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. 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. Similarly, to ensure that new stationary sources do not cause or contribute to a 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_X, the offset emissions level is an annual average of 10 tons per year (or 54 pounds [lbs] per day).[31] These levels represent emissions at or below which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants.

Although this regulation applies to new or modified stationary sources, land use development projects result in ROG and NO_X 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 ROG and NO_X emissions. Due to the temporary nature of construction activities, only the average daily thresholds are applicable to construction phase emissions.

Particulate Matter (PM_{10} and $PM_{2.5}$). The BAAQMD has not established an offset limit for $PM_{2.5}$. However, the emissions limit in the federal NSR for stationary sources in nonattainment areas is an appropriate significance threshold. For PM_{10} and $PM_{2.5}$, 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

[30] PM_{10} is often termed "coarse" particulate matter and is made of particulates that are 10 microns in diameter or smaller. $PM_{2.5}$, termed "fine" particulate matter, is composed of particles that are 2.5 microns or less in diameter.

[31] BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance,* October 2009, page 17.

quality.[32] Similar to ozone precursor thresholds identified above, land use development projects typically result in particulate matter emissions as a result of increases in vehicle trips, space heating and natural gas combustion, landscape maintenance, and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of a land use project. Again, because construction activities are temporary in nature, 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.[33] Individual measures have been shown to reduce fugitive dust by anywhere from 30 to 90 percent.[34] The BAAQMD has identified a number of BMPs to control fugitive dust emissions from construction activities.[35] The City's Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) requires a number of measures to control fugitive dust to ensure that construction projects do not result in visible dust. The BMPs 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. A TAC is defined in California Health and Safety Code Section 39655 as an air pollutant which may cause or contribute to an increase in mortality or serious illness, or which may pose a present or potential hazard to human health. Human health effects of TACs include birth defects, neurological damage, cancer, and death. 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. This approach uses a health risk assessment to

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[32] BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance,* October 2009, page 16.

[33] Western Regional Air Partnership. *2006. WRAP Fugitive Dust Handbook.* September 7, 2006, http://www.wrapair.org/forums/dejf/fdh/content/FDHandbook_Rev_06.pdf, accessed February 16, 2012.

[34] BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance,* October 2009, page 27.

[35] BAAQMD, *CEQA Air Quality Guidelines,* May 2011.

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.[36]

Vehicle tailpipe emissions contain numerous TACs, including benzene, 1,3-butadiene, formaldehyde, acetaldehyde, acrolein, naphthalene, and diesel exhaust.[37] Engine exhaust, from diesel, gasoline, and other combustion engines, is a complex mixture of particles and gases, with collective and individual toxicological characteristics. While each constituent pollutant in engine exhaust may have a unique toxicological profile, health effects have been associated with proximity, or exposure, to vehicle-related pollutants collectively as a mixture.[38] 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.[39] In addition to $PM_{2.5}$, diesel particulate matter (DPM) is also of concern. The California Air Resource Board (ARB) identified DPM as a TAC in 1998, primarily based on evidence demonstrating cancer effects in humans.[40] Mobile sources such as trucks and buses are among the primary sources of diesel emissions, and concentrations of DPM are higher near heavily traveled roadways. The estimated cancer risk from exposure to diesel exhaust is much higher than the risk associated with any other TAC routinely measured in the region.

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. Exposure assessment guidance typically assumes that residences would be exposed to air pollution 24

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[36] 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.

[37] San Francisco Department of Public Health (SFDPH), *Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review,* May 2008.

[38] Delfino RJ, 2002, *Epidemiologic evidence for asthma and exposure to air toxics: linkages between occupational, indoor, and community air pollution research*, Environmental Health Perspectives, 110(S4):573-589.

[39] SFDPH, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review,* May 2008.

[40] California Air Resources Board (ARB), Fact Sheet, *the Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines*, October 1998.

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.

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco 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 "air pollution hot spots," 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 $PM_{2.5}$ concentrations greater than 10 micrograms per cubic meter ($\mu g/m^3$).

Excess Cancer Risk. The above 100 per one million persons (100 excess cancer risk) criterion is based on United State Environmental Protection Agency (USEPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and community-scale level.[41] 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,[42] 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 to 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 criterion is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on BAAQMD regional modeling.[43]

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 $PM_{2.5}$ standard of 15 $\mu g/m^3$ should be revised to a level within the range of 13 to 11 $\mu g/m^3$, with evidence strongly supporting a standard within the range of 12 to 11 $\mu g/m^3$. Air pollution hot spots for San Francisco are based on the health protective $PM_{2.5}$ standard of 11 $\mu g/m^3$, as

41 BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance,* October 2009, page 67.

42 54 Federal Register 38044, September 14, 1989.

43 BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance,* October 2009, page 67.

supported by the USEPA's Particulate Matter Policy Assessment, although lowered to 10 $\mu g/m^3$ to account for error bounds in emissions modeling programs.

Land use projects within these air pollution hot spots require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality. The project site is within an identified air pollution hot spot.

Impact AQ-1: 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 proposed 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.

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 would be consistent with energy and climate control measures as 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 residents 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 would be generally consistent with the San Francisco General Plan, as discussed in Section 1, Land Use and Land Use Planning. 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, bicycle parking requirements, and transit impact development fees applicable to the proposed project. By complying with these applicable requirements, the project would include relevant transportation control measures specified by the *2010 Clean Air Plan*.

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 add a guest-serving hotel 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 avoid disrupting or hindering 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 demonstrates 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.

CONSTRUCTION AIR QUALITY IMPACTS

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

Impact AQ-2: 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 fugitive dust, criteria air pollutants, and DPM. Emissions of criteria pollutants and DPM 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 or other types of architectural coatings or asphalt paving activities. The proposed project would demolish the existing 31,200 square-foot (sf)

office/educational building and construct a 220-room hotel in an 11-story building (plus basement). The ground floor would include 4,265 sf of restaurant and/or retail space, as well as hotel "front-of-the-house" space. During the project's approximately 18-month construction period, construction activities would have the potential to result in emissions of fugitive dust, criteria air pollutants, and DPM.

Fugitive Dust

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

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

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, 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 one half-acre that are unlikely to result in any visible wind-blown dust.

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 submit a site-specific Dust Control Plan that includes one or more of 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 miles per hour. Reclaimed water must be used if required by Article 21, Sections 1100, et seq. of the San Francisco Public Works Code. If not required, reclaimed water should be used whenever possible. Contractors shall 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 shall 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 materials, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10 millimeter (0.01 inch) polyethylene plastic (or equivalent) tarp, braced down, or use other equivalent soil stabilization techniques.

The site-specific Dust Control Plan would require the project sponsor to: submit a map to the Director of Public Health showing all sensitive receptors within 1,000 feet of the site; wet down areas of soil at least three times per day; provide an analysis of wind direction and install upwind and downwind particulate dust monitors; record particulate monitoring results; hire an independent, third-party to conduct inspections and keep a record of those inspections; establish shut-down conditions based on wind, soil migration, etc.; establish a hotline for surrounding community members who may be potentially affected by project-related dust; limit the area subject to construction activities at any one time; install dust curtains and windbreaks on the property lines, as necessary; limit the amount of soil in hauling trucks to the size of the truck bed and securing with a tarpaulin; enforce a 15 mph speed limit for vehicles entering and exiting construction areas; sweep affected streets with water sweepers at the end of the day; install and utilize wheel washers to clean truck tires; terminate construction activities when winds exceed 25 miles per hour; apply soil stabilizers to inactive areas; and sweep off adjacent streets to reduce particulate emissions. The project sponsor would be required to designate an individual to monitor compliance with these dust control requirements.

Compliance with these regulations and procedures set forth by the San Francisco Building Code would ensure that potential dust-related air quality impacts would remain less than significant.

Criteria Air Pollutants

As discussed above, construction activities would result in emissions of criteria air pollutants from the use of off- and on-road vehicles and equipment. 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 7, above, the BAAQMD, in its *CEQA Air Quality Guidelines* (May 2011), 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 C*EQA Air Quality Guidelines* note that the screening levels are generally representative of new development on greenfield[44] sites without any form of mitigation measures taken into consideration. In addition, the screening criteria do not account for project design features, attributes, or local development requirements that could also result in lower emissions. For projects that are mixed use, infill, and/or proximate to transit service and local services, emissions would be expected to be less than the greenfield-type project upon which the screening criteria are based.

The proposed project includes demolition of the existing 31,200 square-foot (sf) office/educational building and construction of a 220-room hotel in an 11-story, 78,000-sf building (plus basement). The ground floor would include 4,265 sf of restaurant and/or retail space, as well as hotel "front-of-the-house" space. The proposed project (at 220 rooms) would be well below the criteria air pollutant screening size for construction of hotels (554 rooms) as identified in the BAAQMD's *CEQA Air Quality Guidelines*. Further, the URBEMIS model assumes approximately 500 sf per hotel room. Using the construction screening criteria of 554 rooms, the maximum square footage of a hotel with associated uses would be 277,000 sf, which also happens to be the screening criteria for strip malls (or retail uses) as identified in BAAQMD's *CEQA Air Quality Guidelines*. If the hotel (at 78,000 sf), retail and/or restaurant uses (at 4,265 sf), and basement (at 10,295 sf) are combined, the entire project would be approximately 92,560 sf, which is still well below the BAAQMD screening criteria and URBEMIS assumption of 277,000 sf. Therefore, the project is below the construction-related screening criteria for both the number of hotel rooms and the square footage of retail uses (even when retail uses are combined with all other project-related uses). Quantification of construction-related criteria air pollutant emissions is not required, and the proposed project's

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

construction activities would not exceed any of the significance thresholds for criteria air pollutants, and would result in a less-than-significant construction criteria air pollutant impact.

Impact AQ-3: The proposed project's construction activities would generate toxic air contaminants, including diesel particulate matter, which would expose sensitive receptors to substantial pollutant concentrations. (Less than Significant with Mitigation)

Diesel Particulate Matter

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.[45] Newer and more refined emission inventories have substantially lowered the estimates of DPM emissions from off-road equipment.[46] For example, revised estimates of particulate matter (PM) emissions (of which DPM is a major component) for the SFBAAB for the year 2010 have decreased by 83 percent from previous estimates of 2010 emissions.[47] Approximately half of the reduction in emissions can be attributed to the economic recession and half to updated methodologies used to better assess construction emissions.[48]

Additionally, a number of federal and state regulations are requiring cleaner off-road equipment. Specifically, both the USEPA and ARB have set emissions standards for new off-road equipment engines, ranging from Tier 1 to Tier based on the model year of the engine and the horsepower rating. 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

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45 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.

46 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.

47 ARB, *In-Use Off-Road Equipment, 2011 Inventory Model*, online query, http://www.arb.ca.gov/msei/categories.htm#inuse_or_category, accessed April 2, 2012.

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*, October 2010.

than 90 percent.[49] Furthermore, California regulations limit maximum idling time to five minutes, which further reduces public exposure to DPM emissions.[50]

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. 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."[51]

Therefore, project-level analyses of construction activities can produce overestimated assessments of long-term health risks. However, within air pollution hot spots, 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 located within an identified air pollution hot spot.

The proposed project would require construction activities for the approximate 18-month construction phase. Project construction activities would result in short-term emissions of DPM and other TACs that would add emissions to areas already adversely affected by poor air quality. This is a significant impact. Implementation of Mitigation Measure M-AQ-3 would reduce this impact to a less-than-significant level.

Mitigation Measure M-AQ-3: Construction Emissions Minimization

A. *Construction Emissions Minimization Plan*. Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an

[49] USEPA, *Clean Air Nonroad Diesel Rule: Fact Sheet,* May 2004.
[50] California Code of Regulations, Title 13, Division 3, § 2485.
[51] BAAQMD, *CEQA Air Quality Guidelines,* May 2011, page 8-6.

Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:

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

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

    b) All off-road equipment shall have:

        i. Engines that meet or exceed either United State Environmental Protection Agency (USEPA) or Air Resource 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).[52]

    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 the requirements of this exception provision apply. Under this circumstance, the sponsor shall 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 shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table 8.

[52] Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement; therefore, a VDECS would not be required.

TABLE 8 OFF-ROAD EQUIPMENT COMPLIANCE STEP-DOWN SCHEDULE		
Compliance Alternative	**Engine Emission Standard**	**Emissions Control**
1	Tier 2	ARB Level 2 VDECS
2	Tier 2	ARB Level 1 VDECS
3	Tier 2	Alternative Fuel*

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 shall require that the idling time for off-road and on-road equipment is 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 shall 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 shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.

4. The Plan shall 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.

While the emissions reductions from limiting idling, educating workers and the public, and properly maintaining equipment is difficult to quantify, other measures, specifically the requirement to use equipment with Tier 2 engines and Level 3 VDECSs, are demonstrated to reduce construction emissions by 89 to 94 percent compared to equipment with engines meeting no emission standards and without a VDECS. Emissions reductions from the combination of Tier 2 equipment with level 3 VDECS is almost equivalent to requiring only equipment with Tier 4 Final engines, which is not yet available for engine sizes subject to the mitigation. Compliance with Mitigation Measure M-AQ-3 would reduce construction emissions impacts to nearby sensitive receptors to a less-than-significant level.

OPERATIONAL AIR QUALITY IMPACTS

Land use projects typically result in operational 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 discussion addresses air quality impacts resulting from operation of the proposed project.

Impact AQ-4: 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-2, the BAAQMD, in its *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 project sponsor does not need to perform a detailed air quality assessment.

The proposed project includes demolition of an existing 31,200 square-foot (sf) office/educational building and construction of a 220-room hotel in an 11-story building (plus basement). The ground floor would include 4,265 sf of restaurant and/or retail space, as well as hotel "front-of-the-house" space. The proposed project (at 220 rooms) would be below the criteria air pollutant screening sizes for operation of hotel land uses (of 489 rooms) identified in the BAAQMD's *CEQA Air Quality Guidelines*. Further, the BAAQMD *CEQA Air Quality Guidelines* operational screening criteria for strip malls (or retail uses) is 99,000 sf. If the hotel (at 78,000 sf), retail and/or restaurant uses (at 4,265 sf), and basement (at 10,295 sf) are combined, the entire project would be 92,560 sf, which is below the BAAQMD screening criteria of 99,000 sf. Therefore, the project is below the operational screening criteria for both the number of hotel rooms and the square footage of retail uses (even when retail uses are combined with all other project-related uses). Quantification of project-generated criteria air pollutant emissions is not required. The proposed project would not exceed any of the significance thresholds for criteria air pollutants and would result in less-than-significant impact with respect to criteria air pollutants.

Impact AQ-5: The proposed project would generate toxic air contaminants, including diesel particulate matter, and would expose sensitive receptors to substantial air pollutant concentrations. (Less than Significant with Mitigation)

As discussed on page 70, San Francisco, in partnership with BAAQMD, has modeled and assessed air pollutant impacts from mobile, stationary, and area sources within the City. This assessment has resulted in the identification of air pollutant hot spots, or areas within the City that deserve special attention when siting uses that either emit toxic air contaminants or uses that are considered sensitive to air pollution. Sensitive individuals include children, the elderly, and those with pre-existing conditions affected by air quality. The proposed hotel, restaurant, and retail uses would not be considered sensitive land uses for purposes of the air quality evaluation.

Sources of Toxic Air Contaminants

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 are excluded from the

environmental analysis. The proposed project's 59 vehicle trips would be well below this level; therefore, an assessment of project-generated TACs resulting from vehicle trips is not required, and the proposed project is not expected to generate substantial TAC emissions from vehicle trips that could affect nearby sensitive receptors.

The proposed project would also include a backup emergency generator. Emergency generators are regulated by the BAAQMD through their New Source Review (Regulation 2, Rule 5) permitting process. The project sponsor would be required to obtain applicable permits to operate an emergency generator from the BAAQMD. Although emergency generators are intended only to be used in periods of power outages, monthly testing of the generator would be required. The BAAQMD limits testing to no more than 50 hours per year. Additionally, as part of the permitting process, the BAAQMD would limit the excess cancer risk from the use of generators to no more than ten per one million population and would require any source that would result in an excess cancer risk greater than one per one million population to install Best Available Control Technology for Toxics (TBACT). Because the project site is located in an area that already experiences poor air quality, the proposed emergency back-up generator has the potential to expose sensitive receptors to substantial concentrations of diesel emissions, also known TACs. This is a significant impact. Implementation of Mitigation Measure M-AQ-5a, below, would reduce this impact to a less-than-significant level.

> ***Mitigation Measure M-AQ-5a: Best Available Control Technology for Diesel Generators***
>
> All diesel generators shall have engines that (1) meet Tier 4 Final or Tier 4 Interim emission standards, or (2) meet Tier 2 emission standards and are equipped with an Air Resource Board Level 3 Verified Diesel Emissions Control Strategy (VDECS).

Implementation of Mitigation Measure M-AQ-5a would reduce emissions by 89 to 94 percent compared to equipment with engines that do not meet any emission standards and without a VDECS. Therefore, although the proposed project would add a new source of TACs within an area that already experiences poor air quality, implementation of Mitigation Measure M-AQ-5a would reduce this impact to a less-than-significant level.

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. Atkins staff visited the project site on June 20, 2012, and staff observation indicates that the project site is not substantially affected by sources of odors. Additionally, the proposed project includes demolition of the existing 31,200 sf office/educational building and construction of a 220-room hotel in an 11-story building (plus basement). The ground floor would include 4,265 sf of restaurant and/or retail space, as well as hotel "front-of-the-house" space. As a guest-serving hotel, the proposed project would not create a significant source of new odors. Therefore, odor impacts would be less than significant.

CUMULATIVE AIR QUALITY IMPACTS

Impact C-AQ-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the site, would have a cumulatively considerable contribution to a significant cumulative air quality impact. (Less than Significant with Mitigation)

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.[53] The project-level thresholds for criteria air pollutants are based on levels 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. Therefore, because the proposed project's construction emissions (Impact AQ-2) and operational (Impact AQ-4) 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 and a stationary source) within areas of the City that are already adversely affected by poor air quality, the proposed project would include Mitigation Measure M-AQ-3, which could reduce construction period emissions by as much as 94 percent, and Mitigation Measure M-AQ-5a, which requires best available control technology to limit emissions from the project's emergency back-up generator. Compliance with these mitigation measures would ensure that cumulative air quality impacts would be reduced to less than significant.

[53] BAAQMD, *CEQA Air Quality Guidelines,* May 2011, page 2-1.

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

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 behind global climate change. The primary GHGs are carbon dioxide, methane, nitrous oxide, ozone, and water vapor.

Individual projects contribute to the cumulative impacts 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, carbon dioxide (CO_2), methane, and nitrous oxide are largely emitted from human activities, accelerating the rate at which these compounds occur within the earth's atmosphere. Emissions of carbon dioxide are largely by-products of fossil fuel combustion, whereas methane results from off-gassing associated with agricultural practices and landfills. Black carbon has recently emerged as a major contributor to global climate change, possibly second only to CO_2. Black carbon is produced naturally and by human activities as a result of the incomplete combustion of fossil fuels, biofuels, and biomass.[54] N_2O 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 hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and are generated in certain industrial processes. GHGs are typically reported in "carbon dioxide-equivalent" (CO_2E) measures.[55]

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, are occurring already and will

[54] Center for Climate and Energy Solutions, *What is Black Carbon?* http://www.c2es.org/globalwarming-basics/blackcarbon-factsheet, accessed August 22, 2012.

[55] 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.

only become more frequent and more costly.[56] 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.[57,58]

The California ARB estimated that in 2009 California produced about 457 $MMTCO_2E$.[59] 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 23 percent and industrial sources at 18 percent. Commercial and residential fuel use (primarily for heating) accounted for nine percent of GHG emissions.[60] In the Bay Area, the transportation (on-road motor vehicles, off-highway mobile sources, and aircraft) and industrial/commercial sectors were the two largest sources of GHG emissions, each accounting for approximately 36 percent of the Bay Area's 95.8 $MMTCO_2E$ emitted in 2007.[61] Electricity generation accounts for approximately 16 percent of the Bay Area's GHG emissions followed by residential fuel usage at seven percent, off-road equipment at three percent and agriculture at one percent.[62]

Regulatory Setting

In 2005, in recognition of California's vulnerability to the effects of climate change, then-Governor Schwarzenegger established Executive Order S-3-05, which 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 $MMTCO_2E$); by 2020, reduce emissions to 1990 levels (estimated at 427 $MMTCO_2E$); and by 2050 reduce statewide GHG emissions to 80 percent below 1990 levels (approximately 85 $MMTCO_2E$).

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56 California Climate Change Portal, http://www.climatechange.ca.gov, accessed September 25, 2012.

57 California Climate Change Portal, http://www.climatechange.ca.gov, accessed September 25, 2012.

58 California Energy Commission. California Climate Change Center. *Our Changing Climate 2012*, http://www.energy.ca.gov/2012publications/CEC-500-2012-007/CEC-500-2012-007.pdf, accessed August 21, 2012.

59 California Air Resources Board (ARB). *California Greenhouse Gas Inventory for 2000-2009— by Category as Defined in the Scoping Plan*, http://www.arb.ca.gov/cc/inventory/data/tables/ghg_inventory_scopingplan_00-09_2011-10-26.pdf, accessed August 21, 2012.

60 ARB. *California Greenhouse Gas Inventory for 2000-2009— by Category as Defined in the Scoping Plan*, http://www.arb.ca.gov/cc/inventory/data/tables/ghg_inventory_scopingplan_00-09_2011-10-26.pdf, accessed August 21, 2012.

61 Bay Area Air Quality Management District (BAAQMD). *Source Inventory of Bay Area Greenhouse Gas Emissions: Base Year 2007*, February 2010, http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/Emission%20Inventory/regionalinventory2007_2_10.ashx, accessed August 21, 2012.

62 BAAQMD. *Source Inventory of Bay Area Greenhouse Gas Emissions: Base Year 2007*, Updated: February 2010, http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/Emission%20Inventory/regionalinventory2007_2_10.ashx, accessed August 21, 2012.

In response, the California legislature passed Assembly Bill No. 32 in 2006 (California Health and Safety Code Division 25.5, Sections 38500, et seq., or AB 32), also known as the Global Warming Solutions Act. AB 32 requires ARB to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25 percent reduction from forecast emission levels).[63]

Pursuant to AB 32, ARB adopted a Scoping Plan in December 2008, outlining measures to meet the 2020 GHG reduction limits. The Scoping Plan is the State's overarching plan for addressing climate change. In order to meet these goals, California must reduce its GHG emissions by 30 percent below projected 2020 business as usual emissions levels, or about 15 percent from 2008 levels.[64] The Scoping Plan estimates a reduction of 174 million metric tons of CO_2E ($MMTCO_2E$) (about 191 million U.S. tons) from the transportation, energy, agriculture, forestry, and high global warming potential sectors, see Table 9. ARB has identified an implementation timeline for the GHG reduction strategies in the Scoping Plan.[65]

The AB 32 Scoping Plan recommendations are intended to curb projected business-as-usual growth in GHG emissions and reduce those emissions to 1990 levels. Therefore, meeting AB 32 GHG reduction goals would result in an overall annual net decrease in GHGs as compared to current levels and accounts for projected increases in emissions resulting from anticipated growth.

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

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63 Governor's Office of Planning and Research (OPR). *Technical Advisory- CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review*, June 19, 2008, http://opr.ca.gov/docs/june08-ceqa.pdf, accessed August 21, 2012.

64 ARB. *California's Climate Plan: Fact Sheet*, http://www.arb.ca.gov/cc/facts/scoping_plan_fs.pdf, accessed August 21, 2012.

65 ARB. *Assembly Bill 32: Global Warming Solutions Act*, http://www.arb.ca.gov/cc/ab32/ab32.htm/, accessed August 21, 2012.

TABLE 9
GHG REDUCTIONS FROM THE AB 32 SCOPING PLAN SECTORS

GHG Reduction Measures By Sector		GHG Reductions (MMT CO_2E)
Transportation Sector		62.3
Electricity and Natural Gas		49.7
Industry		1.4
Landfill Methane Control Measure (Discrete Early Action)		1
Forestry		5
High Global Warming Potential GHGs		20.2
Additional Reductions Needed to Achieve the GHG Cap		34.4
	Total	**174**
Other Recommended Measures		
Government Operations		1-2
Methane Capture at Large Dairies		1
Additional GHG Reduction Measures:		
Water		4.8
Green Buildings		26
High Recycling/ Zero Waste • Commercial Recycling • Composting • Anaerobic Digestion • Extended Producer Responsibility • Environmentally Preferable Purchasing		9
	Total	**41.8–42.8**

Sources: ARB, *Climate Change Scoping Plan*, December 2008, http://www.arb.ca.gov/cc/scopingplan/document/adopted_scoping_plan.pdf, accessed August 21, 2012.
ARB, *California's Climate Plan: Fact Sheet*, http://www.arb.ca.gov/cc/facts/scoping_plan_fs.pdf, accessed August 21, 2012.

AB 32 further anticipates that local government actions will result in reduced GHG emissions. ARB has identified a GHG reduction target of 15 percent from current levels for local governments themselves and noted that successful implementation of the Scoping 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.[66] The BAAQMD has conducted an analysis of the effectiveness of the region in meeting AB 32 goals from the actions outlined in the Scoping Plan and determined that in order for the Bay Area to meet

[66] ARB. *Climate Change Scoping Plan*. December 2008, http://www.arb.ca.gov/cc/scopingplan/document/adopted_scoping_plan.pdf, accessed August 21, 2012.

AB 32 GHG reduction goals, the Bay Area would need to achieve an additional 2.3 percent reduction in GHG emissions from the land use driven sector.[67]

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

The Bay Area Air Quality Management District (BAAQMD) is the primary agency responsible for air quality regulation in the nine county San Francisco Bay Area Air Basin (SFBAAB). The BAAQMD recommends that local agencies adopt 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 project complies with a Greenhouse Gas Reduction Strategy.[68] As described below, this recommendation is consistent with the approach to analyzing GHG emissions outlined in the CEQA Guidelines.

At a local level, the City has developed a number of plans and programs to reduce the City's contribution to global climate change. San Francisco's GHG reduction goals, as outlined in the 2008 Greenhouse Gas Reduction ordinance are as follows: by 2008, determine the City's GHG emissions for the year 1990, the baseline level with reference to which target reductions are set; by 2017, reduce GHG emissions by 25 percent below 1990 levels; by 2025, reduce GHG emissions by 40 percent below 1990 levels; and finally by 2050, reduce GHG emissions by 80 percent below 1990 levels. 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 the 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

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[67] BAAQMD. *California Environmental Quality Act Guidelines Update, Proposed Thresholds of Significance*, December 2009, http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/CEQA/Proposed%20Thresholds%20of%20Significance%20Dec%207%2009.ashx, accessed September 25, 2012.

[68] BAAQMD. *California Environmental Quality Act Air Quality Guidelines*, May 2012, http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/CEQA/BAAQMD%20CEQA%20Guidelines_Final_May%202012.ashx?la=en, accessed September 25, 2012.

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 below 1990 levels, exceeding statewide AB 32 GHG reduction goals. As reported, San Francisco's communitywide 1990 GHG emissions were approximately 6.15 $MMTCO_2E$. A recent third-party verification of the City's 2010 communitywide and municipal emissions inventory has confirmed that San Francisco has reduced its GHG emissions to 5.26 $MMTCO_2E$, representing a 14.5 percent reduction in GHG emissions below 1990 levels.[69,70]

Approach to Analysis

In compliance with SB 97, OPR amended the CEQA Guidelines to address the feasible mitigation of GHG emissions or the effects of GHGs. Among other changes to the CEQA Guidelines, the amendments added a new section to the CEQA Checklist (CEQA Guidelines Appendix G) to address questions regarding the project's potential to emit GHGs. The potential for a project to result in significant GHG emissions which contribute to the cumulative effects global climate change is based on the CEQA Guidelines and CEQA Checklist, as amended by SB 97, and is determined by an assessment of the project's compliance with local and state plans, policies and regulations adopted for the purpose of reducing the cumulative effects of climate change. GHG emissions are analyzed in the context of their contribution to the cumulative effects of climate change because a single land use project could not generate enough GHG emissions to noticeably change the global average temperature. 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 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. As discussed above, San Francisco has prepared its own Greenhouse Gas Reduction Strategy, demonstrating that San Francisco's policies and programs have collectively reduced communitywide GHG emissions to

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69 ICF International. *"Technical Review of the 2010 Community-wide GHG Inventory for City and County of San Francisco." Memorandum from ICF International to San Francisco Department of the Environment*, April 10, 2012, http://www.sfenvironment.org/download/community-greenhouse-gas-inventory-3rd-party-verification-memo, accessed September 27, 2012.

70 ICF International. *"Technical Review of San Francisco's 2010 Municipal GHG Inventory." Memorandum from ICF International to San Francisco Department of the Environment*, May 8, 2012, http://www.sfenvironment.org/download/third-party-verification-of-san-franciscos-2010-municipal-ghg-inventory, accessed September 27, 2012.

below 1990 levels, meeting GHG reduction goals outlined in AB 32. The City is also well on its way to meeting the long-term GHG reduction goal of reducing emissions 80 percent below 1990 levels by 2050. Chapter 1 of the City's *Strategies to Address Greenhouse Gas Emission (*the Greenhouse Gas Reduction Strategy) describes how the strategy meets the requirements of CEQA Guidelines Section 15183.5. 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."[71]

With respect to CEQA Guidelines Section 15064.4(b), the factors to be considered in making a significance determination include (1) the extent to which GHG emissions would increase or decrease as a result of the proposed project; (2) whether or not a proposed project exceeds a threshold that the lead agency determines applies to the project; and finally (3) demonstrating compliance with plans and regulations adopted for the purpose of reducing or mitigating GHG emissions.

The GHG analysis provided below includes a qualitative assessment of GHG emissions that would result from a proposed project, including emissions from an increase in vehicle trips, natural gas combustion, and/or electricity use among other things. Consistent with the CEQA Guidelines and BAAQMD recommendations for analyzing GHG emissions, the significance standard applied to GHG emissions generated during project construction and operational phases is based on whether the project complies with a plan for the reduction of GHG emissions. The City's Greenhouse Gas Reduction Strategy is the City's overarching plan documenting the policies, programs and regulations that the City implements towards reducing municipal and communitywide GHG emissions. In particular, San Francisco implements 42 specific regulations that reduce GHG emissions which are applied to projects within the City. Projects that comply with the Greenhouse Gas Reduction Strategy would not result in a substantial increase in GHGs, since the City has shown that overall communitywide GHGs have decreased and that the City has met AB 32 GHG reduction targets. Individual project compliance with the City's Greenhouse Gas Reduction Strategy is demonstrated by completion of the Compliance Checklist for Greenhouse Gas Analysis.

In summary, the two applicable greenhouse gas reduction plans, the AB 32 Scoping Plan and the City's Greenhouse Gas Reduction Strategy, are intended to reduce GHG emissions below current levels. Given that the City's local greenhouse gas reduction targets are more aggressive

[71] BAAQMD. *Letter from J. Roggenkamp, BAAQMD, to B. Wycko, San Francisco Planning Department*, October 28, 2010, http://www.sf-planning.org/ftp/files/MEA/GHG-Reduction_Letter.pdf, accessed September 24, 2012.

than the State'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 AB 32. Therefore, proposed projects that are consistent with the City's Greenhouse Gas Reduction Strategy would be consistent with the goals of AB 32, would not conflict with either plan, and would therefore not exceed San Francisco's applicable GHG threshold of significance. Furthermore, a locally compliant project would not result in a substantial increase in GHGs.

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.

The proposed project's impact with respect to GHG emissions is based on compliance with local and state plans, policies, and regulations adopted for the purpose of reducing the cumulative impacts of climate change. GHG emissions are analyzed in the context of their contribution to the cumulative effects of climate change because a single land use project could never generate enough GHG emissions to noticeably change the global average temperature. 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 emissions, but not in levels that would result in a significant impact on the environment or conflict with any policy, plan, or regulation adopted for the purpose of reducing greenhouse gas emissions. (Less than Significant)

The most common GHGs resulting from human activity associated with land use decisions are CO_2, black carbon, CH_4, and N_2O.[72] Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations.

The proposed project would increase the activity onsite by expansion and the change of use of the existing building, which would result in additional vehicle trips and an increase in energy

[72] OPR. *Technical Advisory- CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review*, June 19, 2008, http://www.opr.ca.gov/ceqapdfs/june08-ceqa.pdf, accessed March 3, 2010.

use. The expansion of the building size would also result in an increase in overall water usage, which generates indirect emissions from the energy required to pump, treat, and convey water. The expansion could also result in an increase in discarded landfill materials. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and 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.

As discussed above and consistent with the state CEQA Guidelines and BAAQMD recommendations for analyzing GHG emissions under CEQA, projects that are consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions* would result in a less-than-significant GHG impact. Based on an assessment of the proposed project's compliance with San Francisco's *Strategies to Address Greenhouse Gas Emissions*, the proposed project would be required to comply with regulations that reduce greenhouse gas emissions, as identified in Table 10.

TABLE 10
CITY GREENHOUSE GAS REGULATIONS APPLICABLE TO THE PROPOSED PROJECT

Regulation	Requirements	Project Compliance	Discussion
Transportation Sector			
Commuter Benefits Ordinance (San Francisco Environment Code, Section 421)	All employers of 20 or more employees must provide at least one of the following benefit programs: (1) A Pre-Tax Election consistent with 26 U.S.C. § 132(f), allowing employees to elect to exclude from taxable wages and compensation, employee commuting costs incurred for transit passes or vanpool charges, or (2) Employer Paid Benefit whereby the employer supplies a transit pass for the public transit system requested by each Covered Employee or reimbursement for equivalent vanpool charges at least equal in value to the purchase price of the appropriate benefit, or (3) Employer Provided Transit furnished by the employer at no cost to the employee in a vanpool or bus, or similar multi-passenger vehicle operated by or for the employer.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with the Commuter Benefits Ordinance.
Emergency Ride Home Program	All persons employed in San Francisco are eligible for the emergency ride home program.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with the Emergency Ride Home Program.

TABLE 10
CITY GREENHOUSE GAS REGULATIONS APPLICABLE TO THE PROPOSED PROJECT

Regulation	Requirements	Project Compliance	Discussion
Transportation Management Programs (San Francisco Planning Code, Section 163)	Requires new buildings or additions over a specified size (buildings >25,000 square feet (sf) or 100,000 sf depending on the use and zoning district) within certain zoning districts (including downtown and mixed-use districts in the City's eastern neighborhoods and south of market) to implement a Transportation Management Program and provide on-site transportation management brokerage services for the life of the building.	☐ Project Complies ☒ Not Applicable ☐ Project Does Not Comply	The proposed project is in a Downtown Commercial-Support (C-3-S) district. The proposed project would result in 31,200 sf of development and, therefore, would not meet the 100,000 sf requirement for new development in the C-3 district. As such, the project sponsor would not be required to provide on-site transportation brokerage services for the actual lifetime of the project and would not be required to develop a TDM program.
Transit Impact Development Fee (San Francisco Planning Code, Section 411)	Establishes the following fees for all commercial developments. Fees are paid to DBI and provided to SFMTA to improve local transit services. Review Planning Code Section 411.3(a) for applicability.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The hotel and restaurant/ retail uses might be subject to the Transit Impact Development Fee (TIDF). The TIDF attempts to recover the cost of carrying additional riders generated by new development by obtaining fees on a square footage basis. If it is determined that the proposed project would be subject TIDF, the project sponsor would pay the determined amount.
Jobs-Housing Linkage Program (San Francisco Planning Code Section 413)	The Jobs-Housing Program found that new large scale developments attract new employees to the City who require housing. The program is designed to provide housing for those new uses within San Francisco, thereby allowing employees to live close to their place of employment. The program requires a developer to pay a fee or contribute land suitable for housing to a housing developer or pay an in-lieu fee.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would include 31,200 sf of hotel and retail/restaurant uses and, therefore, would be subject to the Jobs-Housing Linkage Program pursuant to Planning Code Section 413.3(1).

TABLE 10
CITY GREENHOUSE GAS REGULATIONS APPLICABLE TO THE PROPOSED PROJECT

Regulation	Requirements	Project Compliance	Discussion
Bicycle Parking in New and Renovated Commercial Buildings (San Francisco Planning Code, Section 155.4)	Professional Services: (A) Where the gross square footage of the floor area is between 10,000-20,000 feet, 3 bicycle spaces are required. (B) Where the gross square footage of the floor area is between 20,000-50,000 feet, 6 bicycle spaces are required. (3)Where the gross square footage of the floor area exceeds 50,000 sf, 12 bicycle spaces are required. Retail Services: (A) Where the gross square footage of the floor area is between 25,000 sf - 50,000 feet, 3 bicycle spaces are required. (2) Where the gross square footage of the floor area is between 50,000 sf- 100,000 feet, 6 bicycle spaces are required. (3) Where the gross square footage of the floor area exceeds 100,000 sf, 12 bicycle spaces are required.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	Six bicycle parking spaces are required for hotel uses pursuant to *Planning Code* Section 155.4. The proposed project would provide 10 bicycle parking spaces for employees and visitors within the basement.
Bicycle parking in parking garages (San Francisco Planning Code, Section 155.2)	(C) Garages with more than 500 automobile spaces shall provide 25 spaces plus one additional space for every 40 automobile spaces over 500 spaces, up to a maximum of 50 bicycle parking spaces.	☐ Project Complies ☒ Not Applicable ☐ Project Does Not Comply	The proposed project would not include a parking garage. Therefore, this requirement is not applicable
Bicycle parking in Residential Buildings (San Francisco Planning Code, Section 155.5)	(A) For projects up to 50 dwelling units, one Class 1 space for every 2 dwelling units. (B) For projects over 50 dwelling units, 25 Class 1 spaces plus one Class 1 space for every 4 dwelling units over 50.	☐ Project Complies ☒ Not Applicable ☐ Project Does Not Comply	The proposed project would not include any residential uses and, therefore, would not be subject to the requirements of Planning Code Section 155.5.
San Francisco Green Building Requirements (San Francisco Building Code, Chapter 13C.106.5 and 13C.5.106.5)	Requires New Large Commercial projects, New High-rise Residential projects and Commercial Interior projects to provide designated parking for low-emitting, fuel efficient, and carpool/van pool vehicles. Mark 8 percent of parking stalls for such vehicles.	☐ Project Complies ☒ Not Applicable ☐ Project Does Not Comply	The proposed project would not result in a new large commercial or high-rise residential development or commercial interior renovations. Therefore, this section of the Building Code is not applicable to the proposed project.
Car Sharing Requirements (San Francisco Planning Code, Section 166)	New residential projects or renovation of buildings being converted to residential uses within most of the City's mixed-use and transit-oriented residential districts are required to provide car share parking spaces.	☐ Project Complies ☒ Not Applicable ☐ Project Does Not Comply	The proposed project would not include any residential uses and, therefore, would not be subject to the requirements of Planning Code Section 166.

TABLE 10
CITY GREENHOUSE GAS REGULATIONS APPLICABLE TO THE PROPOSED PROJECT

Regulation	Requirements	Project Compliance	Discussion
Parking requirements for San Francisco's Mixed-Use zoning districts (San Francisco Planning Code Section 151.1)	The Planning Code has established parking maximums for many of San Francisco's Mixed-Use districts.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would not provide parking spaces for hotel employees or guests. Therefore, the proposed project would comply with Planning Code Section 151.1.
Energy Efficiency Sector			
San Francisco Green Building Requirements for Energy Efficiency (San Francisco Building Code, Chapter 13C.5.201.1.1)	New construction of non-residential buildings requires the demonstration of a 15 percent energy reduction compared to 2008 California Energy Code, Title 24, Part 6.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with Green Building Code requirements for energy efficiency.
San Francisco Green Building Requirements for Energy Efficiency (LEED EA3, San Francisco Building Code, Chapter 13C.5.410.2)	For New Large Commercial Buildings - Requires Enhanced Commissioning of Building Energy Systems For new large buildings greater than 10,000 sf, commissioning shall be included in the design and construction to verify that the components meet the owner's or owner representative's project requirements.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would result in development a new building over 10,000 sf. As such, the proposed project would include commissioning in the design and construction in accordance with this Green Building Code requirement.
Commissioning of Building Energy Systems (LEED prerequisite, EAp1)	Requires Fundamental Commissioning for New High-rise Residential, Commercial Interior, Commercial and Residential Alteration projects	☐ Project Complies ☒ Not Applicable ☐ Project Does Not Comply	The proposed project does not meet the criteria for Fundamental Commissioning. This requirement is not applicable.
San Francisco Green Building Requirements for Energy Efficiency (San Francisco Building Code, Chapter 13C)	Commercial buildings greater than 5,000 sf will be required to be a minimum of 14 percent more energy efficient than Title 24 energy efficiency requirements. As of 2008 large commercial buildings are required to have their energy systems commissioned, and as of 2010, these large buildings are required to provide enhanced commissioning in compliance with LEED® Energy and Atmosphere Credit 3. Mid-sized commercial buildings are required to have their systems commissioned by 2009, with enhanced commissioning as of 2011.	☐ Project Complies ☒ Not Applicable ☐ Project Does Not Comply	The proposed project would include 4,265 sf of commercial space and, therefore, would not be subject to this requirement. Further, the proposed project does not meet the designation of large commercial or mid-sized commercial building.
San Francisco Green Building Requirements for Energy Efficiency (San Francisco Building Code, Chapter 13C)	Under the Green Point Rated system and in compliance with the Green Building Ordinance, all new residential buildings will be required to be at a minimum 15 percent more energy efficient than Title 24 energy efficiency requirements.	☐ Project Complies ☒ Not Applicable ☐ Project Does Not Comply	The proposed project would not include residential uses. Therefore, this requirement is not applicable.

TABLE 10
CITY GREENHOUSE GAS REGULATIONS APPLICABLE TO THE PROPOSED PROJECT

Regulation	Requirements	Project Compliance	Discussion
San Francisco Green Building Requirements for Stormwater Management (San Francisco Building Code, Chapter 13C) Or San Francisco Stormwater Management Ordinance (Public Works Code Article 4.2)	Requires all new development or redevelopment disturbing more than 5,000 sf of ground surface to manage stormwater on-site using low impact design. Projects subject to the Green Building Ordinance Requirements must comply with either LEED® Sustainable Sites Credits 6.1 and 6.2, or with the City's Stormwater Management Ordinance and stormwater design guidelines.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would incorporate low impact design practices into onsite stormwater management.
San Francisco Green Building Requirements for water efficient landscaping (San Francisco Building Code, Chapter 13C)	All new commercial buildings greater than 5,000 sf are required to reduce the amount of potable water used for landscaping by 50 percent.	☐ Project Complies ☒ Not Applicable ☐ Project Does Not Comply	The proposed project would include 4,265 sf of commercial space and, therefore, would not be subject to this requirement.
San Francisco Green Building Requirements for water use reduction (San Francisco Building Code, Chapter 13C)	All new commercial buildings greater than 5,000 sf are required to reduce the amount of potable water used by 20 percent.	☐ Project Complies ☒ Not Applicable ☐ Project Does Not Comply	The proposed project would include 4,265 sf of commercial space and, therefore, would not be subject to this requirement.
Indoor Water Efficiency (San Francisco Building Code, Chapter 13C sections 13C.5.103.1.2, 13C.4.103.2.2,13C .303.2.)	**If meeting a LEED Standard;** Reduce overall use of potable water within the building by a specified percentage – for showerheads, lavatories, kitchen faucets, wash fountains, water closets and urinals. New large commercial and New high rise residential buildings must achieve a 30 percent reduction. Commercial interior, commercial alternation and residential alteration should achieve a 20 percent reduction below UPC/IPC 2006, et al. **If meeting a GreenPoint Rated Standard:** Reduce overall use of potable water within the building by 20 percent for showerheads, lavatories, kitchen faucets, wash fountains, water closets and urinals.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	In compliance with Green Building Code Section 13C.5.103.1.2, the proposed project would meet the mandatory 30 percent reduction in the use of indoor potable water.

TABLE 10
CITY GREENHOUSE GAS REGULATIONS APPLICABLE TO THE PROPOSED PROJECT

Regulation	Requirements	Project Compliance	Discussion
San Francisco Water Efficient Irrigation Ordinance	Projects that include 1,000 sf or more of new or modified landscape are subject to this ordinance, which requires that landscape projects be installed, constructed, operated, and maintained in accordance with rules adopted by the SFPUC that establish a water budget for outdoor water consumption. Tier 1: 1,000 sf <= project landscape < 2,500 sf Tier 2: Project landscape area is greater than or equal to 2,500 sf. Note; Tier 2 compliance requires the services of landscape professionals. See the SFPUC Web site for information regarding exemptions to this requirement. www.sfwater.org/landscape	☐ Project Complies ☒ Not Applicable ☐ Project Does Not Comply	The proposed project would not include 1,000 sf or more of landscaping and, therefore, would not be subject to the City's Water Efficient Irrigation Ordinance.
Commercial Water Conservation Ordinance (San Francisco Building Code, Chapter 13A)	Requires all existing commercial properties undergoing tenant improvements to achieve the following minimum standards: 1. All showerheads have a maximum flow of 2.5 gallons per minute (gpm) 2. All showers have no more than one showerhead per valve 3. All faucets and faucet aerators have a maximum flow rate of 2.2 gpm 4. All Water Closets (toilets) have a maximum rated water consumption of 1.6 gallons per flush (gpf) 5. All urinals have a maximum flow rate of 1.0 gpf 6. All water leaks have been repaired.	☐ Project Complies ☒ Not Applicable ☐ Project Does Not Comply	The proposed project would demolish the existing structure on the project site and construct a 78,000 sf hotel, as well as 4,265 sf of space dedicated to restaurant and/or retail services. The proposed project would not include tenant improvements and, therefore, would not be subject to the Commercial Water Conservation Ordinance.
Residential Water Conservation Ordinance (San Francisco Building Code, Housing Code, Chapter 12A)	Requires all residential properties (existing and new), prior to sale, to upgrade to the following minimum standards: 1. All showerheads have a maximum flow of 2.5 gallons per minute (gpm) 2. All showers have no more than one showerhead per valve 3. All faucets and faucet aerators have a maximum flow rate of 2.2 gpm 4. All Water Closets (toilets) have a maximum rated water consumption of 1.6 gallons per flush (gpf) 5. All urinals have a maximum flow rate of 1.0 gpf 6. All water leaks have been repaired. Although these requirements apply to existing buildings, compliance must be completed through the Department of Building Inspection, for which a discretionary permit (subject to CEQA) would be issued.	☐ Project Complies ☒ Not Applicable ☐ Project Does Not Comply	The proposed project would not include residential uses and, therefore, would not be subject to the Residential Water Conservation Ordinance.

TABLE 10
CITY GREENHOUSE GAS REGULATIONS APPLICABLE TO THE PROPOSED PROJECT

Regulation	Requirements	Project Compliance	Discussion
Residential Energy Conservation Ordinance (San Francisco Building Code, San Francisco Housing Code, Chapter 12)	Requires all residential properties to provide, prior to sale of property, certain energy and water conservation measures for their buildings: attic insulation; weather-stripping all doors leading from heated to unheated areas; insulating hot water heaters and insulating hot water pipes; installing low-flow showerheads; caulking and sealing any openings or cracks in the building's exterior; insulating accessible heating and cooling ducts; installing low-flow water-tap aerators; and installing or retrofitting toilets to make them low-flush. Apartment buildings and hotels are also required to insulate steam and hot water pipes and tanks, clean and tune their boilers, repair boiler leaks, and install a time-clock on the burner. Although these requirements apply to existing buildings, compliance must be completed through the Department of Building Inspection, for which a discretionary permit (subject to CEQA) would be issued.	☐ Project Complies ☒ Not Applicable ☐ Project Does Not Comply	The proposed project would not include residential uses and, therefore, would not be subject to the Residential Energy Conservation Ordinance.
Renewable Energy Sector			
San Francisco Green Building Requirements for renewable energy (San Francisco Building Code, Chapter 13C)	As of 2012, all new large commercial buildings are required to either generate 1 percent of energy on-site with renewables, or purchase renewable energy credits pursuant to LEED® Energy and Atmosphere Credits 2 or 6, or achieve an additional 10 percent beyond Title 24 2008. Credit 2 requires providing at least 2.5 percent of the buildings energy use from on-site renewable sources. Credit 6 requires providing at least 35 percent of the building's electricity from renewable energy contracts.	☐ Project Complies ☒ Not Applicable ☐ Project Does Not Comply	The proposed project does not meet the definition of large commercial building as described in Building Code Section 13C.202. Therefore, this requirement is not applicable to the proposed project.
Waste Reduction Sector			
Mandatory Recycling and Composting Ordinance (San Francisco Environment Code, Chapter 19) and San Francisco Green Building Requirements for solid waste (San Francisco Building Code, Chapter 13C)	All persons in San Francisco are required to separate their refuse into recyclables, compostables and trash, and place each type of refuse in a separate container designated for disposal of that type of refuse. Pursuant to Section 1304C.0.4 of the Green Building Ordinance, all new construction, renovation and alterations subject to the ordinance are required to provide recycling, composting and trash storage, collection, and loading that is convenient for all users of the building.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would provide guests, employees, and patrons with separate containers for recyclables, compostables, and trash.

TABLE 10
CITY GREENHOUSE GAS REGULATIONS APPLICABLE TO THE PROPOSED PROJECT

Regulation	Requirements	Project Compliance	Discussion
San Francisco Green Building Requirements for construction and demolition debris recycling (San Francisco Building Code, Chapter 13C)	Projects proposing demolition are required to divert at least 75 percent of the project's construction and demolition debris to recycling.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed sponsor would ensure that the construction contractor divert at least 75 percent of the construction and demolition debris to recycling.
San Francisco Construction and Demolition Debris Recovery Ordinance (San Francisco Environment Code, Chapter 14)	Requires that a person conducting full demolition of an existing structure to submit a waste diversion plan to the Director of the Environment which provides for a minimum of 65 percent diversion from landfill of construction and demolition debris, including materials source separated for reuse or recycling.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would demolish the existing structure on the project site. The construction contractor would submit a waste diversion plan to the Director of the Environment prior to demolition.
Environment/Conservation Sector			
Street Tree Planting Requirements for New Construction (San Francisco Planning Code Section 138.1)	Planning Code Section 138.1 requires new construction, significant alterations or relocation of buildings within many of San Francisco's zoning districts to plant on 24-inch box tree for every 20 feet along the property street frontage.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would remove eight street trees surrounding the project site on Fourth Street and Clementina Street, and the project sponsor will seek a street tree waiver, which will allow payment of a fee in lieu of planting street trees on Clementina Street.
Light Pollution Reduction (San Francisco Building Code, Chapter 13C5.106.8)	For nonresidential projects, comply with lighting power requirements in CA Energy Code, CCR Part 6. Requires that lighting be contained within each source. No more than .01 horizontal lumen foot-candles 15 feet beyond site, or meet LEED credit SSc8.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would not include lighting beyond the project site.
Construction Site Runoff Pollution Prevention for New Construction (San Francisco Building Code, Chapter 13C)	Construction Site Runoff Pollution Prevention requirements depend upon project size, occupancy, and the location in areas served by combined or separate sewer systems. Projects meeting a LEED® standard must prepare an erosion and sediment control plan (LEED® prerequisite SSP1). Other local requirements may apply regardless of whether or not LEED® is applied such as a stormwater soil loss prevention plan or a Stormwater Pollution Prevention Plan (SWPPP). See the SFPUC Web site for more information: www.sfwater.org/CleanWater	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would be subject to the City's stormwater management ordinance requiring the preparation of a SWPPP.

TABLE 10
CITY GREENHOUSE GAS REGULATIONS APPLICABLE TO THE PROPOSED PROJECT

Regulation	Requirements	Project Compliance	Discussion
Enhanced Refrigerant Management (San Francisco Building Code, Chapter 13C.5.508.1.2)	All new large commercial buildings must not install equipment that contains chlorofluorocarbons (CFCs) or halons.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would not install equipment that contains chlorofluorocarbons.
Low-emitting Adhesives, Sealants, and Caulks (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.2.1)	**If meeting a LEED Standard:** Adhesives and sealants (VOCs) must meet SCAQMD Rule 1168 and aerosol adhesives must meet Green Seal standard GS-36. (Not applicable for New High Rise residential) **If meeting a GreenPoint Rated Standard:** Adhesives and sealants (VOCs) must meet SCAQMD Rule 1168.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project will comply with the City's Green Building Ordinance (San Francisco Building Code Chapter 13C) by attaining at least a LEED Silver rating plus six points, or at least 95 GreenPoints from the GreenPoint Rated Multifamily New Construction checklist. Therefore, the proposed project would comply with either the LEED Standard or GreenPoint Rated Standard for adhesives and sealants.
Low-emitting materials (San Francisco Building Code, Chapters 13C.4. 103.2.2,	For Small and Medium-sized Residential Buildings - Effective January 1, 2011 meet GreenPoint Rated designation with a minimum of 75 points. For New High-Rise Residential Buildings - Effective January 1, 2011 meet LEED Silver Rating or GreenPoint Rated designation with a minimum of 75 points. For Alterations to residential buildings submit documentation regarding the use of low-emitting materials. **If meeting a LEED Standard:** For adhesives and sealants (LEED credit EQ4.1), paints and coatings (LEED credit EQ4.2), and carpet systems (LEED credit EQ4.3), where applicable. **If meeting a GreenPoint Rated Standard:** Meet the GreenPoint Rated Multifamily New Home Measures for low-emitting adhesives and sealants, paints and coatings, and carpet systems,	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project will comply with the City's Green Building Ordinance by attaining at least a LEED Silver rating plus six points, or at least 95 GreenPoints from the GreenPoint Rated Multifamily New Construction checklist. Therefore, the proposed project would comply with either the LEED Standard or GreenPoint Rated Standard for low-emitting materials.

TABLE 10
CITY GREENHOUSE GAS REGULATIONS APPLICABLE TO THE PROPOSED PROJECT

Regulation	Requirements	Project Compliance	Discussion
Low-emitting Paints and Coatings (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.2.2 through 2.4)	**If meeting a LEED Standard:** Architectural paints and coatings must meet Green Seal standard GS-11, anti-corrosive paints meet GC-03, and other coatings meet SCAQMD Rule 1113. (Not applicable for New High Rise residential) **If meeting a GreenPoint Rated Standard:** Interior wall and ceiling paints must meet <50 grams per liter VOCs regardless of sheen. VOC Coatings must meet SCAQMD Rule 1113.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project will comply with the City's Green Building Ordinance by attaining at least a LEED Silver rating plus six points, or at least 95 GreenPoints from the GreenPoint Rated Multifamily New Construction checklist. Therefore, the proposed project would comply with either the LEED Standard or GreenPoint Rated Standard for low-emitting paints and coatings.
Low-emitting Flooring, including carpet (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.3, and 13C.4.504.4)	**If meeting a LEED Standard:** Hard surface flooring (vinyl, linoleum, laminate, wood, ceramic, and/or rubber) must be Resilient Floor Covering Institute FloorScore certified; carpet must meet the Carpet and Rug Institute (CRI) Green Label Plus; Carpet cushion must meet CRI Green Label; carpet adhesive must meet LEED EQc4.1. (Not applicable for New High Rise residential) **If meeting a GreenPoint Rated Standard:** All carpet systems, carpet cushions, carpet adhesives, and at least 50 percent of resilient flooring must be low-emitting.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project will comply with the City's Green Building Ordinance by attaining at least a LEED Silver rating plus six points, or at least 95 GreenPoints from the GreenPoint Rated Multifamily New Construction checklist. Therefore, the proposed project would comply with either the LEED Standard or GreenPoint Rated Standard for low-emitting flooring, including carpet.
Low-emitting Composite Wood (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2 and 13C.4.504.5)	**If meeting a LEED Standard:** Composite wood and agrifiber must not contain added urea-formaldehyde resins and must meet applicable CARB Air Toxics Control Measure. **If meeting a GreenPoint Rated Standard:** Must meet applicable CARB Air Toxics Control Measure formaldehyde limits for composite wood.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project will comply with the City's Green Building Ordinance by attaining at least a LEED Silver rating plus six points, or at least 95 GreenPoints from the GreenPoint Rated Multifamily New Construction checklist. Therefore, the proposed project would comply with either the LEED Standard or GreenPoint Rated Standard for low-emitting composite wood.
Wood Burning Fireplace Ordinance (San Francisco Building Code, Chapter 31, Section 3102.8)	Bans the installation of wood burning fire places except for the following: • Pellet-fueled wood heater • EPA approved wood heater • Wood heater approved by the Northern Sonoma Air Pollution Control District	☐ Project Complies ☒ Not Applicable ☐ Project Does Not Comply	The proposed project would not include any wood burning fire places.

TABLE 10
CITY GREENHOUSE GAS REGULATIONS APPLICABLE TO THE PROPOSED PROJECT

Regulation	Requirements	Project Compliance	Discussion
Regulation of Diesel Backup Generators (San Francisco Health Code, Article 30)	Requires (among other things): • All diesel generators to be registered with the Department of Public Health • All new diesel generators must be equipped with the best available air emissions control technology.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	If it is determined that the proposed project would include diesel backup generators, the proposed project would comply with San Francisco Health Code, Article 30.

Depending on a proposed project's size, use, and location, a variety of controls are in place to ensure that a proposed project would neither impair the State's ability to meet statewide GHG reduction targets outlined in AB 32 nor impact the City's ability to meet San Francisco's local GHG reduction targets. Given that (1) San Francisco has implemented regulations to reduce GHG emissions specific to new construction and renovations of private developments and municipal projects; (2) San Francisco's sustainable policies have resulted in the measured reduction of annual GHG emissions; (3) San Francisco has met and exceeds AB 32 greenhouse gas reduction goals for the year 2020 and is on track towards meeting long-term GHG reduction goals; (4) current and probable future state and local GHG reduction measures will continue to reduce a project's contribution to climate change; and (5) San Francisco's *Strategies to Address Greenhouse Gas Emissions* meet the CEQA and BAAQMD requirements for a Greenhouse Gas Reduction Strategy, projects that are consistent with San Francisco's regulations would not contribute significantly to global climate change. The proposed project would be required to comply with the requirements listed above, and was determined to be consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions*.[73] As such, the proposed project would result in a less-than-significant impact with respect to GHG emissions. No mitigation measures are necessary.

[73] San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 250 Fourth Street*, October 31, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, San Francisco, as part of Case No. 2011.0038E.

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

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

Wind impacts are generally caused by tall buildings 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. Average wind speeds in San Francisco are the highest in the summer and lowest in winter; however, the strongest peak winds occur in winter. Throughout the year the highest wind speeds occur in mid-afternoon and the lowest in the early morning. Westerly to northwesterly winds are the most frequent and strongest winds during all seasons. Of the primary wind directions, four have the greatest frequency of occurrence and also make up the majority of the strong winds that occur. These winds include the northwest, west-northwest, west, and west-southwest.

The project site is currently occupied by a 2.5-story building and is sheltered from prevailing northwesterly, west-northwesterly, west, and west-southwesterly winds by existing buildings of three to 13 stories in height. There is an eight-story structure immediately to the northwest of the building, two 13-story residential towers to the west, and a 10-story building to the southwest across Clementina Street. These existing buildings shelter the project site from strong winds from the prevailing wind directions.[74]

The proposed project would have a significant wind impact if it would cause the 26-miles-per-hour (mph) wind hazard criterion to be exceeded for more than one hour per year. A project that would cause exceedances of the comfort criteria, but not the wind hazard criterion, would not be considered to have a significant impact under CEQA.

Planning Code Section 148 establishes a hazard criterion, which is a 26 mph equivalent wind speed for a single full hour, or approximately 0.0114 percent of the time. Under Section 148, new

[74] Rowan Williams Davies & Irwin Inc. (RWDI), *250 Fourth Street, San Francisco, California, Pedestrian Wind Comfort Study*, September 6, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, San Francisco, as part of Case No. 2011.0038E.

buildings and additions may not cause wind speeds that meet or exceed this hazard criterion. Under Section 148, no exception may be granted for buildings that result in winds that exceed the hazard criterion.

Planning Code Section 148 establishes equivalent wind speeds of 7 mph as the comfort criterion for seating areas and 11 mph as the comfort criterion for areas of substantial pedestrian use, and states that new buildings and additions to buildings may not cause ground-level winds to exceed these levels more than 10 percent of the time year round between 7:00 a.m. and 6:00 p.m. If existing wind speeds exceed the comfort level, or when a project would result in exceedances of the comfort criteria, an exception may be granted, pursuant to Section 309, if the building or addition cannot be designed to meet the criteria "without creating an unattractive and ungainly building form and without unduly restricting the development potential" of the site, and it is concluded that the exceedance(s) of the criteria would be insubstantial "because of the limited amount by which the comfort level is exceeded, the limited location in which the comfort level is exceeded, or the limited time during which the comfort level is exceeded."A Pedestrian Wind Study was conducted for the proposed project to assess the wind environment in the project site vicinity in terms of pedestrian comfort and hazard relative to wind metrics specified in Section 148 of the *Planning Code*.[75] The study objective was achieved through wind tunnel testing of a scale model for existing and proposed project conditions. The study and its conclusions are presented herein.

Existing wind speed measurements were taken at 30 locations in the vicinity of the project site. Under existing conditions, wind conditions did not exceed the 26-mph criterion established in the *Planning Code* for hazard levels at any location; however, wind conditions did exceed the 11-mph pedestrian comfort criterion at eight locations, primarily along Clementina Street, within the courtyard of the adjacent building to the west of the project site, and at the corner of Fourth Street and Folsom Street.

The proposed building would have no exposed, continuous building facades oriented towards the prevailing wind directions that would generate strong wind accelerations at the pedestrian level. Only the upper floors of the proposed building would extend above adjacent structures and only for some wind directions.

[75] Rowan Williams Davies & Irwin Inc. (RWDI), *250 Fourth Street, San Francisco, California, Pedestrian Wind Comfort Study*, September 6, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, San Francisco, as part of Case No. 2011.0038.

With the proposed project, five of the 34[62] test locations[76] exceed the *Planning Code's* 11 mph pedestrian-comfort criterion, representing three fewer locations as compared to existing conditions due to the sheltering effects of the taller proposed building. Under the proposed project conditions, three locations along Clementina Street would be below the comfort criterion. Under both existing and proposed project conditions, the corner of Fourth Street and Folsom Street would exceed the comfort criterion. As previously mentioned, the hazard criterion would not be exceeded under either the existing or proposed project conditions.

Existing landscaping located within the adjacent parking lot and building courtyard, which was not modeled in the wind tunnel testing, is expected to improve the wind conditions in the area as compared to the currently modeled results. The proposed project would not significantly increase the wind activity on and around the project site.[77]

At the project site, a few of the proposed project's upper floors would be exposed to some prevailing wind directions. However, the proposed patio at the ground floor and rooftop deck would be wind sheltered and considered comfortable.[78] Therefore, based on consideration of the exposure, massing, and orientation of the proposed project, the proposed project would result in a less-than-significant impact on the wind environment at the pedestrian level and in public areas.

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

Section 295 of the *Planning Code* was adopted in response to Proposition K (passed November 1984) in order to protect certain public open spaces from shadowing by new structures during the period between one hour after sunrise and one hour before sunset, year round. *Planning Code* Section 295 restricts net new shadow on public open spaces under the jurisdiction of, or to be acquired by, the Recreation and Park Commission by any structure exceeding 40 feet unless the Planning Commission, in consultation with the Recreation and Park Commission, finds the

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[76] Wind speed measurements were taken at 34 locations for the proposed project conditions, which included two additional locations in the northwest portion of the project site, where a patio is proposed, and two locations above grade, where a rooftop deck is proposed.

[77] Rowan Williams Davies & Irwin Inc. (RWDI), *250 Fourth Street, San Francisco, California, Pedestrian Wind Comfort Study*, September 6, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, San Francisco, as part of Case No. 2011.0038E.

[78] Rowan Williams Davies & Irwin Inc. (RWDI), *250 Fourth Street, San Francisco, California, Pedestrian Wind Comfort Study*, September 6, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, San Francisco, as part of Case No. 2011.0038E.

impact to be less than significant. Section 147 of the *Planning Code*, Shadows on Publicly Accessible Open Spaces, states that new buildings over 50 feet in height in C-3 Districts must be "shaped, consistent with the dictates of good design and without unduly restricting the development potential of the site, to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Section 295."

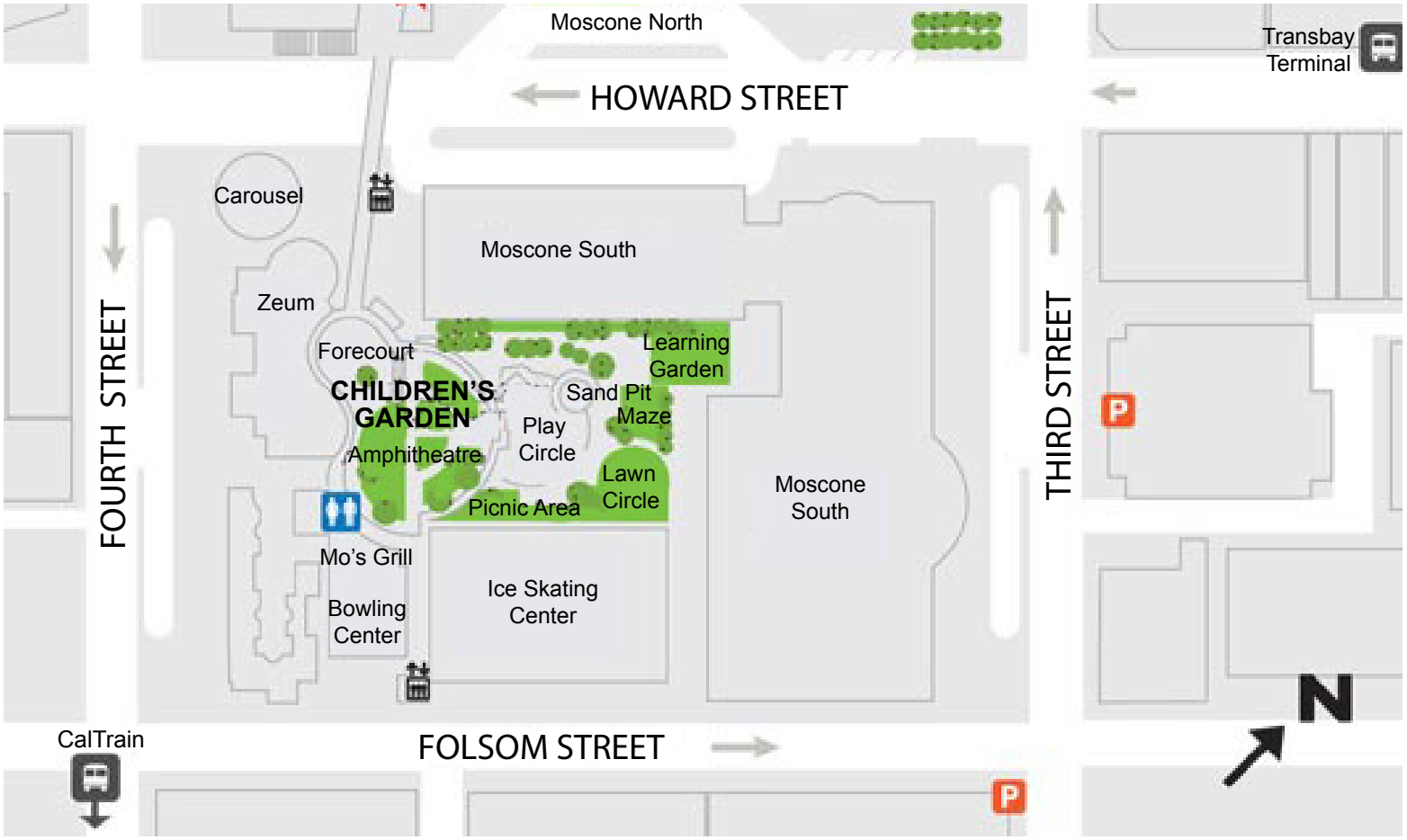
A shadow fan analysis was prepared by Planning Department staff,[79] which indicates that project shadows could not reach any site under Recreation and Park Commission jurisdiction. Subsequently, a more detailed shadow fan analysis was prepared by the project sponsor to comply with *Planning Code* Section 147.[80] The more detailed shadow fan analysis indicated that the proposed project would cast shadows across Fourth Street and onto a section of the southern block of Yerba Buena Gardens. Yerba Buena Gardens is privately owned and publicly accessible and, therefore, not subject to Section 295. As the proposed building would be over 50 feet in height, within a C-3 District, and could potentially create substantial shadow impacts on a publicly accessible space, an analysis of the proposed project's shadow impacts on Yerba Buena Gardens and compliance with *Planning Code* Section 147 are presented here.

Yerba Buena Gardens extends over two City blocks and is generally bounded by Mission Street, Third Street, Folsom Street, and Fourth Street. The southern block is known as the Rooftop at Yerba Buena Gardens and is comprised of buildings as well as open space. This area includes the Zeum Carousel (the Historic Charles Loof Carousel), Zeum museum (the Children's Creativity Museum), and a bowling center on the Fourth Street side of the block. On the south side of the block is the ice skating rink building, with the Moscone Convention Center buildings on the east and north sides of the block. Within the center of the block is approximately 100,000 sf of publicly accessible open space known as the Children's Garden (Garden).[81] The Garden includes an outdoor amphitheater, play circle (playground with play structures), picnic area, and lawn circle, as well as other gardens and streams. The various facilities located on the Rooftop at Yerba Buena Gardens are identified in Figure ~~9~~7. Shadows from the proposed project

[79] San Francisco Planning Department, Case No. 2011.0038K-Shadow Analysis, January 27, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, San Francisco, as part of Case No. 2011.0038.

[80] Reuben & Junius, *Revised Application for Permit Review under Planning Code Section 309 for Constructions of a Hotel in a C-3 (Downtown) District for Property Located at 250 Fourth Street, Block 3733, Lot 008*, September 20, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, San Francisco, as part of Case No. 2011.0038.

[81] The south block of Yerba Buena Gardens open space is about 130,000 sf total, with 30,000 sf in landscaped areas outside of the Children's Garden. Yerba Buena Gardens website, http://www.yerbabuenagardens.com/maps.html, accessed September 22, 2012.



SOURCE: Yerba Buena Arts & Events, 2012.

FIGURE ~~97~~: ROOFTOP AT YERBA BUENA GARDENS

could affect the Garden and, therefore, the following analysis focuses on potential impacts to this area of the larger Yerba Buena Gardens complex.

The shadow fan analysis[82] indicates that the proposed project would cast an insubstantial amount of net new shadow on Garden features including the lawn semicircle, amphitheater, picnic area, play circle, and lawn circle. On an annual basis, new shadow from the proposed project would eliminate roughly 0.2 percent of the annual sunlight theoretically available to the Garden. Net new shadow from the proposed project would be limited to late afternoon from late October through late February. In general, shadows are most severe during the winter months when the sun travels along its lowest trajectory (the days are shortest). As such, the most substantial shadow effects would coincide with the time of year least conducive to outdoor recreation in the City, late afternoon from late October through late February.

During October, the proposed project would cause insubstantial net new shadow on the Garden for approximately 30 minutes in the afternoon. On October 18, net new shadow would cover less than 5 percent of the Garden. The duration and area of net new shadow would gradually increase approaching the winter solstice on December 21. Project-related net new shadow would cover the largest portion of the Garden on December 22 and would begin to decrease as the slope of the sun's trajectory increases and the days become longer. Net new shadow in February would mirror the net new shadow in October and would continue to decline before disappearing in late February. During the longest duration or length of time and greatest extent or footprint of shadow impacts, which occur during the late afternoon hours of November 22nd/January 19th and December 22nd, respectively, due to weather conditions and limited sunlight, use of the Garden would be at a minimum. Further, because sunlight hours are limited, outdoor recreation would be highest in the morning and early afternoon and lowest in the late afternoon and evening, when the shadow impacts would be greatest. Therefore, the additional shadow from the proposed project would have little or no effect on the use of the park.

In addition, several buildings—the Moscone South Convention Center building, the Zeum, and Ice Skating Center—enclose and partially shade the Garden. The incremental new shade would occur at times of day and times of year when the park is already shaded, and would effectively cause portions of the Garden to be shaded 15 – 30 minutes earlier than without the proposed project. The proposed project's net new shadow would fall on the lawn semicircle,

[82] Reuben & Junius, *Revised Application for Permit Review under Planning Code Section 309 for Constructions of a Hotel in a C-3 (Downtown) District for Property Located at 250 Fourth Street, Block 3733, Lot 008*, September 20, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, San Francisco, as part of Case No. 2011.0038.

amphitheater, and picnic area. The lawn semicircle is primarily used as a throughway to the play circle. The amphitheater and picnic area are not heavily used during the late afternoon, particularly during winter months when clouds and rain are common. A minor amount of additional shade is unlikely to alter use patterns of the Children's Garden. Therefore, the proposed project would result in a less-than-significant shadow impact on outdoor recreation facilities or other public areas.

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

There are several approved projects and reasonable foreseeable future projects within a quarter-mile radius of the project site, as identified in Table 2, p. 20. The proposed project would not result in a significant wind impact in the project vicinity, and would reduce wind speeds compared to existing conditions. Therefore, the proposed project in combination with projects currently proposed in the vicinity would not substantially alter the wind patterns that could affect public areas, and cumulative wind impacts would be considered less than significant.

The proposed project, along with other potential and future development in the vicinity, could result in net new shadows in the vicinity. Over time, development of potentially taller buildings could occur in the vicinity of the project site. These projects have the potential to alter the shadow environment in the general vicinity of the proposed project. However, as part of the environmental screening that would be undertaken for each of these projects, shadow impacts would be assessed and mitigated, and future projects would need to comply with the design dictates of *Planning Code* Section 147. Several other projects (including the 706 Mission Street Project and the San Francisco Museum of Modern Art Project) would be located adjacent to Yerba Buena Gardens, but these projects are to the east and south, therefore, would not cast shadows on the park. The Central Subway Moscone Station could result in minor cumulative shadow impacts with the proposed project; however, due to the proposed height (approximately one-story), the cumulative shadow impacts would not be significant.

In addition, as described in Impact WS-2, above, there are no San Francisco Recreation and Park properties in the immediate project vicinity that would be affected by the proposed project. Thus, the proposed project would not have a cumulatively considerable contribution to any significant cumulative shadow impacts on such properties. 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.

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

Impact RE-1: The proposed project would not substantially increase the use of existing neighborhood parks or other recreational facilities and would not result in physical deterioration of existing recreational facilities or require the construction or expansion of recreation facilities. (Less than Significant)

Recreation facilities closest to the project site include Yerba Buena Gardens across Fourth Street to the north of the project site, Union Square Park approximately 0.5 mile north of the project site, and South Park approximately 0.4 mile southeast of the project site.

Typically, an increase in demand for recreation facilities is associated with new residential development or an increase in residential population. The proposed project does not include residential uses. However, as a business- or visitor-serving hotel, guests could utilize nearby recreational facilities within the City. The proposed project would include 220 rooms with a maximum hotel capacity of 440 guests, resulting in potential modest increase in the demand for recreational facilities.

As described in Section E.3, Population and Housing, the proposed project would result in an increase of up to 97 full time employees. Although employees may utilize parks and recreational spaces in the vicinity of the site during an hour-long break or before or after work, the use would likely be modest (based on the size of projected employment increases and the length of time the employee has for breaks, as well as the likelihood that the employee would travel directly from home to work and back, stopping to utilize nearby park facilities). It is unlikely that substantial physical deterioration would be expected or accelerated as a result of employee-related use by neighborhood parks or other recreational facilities.

The increase in demand for use of citywide facilities, such as the Golden Gate Park or the waterfront, would be incremental compared to the number of users that visit those areas on a daily or annually basis, and some of the visitors could be visitors that would otherwise come to

San Francisco, but choose to stay in the hotel instead. The use of citywide parks by visitors to the hotel would not be expected to result in or accelerate the substantial physical deterioration of citywide recreational facilities. Lastly, the proposed project would not result in direct alteration of an existing recreational facility. Therefore, impacts on recreational activities and facilities would be less than significant.

Impact C-RE-1: The proposed project, in combination with past, present, and reasonable foreseeable future projects in the vicinity of the site, would not have a cumulatively considerable contribution to a significant cumulative recreation impact. (Less than Significant)

There are several approved projects and reasonable foreseeable future projects within a quarter-mile radius of the project site, as identified in Table 2, p. 20. In particular, as part of the Transit Center District Area Plan, a five-acre public park would be established, resulting in an increase in the City's recreation and park facilities, more notably this area, which has been identified by the Recreation and Open Space Element as in need of new recreational and park facilities. The Transit Center District Plan could satisfy some of the additional demand for recreational facilities that would be generated by new developments, such as the 900 Folsom Street Project and the 260 Fifth Street Project.

Although some of these cumulative projects would result in an increase in permanent residents and visitors who may use existing and proposed recreational facilities, this increase would not be substantial enough to necessitate the expansion of existing recreational facilities or the construction of new facilities. San Francisco has approximately 4,890 acres of traditional parks and green spaces that include playing fields, natural landscapes, urban outdoor spaces (such as plazas and courtyards), and components of the public right-of-way that have been improved to enhance the pedestrian experience, such as living streets and alleys. It also includes publicly accessible private open spaces, such as community gardens and rooftops downtown. According to the City's Recreational and Open Space Element (ROSE) Update, the City's goal is to ensure that all San Franciscans are within a reasonable walk from an open space, and that each resident has access to a full range of recreational opportunities, from passive to active recreation. Towards that end, the ROSE provides a broad outline of what the City's ideal open space network should look like, setting forth the City's long term goals over the next 100 years. The ROSE also includes an Implementation Program, which are a set of short-term and long-term implementation goals that will set forth who, how, and when specific actions will be taken towards achieving the network envisioned by the Open Space Framework. As such, given the guidance provided by the ROSE, the proposed project would not result in a cumulatively considerable affect on recreational facilities in the project site vicinity.

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

Impact UT-1: Implementation of the proposed project would not require or result in the construction of wastewater collection and treatment facilities, exceed permitted wastewater treatment requirements, or require new or expanded stormwater drainage facilities. (Less than Significant)

The project site is located within an area that is served by existing wastewater and stormwater facilities. The proposed project would add new uses to the site that would incrementally increase the demand for wastewater and stormwater collection and treatment. Project-related wastewater and stormwater would continue to flow into the City's combined stormwater and sewer system and would be treated to the standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant, prior to discharge into the San Francisco Bay.

As identified in the Project Description, the proposed project would be consistent with current land use controls. Thus, it is reasonable to assume that the population and visitor growth that would result from implementation of the proposed project is within the City's overall growth

projections estimated by the Association of Bay Area Governments Projections 2009.[83] Similarly, the additional wastewater generation associated with the proposed project would be within the anticipated overall increase in wastewater generation attributed to future population and visitor growth.

The existing project site is primarily covered with impervious surfaces. The proposed project would include relatively the same amount of impervious surfaces as existing conditions, thereby not increasing stormwater runoff. However, the proposed project would be required to meet the standards for stormwater management identified in the San Francisco Green Building Ordinance (SFGBO), adopted May 6, 2008. The SFGBO requires the proposed project to meet the performance standard identified in the LEED NC®[84] credit 6.1 for quality control of stormwater. Therefore, the proposed project must implement a stormwater management approach that reduces existing stormwater runoff flow rate and volume by 25 percent for a two-year 24-hour design storm. The proposed project would minimize disruption of natural hydrology by implementing low-impact design approaches such as reduced impervious cover, reuse of stormwater, or increased infiltration.

The San Francisco Public Utilities Commission (SFPUC) emphasizes the use of low-cost, low-impact BMPs to meet this requirement. Further, because the project site is over 5,000 sf, the proposed project would be subject to project review by the SFPUC to ensure that impacts on the City's combined sewer system are reduced. The project would comply with the City's Stormwater Design Guidelines, which describe the requirements for stormwater management pursuant to the City's Stormwater Management Ordinance.[85] Requirements for stormwater treatment mandated by the SFGBO and the Stormwater Management Ordinance would decrease the incremental amount of stormwater requiring treatment at the Southeast Water Pollution Control Plant. The proposed project would not exceed permitted wastewater treatment requirements or require new wastewater or stormwater collection and treatment facilities; therefore, the proposed project would have a less-than-significant impact on San Francisco's wastewater and stormwater systems.

[83] The ABAG Projection 2009 uses existing land uses designations to estimate future population growth.

[84] LEED NC stands for Leadership in Energy and Environmental Design- New Construction.

[85] SFPUC, Stormwater Design Guidelines, http://sfwater.org/index.aspx?page=446, accessed November 21, 2011.

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)

All proposed large-size projects in California subject to CEQA are required to obtain an assessment from a regional or local jurisdiction water agency to determine the availability of a long-term water supply sufficient to satisfy project-generated water demand. In May 2002, the SFPUC adopted a resolution finding that the SFPUC's Urban Water Management Plan (UWMP) adequately fulfills the requirements of the water assessment for water quality and wastewater treatment and capacity as long as a proposed project is covered by the demand projections identified in the UWMP,[86] which included all known or expected development projects in San Francisco at that time through 2020. The proposed project would increase the amount of water required to serve the project site.

However, as described in Impact UT-1 above, the proposed project would be consistent with current land use controls. Therefore, the proposed project would not cause population growth and the associated increase in water demand beyond what is anticipated by the allowable land-use types and densities established in the City's *Planning Code*. As such, the proposed project would not result a demand for water supply beyond that considered in SFPUC's 2010 UWMP, which looks at current land use designations and zoning district regulations in its evaluation of known or expected future development projects.[87] Additionally, as required by the SFGBO, the project would be required to implement a 20 percent reduction in potable water for other uses (requiring installation of low-flow fixtures) as compared to water use under business-as-usual conditions. Because the water demand associated with the proposed project is within the demand projections considered by the 2010 UWMP and the proposed project would comply with applicable water conservation regulations, there would be sufficient capacity in the City's current water supply allocation from SFPUC to accommodate the proposed project. Therefore, the project's impact on water supply would be less than significant.

[86] City and County of San Francisco, Public Utilities Commission, Resolution No. 02-0084, May 14, 2002.

[87] City and County of San Francisco, *Urban Water Management Plan*, June 2011.

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

Solid waste generated in San Francisco is transported to the Altamont Landfill in Alameda County. The landfill has a permitted peak maximum daily disposal of 11,150 tons per day and accepted 1.29 million tons in 2007. The landfill has an estimated remaining capacity of approximately 46 million cubic yards or 74 percent of its permitted capacity. The estimated closure date of the landfill is 2025.[88] However, the City's remaining contracted capacity at the landfill is anticipated to be reached as soon as 2015. The City is in the process of planning for additional landfill beyond 2015.

Recycling, composting, and waste reduction are expected to increasingly divert waste from the landfill, per California and local requirements. The City was required by the State's Integrated Waste Management Act (AB 939) to divert 50 percent of its waste stream from landfill disposal by 2000. The City met this threshold in 2003 and has since increased it to 69 percent in 2005 and 70 percent in 2006. In addition, the Board of Supervisors adopted a plan in 2002 to recycle 75 percent of annual wastes generated by 2010. The City achieved a 77 percent diversion rate for 2008, thereby surpassing the diversion goal established in the 2002 legislation.[89]

The proposed project would be subject to the City's Mandatory Recycling and Composting Ordinance (City Ordinance 100-09), which requires all San Francisco residents and commercial landlords to separate their refuse into recyclables, compostables, and trash, thereby minimizing solid waste disposal and maximizing recycling. The project would also be subject to the City's Construction and Demolition Debris Recovery Ordinance (Ordinance 27-06), which requires all construction and demolition debris to be transported to a registered facility that can divert a minimum of 65 percent of the material from landfills. The proposed project would comply with these and other applicable state and local statutes and regulations associated with operational and construction-related solid waste.

Although the proposed project would incrementally increase total waste generation from the City, the increasing rate of diversion through recycling and other methods would result in a

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[88] California Department of Resources Recycling and Recovery (CalRecycle), Facility/Site Summary Details: Altamont Landfill & Resource Recv'ry (01-AA-0009), http://www.calrecycle.ca.gov/SWFacilities/Directory/01-AA-0009/Detail/, accessed December 4, 2012.

[89] City of San Francisco, Department of the Environment, Zero Waste on SF Horizon, July 27, 2011, http://www.sfenvironment.org/our_sfenvironment/news.html?topic=details&ni=753, accessed November 14, 2011.

decreasing share of total waste that requires deposition into the landfill. Given this, and given the long-term capacity available at the Altamont Landfill and the City's planning for future landfill capacity, the solid waste generated by project construction and operation would not result in the landfill exceeding its permitted capacity, and the proposed project would result in a less-than-significant impact related to solid waste disposal.

Impact C-UT-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the site, would not have a cumulatively considerable contribution to a significant cumulative utilities and service systems impact. (Less than Significant)

There are several approved projects and reasonable foreseeable future projects within a quarter-mile radius of the project site, as identified in Table 2, p. 20. Over time, growth in the vicinity of the project site, and in San Francisco as a whole, would result in increased demand for reliable water supplies, wastewater treatment, and solid waste disposal. Future projects, such as the Central Subway (and the Moscone Station), the Central Corridor Plan, the Western SoMa Community Plan, and the 900 Folsom Street Project, could require the expansion of utility provisions to meet increased demand. As part of the planning and environmental review phases of each of these projects, the ability of utilities providers to meet increased demand would be assessed.

Nonetheless, given that the City's existing service management plans address anticipated growth in the region and that the proposed project would not require new or expanded utilities or service systems, the proposed project in combination with other cumulative projects would not be expected to have cumulatively considerable impacts on utility service provision or facilities under future conditions. Therefore, the proposed project would result in less-than-significant cumulative impacts on utilities and service systems.

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

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

The proposed project would be served by the San Francisco Fire Department. Currently, the nearest fire station to the project site is Station 1 at 676 Howard Street, approximately 0.2 mile northeast of the project site. However, as part of the San Francisco Museum of Modern Art expansion project, the existing fire station at 676 Howard Street would move to 935 Folsom Street, approximately 0.2 mile southwest of the project site.

The proposed project would increase development density at the project site and could increase the demand for, and use of, fire services. The other nearby fire station is Station 8 at 36 Bluxome Street near Fourth Street, approximately 0.5 mile south of the project site. By implementing the proposed project, the number of calls for services from the project site would be expected to increase based on the increase in activity at the project site compared to existing conditions. However, the increases would be incremental and would not necessitate construction of a new fire station maintain existing service levels. Therefore, this impact would be less than significant.

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

The proposed project would be served by the San Francisco Police Department (SFPD). The nearest police station to the project site is Southern Station at 850 Bryant Street, approximately 0.5 mile southwest of the project site. The proposed project would increase development density at the project site and could increase the demand for, and use of, police services. However, the change in use at the project site is not significant enough to necessitate the need for a new police station. Further, as noted in the Project Description, the proposed project would include a maximum of 220 hotel guest rooms with maximum guest occupancy of 440[90] guests and approximately 97 employees. In 2010, approximately 15.92 million people visited San Francisco. Of those 15.92 million visitors, approximately 60.7 percent stayed in one of the City's hotels, motels, inns, or hostels.[91] The hotel guests that would be accommodated by the proposed project

[90] Assumes an average of two guests per room.

[91] San Francisco Travel, San Francisco Travel Association releases economic impact figures for 2010 and results of year-long Visitor Profile Research, http://www.sanfrancisco.travel/media/San-Francisco-Travel-Association-releases-economic-impact-figures-for-2010-and-results-of-year-long-Visitor-Profile-Research.html, accessed May 30, 2012.

would represent approximately 0.005 percent of the total number of hotel guests in the City in 2010. As such, the proposed project would result in a negligible increase in hotel guests in the City.

In addition, even if all of the employees associated with the proposed project moved to the City and became full-time residents, they would represent an insignificant increase in total population, as demonstrated in Impact PH-1. This increase in the City's population would be negligible and would not substantially affect the provision of police services. Therefore, the proposed project would not necessitate the construction of a new police station and would have a less-than-significant effect on police protection services.

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

As a visitor-serving hotel, the proposed project would not result in substantial population growth that could directly or indirectly generate new students. The increase in students who are the children of project site employees would be insubstantial and could be accommodated by local schools. Therefore, the proposed project would have a less-than-significant impact on existing school facilities.

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

As described in Section E.10, Recreation, recreational facilities closest to the project site include Yerba Buena Gardens, approximately 0.1 mile north and east of the project site, Union Square Park approximately 0.5 mile north of the project site, and South Park approximately 0.4 mile southeast of the project site. As a hotel with restaurant and/or retail uses, the proposed project would not result in a substantial increase in demand for recreational facilities because there would be no permanent residents.

However, as a visitor-serving hotel, guests could utilize recreation facilities within the City. The proposed project would include 220 rooms with a maximum hotel capacity of 440 guests, resulting in an increase in the demand for recreational facilities. The proposed project does not include residential uses, and as described in Section E.3, Population and Housing, anticipates an increase of up to 97 full time employees. Although new employees may utilize parks and recreational spaces in the vicinity of the site during an hour-long break before or after work, the use would likely be modest (based on the size of projected employment increases and the length of time the employee has for breaks, as well as the likelihood that the employee would

travel directly from home to work and back, stopping to utilize nearby park facilities). It is unlikely that substantial physical deterioration would be expected or accelerated.

The increase in demand for use of citywide facilities, such as the Golden Gate Park or the waterfront, would be incremental compared to the number of users that visit those areas on a daily or annually basis, and some of the visitors could be visitors that would otherwise come to San Francisco, but choose to stay in the proposed hotel instead. The use of citywide parks by visitors to the hotel would also not be expected to result in or accelerate the substantial physical deterioration of citywide recreational facilities. Lastly, the proposed project would not result in direct alteration of an existing recreational facility. Therefore, impacts on recreational activities and facilities would be less than significant.

Further, the proposed project would not result in direct alteration of an existing recreational facility. Therefore, the proposed project would have a less-than-significant effect on public parks and recreation areas.

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

The proposed project does not include residential uses. Therefore, the proposed project would not increase the demand for libraries, community centers, and other public facilities, and the proposed project would have a less-than-significant on governmental services.

Impact C-PS-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the site, would not have a cumulatively considerable contribution to a significant cumulative public services impact. (Less than Significant)

There are several approved projects and reasonable foreseeable future projects within a quarter-mile radius of the project site, as identified in Table 2, p. 20. Over time, growth in the vicinity of the project site, and in San Francisco as a whole, would result in increased demand for reliable police and fire protection services. Future projects, such as the Central Subway (and the Moscone Station), the Central Corridor Plan, the Western SoMa Community Plan, and the 900 Folsom Street Project, could require the expansion of public service provisions to meet increased demand. As part of the planning and environmental review phases of each of these projects, the ability of public service providers to meet increased demand would be assessed.

In addition, the proposed project is not expected to increase demand for public services beyond levels anticipated and planned for by public service providers. Thus, project-related impacts to public services would not be cumulatively considerable.

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

The project site and the majority of the South of Market area are highly developed. The proposed project would not change the amount of permeable surfaces or disturb previously undeveloped areas. Further, the project site consists of impermeable surfaces devoid of vegetation and, therefore the only biological resources that currently exist at the project site would be limited to birds adapted to the urban environment. Potential impacts to birds are discussed in Impact BI-1. Given the conditions present on the project site and in the area, the proposed project would not affect a rare or endangered plant or animal species or habitats, riparian habitats or sensitive natural communities, or wetlands. Therefore, topics 13a through 13c are not applicable to the proposed project. Also, the project site does not fall within any local, regional or State habitat conservation plans, and, therefore, criterion 13f is also not applicable.

Impact BI-1: Implementation of the proposed project would not interfere with the movement of any migratory bird species or wildlife corridors. (Less than Significant)

With respect to wildlife corridors, San Francisco's wildlife habitats are fragmented, occurring mostly in areas where there are open spaces and/or natural habitats, and the opportunity for significant wildlife movement is limited. In the highly developed South of Market area, there is no opportunity for wildlife movement for species other than birds, which are discussed below, or common species, such as rats and squirrels.

The project site is surrounded by urban development and is not proximate to, nor does it contain, large expanses of open space or water representing potentially attractive migratory bird stopovers. Nevertheless, both resident and migratory birds are known to use San Francisco for breeding and foraging. Increases in building heights and density at the project site, as well as new buildings with glass facades and large areas of glazing, could heighten the risk for avian collisions with buildings. Since the proposed project includes an 11-story building, which is significantly taller than the existing building, the risk of avian collisions would increase.

In September 2011, The Board of Supervisors approved *Planning Code* amendments to incorporate bird-safe building standards.[92] The new *Planning Code* Section 139, Standards for Bird-Safe Buildings, focuses on buildings that create location-specific hazards and building feature-related hazards. Location-specific hazards apply to buildings within 300 feet of, and having a direct line of sight to, an Urban Bird Refuge, which is defined as open spaces at least two acres dominated by vegetation, open water, or green rooftops of at least two acres. Building feature-related hazards are features that create hazards for birds in flight, unrelated to the location of the building. The Standards for Bird-Safe Buildings include guidelines for use and types of glass and façade treatments, wind generators and grates, and lighting treatments, for both location-related hazards and feature-related hazards; for example, 90 percent of glazing in the 60 feet above grade or above a vegetated roof two acres or larger must be treated (fritted, stenciled, frosted, or covered with netting, screens, grids, or bird-visible UV patterns), lighting must be minimized, and wind generators must be vertical, with a solid-blade appearance. Similar controls apply to certain building features citywide, including glass walls, wind barriers, skywalks, balconies, and rooftop greenhouses with 24 square feet of continuous glazing.

[92] San Francisco Planning Department, *Standard for Bird-Safe Buildings*, adopted July 14, 2011, http://www.sf-planning.org/ftp/files/publications_reports/bird_safe_bldgs/Standards_for_Bird-Safe_Buildings_8-11-11.pdf, accessed August 17, 2012.

According to the Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project Draft EIR,[93] Yerba Buena Gardens is an Urban Bird Refuge. However, the portion of the garden that would qualify as an Urban Bird Refuge is located approximately 800 feet to the northeast of the project site, well beyond the 300-foot limit established in the Bird-Safe Standards included in the *Planning Code*. The portion of Yerba Buena Gardens that is across Fourth Street from the project site to the east (and within 300 feet of the site) would not be considered an Urban Bird Refuge. While it contains ornamental trees and grasses, it is not dominated by vegetation or open water, and it does not contain a green rooftop that is two acres in size or greater. Nonetheless, the Bird-Safe Guidelines would be applied to the project design, consistent with the requirements of *Planning Code* Section 139, to reduce building feature-related hazards that could result in potential bird collisions. Compliance with bird-safe building standards would ensure that impacts would be less than significant.

Impact BI-2: Implementation of the proposed project would not conflict with local tree protection and landscaping regulations. (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. Public Works 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 ten feet of the public right-of-way which satisfies certain criteria. Removal of a landmark, significant, or a street tree requires a permit from DPW.

There are eight street trees surrounding the project site along Fourth Street and Clementina Street, and no trees on the project site. The street trees would be removed as part of the proposed project, and the project sponsor will seek a street tree waiver, which will allow payment of a fee in lieu of planting street trees on Clementina Street. Minor landscaping would be included on the ground floor patio and at the roof decks consistent with the City's Green Landscaping Ordinance. However, this vegetation would be confined in planters and would be

[93] San Francisco Planning Department, Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project, June 20, 2012, Case Nos. 2008.0877E and 2007.1035E.

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

Impact C-BI-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the site, would not have a cumulatively considerable contribution to a significant cumulative biological resources impact. (Less than Significant)

There are several approved projects and reasonable foreseeable future projects within a quarter-mile radius of the project site, as identified in Table 2, p. 20. The project vicinity is highly urbanized and lacks substantial biological resources. Past projects, including the development of civic facilities, residences, commercial and industrial areas, and infrastructure, have caused substantial adverse cumulative impacts on biological resources in the vicinity of the project site. There are no remaining natural communities within the vicinity of the project site and wildlife diversity is, consequently, greatly reduced from that found in areas with natural vegetation and less human activity.

Implementation of cumulative projects, such as the Central Corridor Plan, the Central Subway (and the Moscone Station), and the Western SoMa Community Plan, would not adversely affect important habitat areas or inhibit migratory routes as the project area is fully urbanized. Nonetheless, these cumulative development projects would be subject to the City's Urban Forestry Ordinance, Public Works Code Section 8.02-8.11, which requires a permit from DPW to remove any protected trees and tree replacement or in-lieu fees. Further, *Planning Code* Section 132, the Green Landscaping Ordinance, provides requirements that would apply to new development projects, or significant alterations to existing developments, that would result in healthier and more plentiful plantings through screening, parking lot, and street tree controls; increased permeability through front yard and parking lot controls; responsible water use through increasing "climate appropriate" plantings; and improved screening by creating an ornamental fencing requirement and requiring screening for newly defined "vehicle use areas." The combination of the Urban Forestry Ordinance and the Green Landscaping Ordinance would maintain or improve the biological resources in the context of the City's urban environment.

As previously concluded, the proposed project would result in less-than-significant impacts related to migratory birds and compliance with existing tree protection and landscaping regulations. Specifically, the project sponsor will seek a street tree waiver to allow the payment of fees in lieu of planting street trees, and the project would provide additional limited landscaping, consistent with the Green Landscaping Ordinance. Further, the project would be

designed in compliance with the Bird-Safe Guidelines. When considered relative to the existing cumulative impact on biological resources caused by past, present, and reasonably foreseeable projects, the proposed project would not result in a contribution to an existing cumulative biological impact. The proposed project's contribution would not be cumulatively considerable; therefore, the cumulative impact of the proposed project on biological resources would be less than significant.

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

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

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, seismic ground-shaking, liquefaction, landslides, or lateral spreading. (Less than Significant)

The project site is not located within an Earthquake Fault Zone as defined by the Alquist-Priolo Earthquake Fault Zoning Act.[94] Major active faults closest to the project site are the San Andreas, San Gregorio, Hayward, and Calaveras Faults. The geotechnical review conducted for the proposed project found no evidence of active faulting on the project site and concludes that the risk of surface faulting at the project site is low.[95] However, The U.S. Geological Survey's 2007 Working Group on California Earthquake Probabilities has compiled the earthquake fault research for the San Francisco Bay Area in order to estimate the probability of fault segment rupture. They have determined that the overall probability of moment magnitude 6.7 or greater earthquake occurring in the San Francisco Bay Region during the next 30 years is 63 percent. The highest probabilities are assigned to the Hayward/Rodgers Creek Fault and the northern segment of the San Andreas Fault. These probabilities are 31 and 21 percent, respectively.

Like the entire San Francisco Bay Area, the project site is subject to groundshaking in the event of an earthquake. According to ABAG's Earthquake Shaking Potential Map, the project site is in an area projected to experience intense shaking during an earthquake on any of the major surrounding faults.

As noted in the geotechnical review conducted for the proposed project, the project site is within a designated liquefaction hazard zone as shown on the California Geological Survey (CGS) seismic hazard zone map for the area.[96] The project vicinity is characterized by loose to medium dense sand both above and below the natural groundwater table. Loose sand above the groundwater table may densify, and loose to medium dense sand below the groundwater table may liquefy during strong ground shaking due to a seismic event on a nearby fault. In accordance with the California Building Code and San Francisco Building Code, the final geotechnical investigation would ensure that the proposed project would be designed to reduce the potential for adverse liquefaction impacts during a nearby seismic event to acceptable levels. The final building plans would be reviewed by the DBI. To ensure compliance with all

[94] California Geological Survey, Alquist-Priolo Earthquake Fault Zones, Table 4 – Cities and Counties Affected by Alquist-Priolo Earthquake Fault Zones as of January 2010, http://www.consrv.ca.gov/cgs/rghm/ap/Pages/affected.aspx, accessed November 16, 2011.

[95] Rockridge Geotechnical, *Geotechnical Review – 250 Fourth Street*, San Francisco, California, August 17, 2011.

[96] CGS, State of California Seismic Hazard Zones, City and County of San Francisco, Official Map, November 17, 2001.

Building Code provisions regarding structure safety, DBI will review the geotechnical report and building plans for the proposed project and determine the adequacy of necessary engineering and design features. Past geological and geotechnical investigations will be available for use by DBI during its review of building permits for the site. Also, DBI could require that additional site-specific soils reports be prepared in conjunction with permit applications, as needed. Therefore, potential damage to structures from geologic hazards on the project site would be avoided through DBI's requirement for a geotechnical report and review of the building permit application pursuant to DBI implementation of the Building Code.

The geotechnical review determined that because the project site is relatively flat and due to the characteristics of the underlying soils, the potential for lateral spreading at the project site is low. Further, because the project site is relatively flat and is not located near a steep slope of any kind, the proposed project would not be subject to landslide-related hazards. Therefore, the proposed project would have a less-than-significant impact regarding the exposure of people and structures to geologic and seismic hazards.

Impact GE-2: The proposed project would not result in substantial soil erosion or the loss of topsoil. (Less than Significant)

The project site is currently fully developed, and the proposed project would not involve the exposure of previously unexposed top soil. However, the new building would include a full basement which would require the excavation of soil, 5 to 6 feet below the existing basement. Demolition and construction activities, including this excavation and site grading, would expose soils and create the potential for erosion.

The proposed project would be subject to the requirements of Article 4.1 of the City's Public Works Code, which incorporates and implements the City's NPDES permit and includes minimum controls described in the federal Combined Sewer Overflow (CSO) Policy. The City's Public Works Code requires the development of a Stormwater Pollution Prevention Plan, which includes an erosion and sediment control plan, and the use of best management practices during construction to decrease the potential for soil erosion and stormwater pollution. Adherence to these requirements would ensure that the construction of the proposed project would have a less-than-significant effect related to soil erosion.

Impact GE-3: The proposed project would be located on soil susceptible to liquefaction, but through foundation design and regulatory compliance would not result in a significant impact. (Less than Significant)

Loose to medium-dense sand below the groundwater table at the project site may be susceptible to liquefaction. The project site is underlain by fill, dune/beach sand, and marsh deposit (in order of vertical appearance). The geotechnical report concludes that portions of fill and Dune Sand may liquefy during a major seismic event on a nearby fault. Prior studies, including a survey performed after the 1906 San Francisco Earthquake, indicate that the sands within the Marsh Deposit contain sufficient fine sediments to significantly reduce the potential for liquefaction; however, some reconsolidation of the Marsh Deposit resulting in ground surface settlements may occur. The geotechnical report states that where loose to medium-dense sand and/or the Marsh Deposit is encountered, liquefaction-induced settlements due to a major seismic event on a nearby fault will be on the order of one to two inches. Differential settlements are anticipated to be about 0.5 to 1 inch in 30 feet.[97]

As noted in Impact GE-1, the project site is located in within a designated liquefaction hazard zone; however, interdepartmental review and compliance with Building Code regulations would ensure that the proposed project would not be adversely affected by liquefaction. As described in the geotechnical report, a mat foundation or deep foundation (using piers or piles) would avoid placing the proposed building on any weak materials. Thus, impacts related to soil liquefaction would be less than significant.

Impact GE-4: The proposed project would not be located on expansive soils as defined in the Uniform Building Code. (Less than Significant)

The geotechnical review determined that because the project site is relatively flat and due to the characteristics of the underlying soils, the potential for adverse effects related to expansive soils at the project site is low. Further, in accordance with the California Building Code and San Francisco Building Code, the final geotechnical investigation would ensure that the proposed project would be designed to reduce the potential for adverse impacts related to expansive soils. The final building plans and geotechnical report will be reviewed by DBI, who will determine the adequacy of necessary engineering and design features. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. Therefore, potential damage to structures from geologic hazards on the project site would be avoided through DBI's requirement for a geotechnical report and review of the

[97] Rockridge Geotechnical, *Geotechnical Review – 250 Fourth Street*, San Francisco, California, August 17, 2011.

building permit application pursuant to DBI implementation of the Building Code, resulting in a less-than-significant impact.

Impact GE-5: The proposed project would not substantially change the topography or any unique geologic or physical feature of the project site. (Less than Significant)

The topography in the project vicinity and on the project site is relatively flat and contains no unique topography or physical features. The proposed project would not substantially change the topography of the site and would have a less-than-significant impact with respect to topographical features.

Impact C-GE-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the site, would not have a cumulatively considerable contribution to a significant cumulative geology and soils impact. (Less than Significant)

There are several approved projects and reasonable foreseeable future projects within a quarter-mile radius of the project site, as identified in Table 2, p. 20. Due to mandatory compliance with Building Code regulations and DBI review of final design plans, as described above, the proposed project would not be adversely effected by or expose structures or people to geologic or seismic hazards. Additionally, as identified in GE-2, the proposed project would have less-than-significant impact on erosion and the loss of topsoil through compliance with the City's Public Works Code and preparation and implementation of a Stormwater Pollution Prevention Plan. Typically, geology impacts are site specific and do not contribute to the cumulative impacts associated with other, nearby projects. Further, the cumulative projects listed above would be subject to the same mandatory Building Code regulations and DBI review to ensure that geologic and seismic hazards would be reduced to the extent feasible. Therefore, the cumulative impacts of the project related to geology, soils, and seismicity would be less than significant.

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

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

As discussed in Section E.11, Utilities and Service Systems, the project site's wastewater and stormwater would continue to flow into the City's combined stormwater and sewer system and would be treated to the standards contained in the City's NPDES Permit for the Southeast Water Pollution Control Plant (SEWPCP), prior to discharge into the Bay. Treatment would be provided pursuant to the effluent discharge standards contained in the City's NPDES permit for the plant, and as described in Section E.11, Utilities and Service Systems, the additional

wastewater generated by the proposed project would be accommodated by SEWPCP's permitted capacity. Additionally, compliance with the City's Stormwater Management Ordinance in general will require the project to maintain or reduce the existing volume and rate of stormwater runoff at the site. To achieve this, the project would implement and install appropriate stormwater management systems that retain runoff onsite, promote stormwater reuse, and limit site discharges before entering the combined sewer collection system.

During construction, there would be a potential for erosion and the transport of soil particles during site preparation, excavation, and expansion of the existing footings. Once in surface water runoff, sediment and other pollutants could leave the construction site and ultimately be released into Bay. Stormwater runoff from project construction would drain into the combined sewer and stormwater system and be treated at the SEWPCP prior to discharge into the Bay. However, as identified in Section E.11, Utilities and Service Systems, in accordance with the Public Works Code, the proposed project would prepare and implement a Stormwater Pollution Prevention Plan to limit stormwater runoff and erosion impacts from construction-related activities. During operation and construction, the proposed project would be required to comply with all local wastewater discharge and water quality requirements. In addition, the proposed project would not substantially degrade water quality or contaminate a public water supply. Therefore, the proposed project would not violate water quality standards or substantially degrade water quality, and impacts on water quality would be less than significant.

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

Groundwater is not a primary source of potable water supply in San Francisco and would not be used for the proposed project. Under existing conditions, the project site is entirely covered with impervious surfaces. Estimated groundwater levels for the site vicinity range from approximately 10 to 15 feet below surface level, and fluctuate by several feet seasonally, depending on rainfall quantity.[98]

The existing structure on the project site includes an 8,000 sf basement that extends approximately 10 feet below the ground floor. Because of the sloping topography of the site, the basement is located between 6 feet below grade (along Clementina Street) to 11 feet below grade (along the northern portion of the site). Additional excavation of 5 to 6 feet below the grade of

[98] Rockridge Geotechnical, *Geotechnical Review – 250 Fourth Street*, San Francisco, California, August 17, 2011.

the existing basement would be required. Considering that the groundwater table is expected to be within 5 feet of the existing basement, dewatering would likely be required. The dewatering system, which would depend on whether construction is performed during the rainy season, would be selected based on the results of the final geotechnical investigation. Given the size of the site, the proposed project is not anticipated to substantially deplete groundwater supplies. In addition, because the project site would remain almost entirely impervious after project implementation, the proposed project would not affect groundwater recharge. This impact would be less than significant.

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

Because the proposed project would not substantially change the amount of impervious surface area at the site, there would be little change to the quantity and rate of stormwater runoff from the site that flows to the City's combined sewer system. The proposed project would alter drainage on site, but site runoff would continue to drain to the City's combined sewer system. Therefore, the project would not substantially alter drainage on site. Further, the proposed project would be subject to the regulations outlined in the Stormwater Management Ordinance, which requires the preparation and implementation of a Stormwater Control Plan and the use of low-impact design in project design and construction to minimize stormwater pollution and runoff. Because stormwater flows from the proposed project could be accommodated by the existing combined sewer system, and because there would not be an expected increase in stormwater flows, the proposed project would not significantly impact surface water quantity and quality.

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

At the federal level, flood risk assessment and flood protection projects are primarily conducted by the Federal Emergency Management Agency (FEMA) and the U.S. Army Corps of Engineers (Corps). FEMA coordinates with local governments to implement the National Flood Insurance Program (NFIP). The NFIP is responsible for creating detailed maps, known as Flood Insurance Rate Maps (FIRMS) that identify areas prone to flood risks and coastal hazards such as high tide events and tsunamis, and the probability of such events. FEMA refers to the flood plain that is

at risk from a 100-year flood (the flood event with a one percent change of occurring in any given year) as a special flood hazard area (SFHA).

Because FEMA has not previously published a FIRM for the City and County of San Francisco, there are no identified SFHAs within San Francisco's geographic boundaries. FEMA has completed the initial phases of a study of the San Francisco Bay. On September 21, 2007, FEMA issued a preliminary FIRM of San Francisco for review and comment by the City. The City has submitted comments on the preliminary FIRM to FEMA. FEMA anticipates publishing a revised preliminary FIRM in late 2012, after completing the more detailed analysis that was requested by the Port of San Francisco and City staff. After reviewing comments and appeals related to the revised preliminary FIRM, FEMA will finalize the FIRM and publish it for flood insurance and floodplain management purposes. Because FEMA has not yet published a FIRM for the City, the City Administrator's Office has created an "Interim Floodplain Map" based on preliminary data provided by FEMA showing floodplains within the City.

FEMA has tentatively identified SFHAs along the City's shoreline in and along San Francisco Bay consisting of Zone A (in areas subject to inundation by tidal surge) and Zone V (areas of coastal flooding subject to wave hazards).[99] The San Francisco Board of Supervisors passed a floodplain management ordinance in 2008 as part of the City's effort to join the NFIP. The ordinance governs new construction as well as substantial improvements in flood prone areas of San Francisco, and also authorize the City's participation in NFIP upon passage of the ordinance. Specifically, the proposed floodplain management ordinance includes a requirement that any new construction or substantial improvement of structures in a designated flood zone must meet the flood damage minimization requirements in the ordinance. The NFIP regulations allow a local jurisdiction to issue variances to its floodplain management ordinance under certain narrow circumstances, without jeopardizing the local jurisdiction's eligibility in the NFIP. However, the particular projects that are granted variances by the local jurisdiction may be deemed ineligible for federally backed flood insurance by FEMA.

The floodplain management ordinance was amended in 2010, and currently the Department of Public Works and other applicable City departments and agencies have begun implementation for new construction and substantial improvements in areas shown on the Interim Floodplain Maps.[100] According to the Interim Floodplain map for the City, the project site is not located

[99] City and County of San Francisco, Office of the City Administrator, National Flood Insurance Program Flood Sheet, http://sfgsa.org/index.aspx?page=828, accessed May 30, 2012.

[100] City of San Francisco, Office of the City Administrator, *San Francisco Floodplain Management Program Fact Sheet*, Revised January 25, 2011.

within a potential flood zone.[101] The San Francisco Public Utilities Commission has identified large areas of the South of Market neighborhood that are prone to flooding during wet weather (and sometimes during dry weather) because streets and/or building basements are below the grade of the adjacent sewer lines, which transport both wastewater and stormwater. The project site is within this flood-prone zone. The SFPUC, as part of the building permit review process of DBI, reviews project plans and makes recommendations regarding how to prevent future flooding. Requirements may include the provision of a pump station for the sewage flow, raised elevation of entryways, and/or special sidewalk construction and provision of deep gutters. Therefore, with SFPUC's review and recommendations, the proposed project would result in less-than-significant impacts related to flooding.

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

The project site is not on the San Francisco 20-foot Tsunami Runup Map (Map 6 in the Community Safety Element of the City's General Plan) and, therefore, no significant tsunami hazards exist at the project site. A seiche is an oscillation of a water body, such as a bay, which may cause local flooding. A seiche could occur on the Bay due to seismic or atmospheric activity. However, based on the historical record, seiches are rare and there is no significant seiche hazard at the site. There is no mudslide hazard at the project site because the site and vicinity are fully-developed with no erosion-prone slopes. Thus, there would be no project-related significant impacts from seiche, tsunami or mudflow hazard.

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

There are several approved projects and reasonable foreseeable future projects within a quarter-mile radius of the project site, as identified in Table 2, p. 20. Given the discussion above, the proposed project would not have a significant impact on water quality standards, groundwater, drainage, or runoff and thus would not contribute considerably to cumulative impacts in these areas. Flood and inundation hazards are site-specific; thus, the proposed project would not have

[101] City and County of San Francisco, Risk Management, San Francisco Floodplain Management Program, Interim Floodplain Map, Final Draft, July 2008, http://sfgsa.org/Modules/ShowDocument.aspx?documentid=1761, accessed August 10, 2012.

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, which would increase pollutant loads at the City's wastewater treatment facilities. As discussed in Section E.11, Utilities and Service Systems, the SFPUC, which provides wastewater treatment in the City, has accounted for such growth in its service projections. Thus, the project's contribution to any cumulative impacts on hydrology and water quality would be less-than-significant.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
16. HAZARDS AND HAZARDOUS MATERIALS—Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐	☐
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	☐	☐	☒	☐	☐

The project site is not within an airport land use plan area, nor is it in the vicinity of a private airstrip; therefore, topics 16e and 16f do not apply to the proposed project.[102] In addition, there

[102] City/County Association of Governments, *San Mateo County Comprehensive Airport Land Use Plan*, December 1996.

are no schools within one-quarter mile of the project site; therefore, topic 15c does not apply 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 an 11-story visitor-serving hotel containing approximately 220 guest rooms, a restaurant, and retail space. Operation of the proposed project would involve the use of common hazardous materials, such as cleaners and disinfectants. These products are labeled to inform users of potential risks and to instruct them in appropriate handling procedures. Most of these materials are consumed through use, resulting in relatively little waste. Businesses are required by law to ensure employee safety by identifying hazardous materials in the workplace, providing safety information to workers who handle hazardous materials, and adequately training workers. For these reasons, hazardous materials used during project operation would not pose any substantial public health or safety hazards related to hazardous materials. Thus, the proposed project would result in less-than-significant impacts related to hazardous materials use.

Impact HZ-2: Construction and operation of the proposed project would expose the public or the environment to hazardous materials. (Less than Significant with Mitigation)

A Phase I Environmental Site Assessment (ESA)[103] was prepared to evaluate potential environmental concerns related to on-site or nearby chemical use, storage, handling, spillage, and on-site disposal, with particular focus on potential degradation of soil or groundwater quality. The ESA also reviews the land use history of the project site and operating practices at or near the site to assess potential hazards from reported chemical releases on nearby properties and the potential migration of chemicals, contaminants, and toxics onto the project site. The following information is based on the Phase I ESA.

State, federal, and local regulatory databases were reviewed to identify potential sources of hazardous substances that could affect the soil and/or groundwater quality at the project site. The project site is not listed in public databases of hazardous materials releases performed for the area within a one-mile radius of the site, pursuant to Government Code Section 65962.5. However, an earlier report indicates that the project site was listed as a State Hazardous Waste Site in the CalSites database. The earlier report indicates that the Department of Toxic Substance Control (DTSC) declared a "no further action" status for the project site in January 1982. The

[103] AEI Consultants, *Phase I Environmental Site Assessment, 250 Fourth Street,* San Francisco, October 23, 2007.

current Phase I ESA did not identify the project site as listed on any of the regulatory databases searched, and determined that the project site does not contain recognized environmental conditions. The Phase I ESA identified two surrounding properties as listed hazardous materials sites.

The Moscone Center, located at 747 and 750 Howard Street, approximately 500 feet northeast of the project site, is listed as an underground storage tank (UST) and leaking underground storage tank (LUST) site. Releases of hazardous materials at the Moscone Center were investigated between 1989 and 1996 and hazardous materials were detected in groundwater and soil. According to the Phase I ESA, limited concentrations of the detected hazardous materials remain in groundwater at the Moscone Center and the site is inactive. Based on relative distance from the project site and the direction of groundwater flow, the 747 and 750 Howard Street properties are not expected to represent a significant environmental concern for the project site.

In addition, a Tosco facility, located at 800 Folsom Street, approximately 300 feet southeast of the project site, is listed as an UST and LUST site. According to the database review, gasoline was released into groundwater and soils at the Tosco facility in November 1993. Since then the Tosco facility was granted "case closed" status. Contaminated soils were excavated and disposed of off-site. Groundwater monitoring beginning at the Tosco facility in January 1995, detected concentrations of several contaminants. Prior to case closure in July 2003, concentrations of the previously identified groundwater contaminants had decreased to an acceptable level, and the Phase I ESA concludes that the project site has not been impacted by releases of hazardous materials at the Tosco facility.

Since the area is known to contain soil and groundwater contamination, the proposed project could expose workers and members of the public in the area to hazardous contaminants during construction. This is a significant impact. The San Francisco Department of Public Health, Site Assessment and Mitigation (DPH SAM), reviewed the Phase I ESA and geotechnical report conducted for the project site and made recommendations,[104] which are identified as Mitigation Measure M-HZ-2. Implementation of this mitigation measure would reduce these impacts to a less-than-significant level.

[104] San Francisco Department of Public Health, *Site Assessment and Mitigation*, letter dated February 29, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, San Francisco, as part of Case No. 2011.0038.

Mitigation Measure M-HZ-2: Site Mitigation Plan (Voluntary Remedial Action Program)

The project sponsor shall submit a work plan for subsurface assessment to the Department of Public Health (DPH) Site Assessment and Mitigation (SAM). Soil and groundwater monitoring is recommended. DPH SAM will review the results of the subsurface site assessment and determine if a site mitigation plan (SMP) and vapor intrusion controls are needed. If determined necessary, an SMP shall be prepared to address the testing and management of contaminated soils, contingency response actions, worker health and safety, dust control, stormwater-related items, and noise control.

The project sponsor shall submit the SMP at least six weeks prior to beginning construction excavation work if an SMP is requested by DPH SAM. The Health and Safety Plan may be submitted two weeks prior to beginning construction field work. Also, if an SMP is developed, a final report describing the SMP implementation shall be submitted to DPH SAM.

Should an underground storage tank (UST) be encountered, work shall be suspended and the owner notified. The site owner shall notify DPH of the situation and of the proposed response actions. The UST shall be removed under permit with DPH-Hazardous Materials Unified Program Agency (HMUPA) and the San Francisco Fire Department (SFFD). DPH SAM shall be sent a copy of any documents received for or prepared for HMUPA or the SFFD.

With implementation of Mitigation Measure M-HZ-2, workers and members of the public in the area during project construction would not be exposed to contaminated soils or groundwater, and the impact related to hazardous materials would be less than significant.

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

The implementation of the proposed project could add to congested traffic conditions in the immediate area in the event of an emergency evacuation. However, the proposed project would be relatively insignificant within the dense urban setting of the project site, and it is expected that traffic would be dispersed within the existing street grid such that there would be no significant adverse effects on nearby traffic conditions. In addition, Section 12.202(e)(1) of the *San Francisco Fire Code* requires that all owners of high-rise buildings (over 75 feet) "shall establish or cause to be established procedures to be followed in case of fire or other

emergencies. All such procedures shall be reviewed and approved by the chief of division." Therefore, the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. With established emergency procedures, required by Section 12.202(e)(1) of the *San Francisco Fire Code,* this impact would be less than significant.

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

San Francisco ensures fire safety and emergency accessibility within new and existing developments through provisions of its Building and Fire Codes. The project would conform to these standards, which may include development of an emergency procedure manual and an exit drill plan for the proposed development. Potential fire hazards (including those associated with hydrant water pressure and blocking of emergency access points) would be addressed during the permit review process. Conformance with these standards would ensure appropriate life safety protections. Consequently, the project would not have a significant impact related to fire hazards.

Impact C-HZ-1 The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the site, would not have a cumulatively considerable contribution to a significant cumulative hazards and hazardous materials impact. (Less than Significant)

There are several approved projects and reasonable foreseeable future projects within a quarter-mile radius of the project site, as identified in Table 2, p. 20. Impacts from hazards are generally site-specific, and typically do not result in cumulative impacts. Any hazards present at or near the cumulative project sites would be subject to the same safety requirements discussed for the proposed project above, which would reduce any cumulative hazard effects to levels considered less than significant. Therefore, the proposed project would not have a considerable contribution to a cumulative impact related to the hazards and hazardous materials.

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

All land in San Francisco, including the project site, is designated Mineral Resource Zone 4 (MRZ-4) by the California Division of Mines and Geology (CDMG) under the Surface Mining and Reclamation Act of 1975 (CDMG, Open File Report 96-03 and Special Report 146 Parts I and IT). This designation indicates that there is inadequate information available for assignment to any other MRZ and thus the site is not a designated area of significant mineral deposits. Since the project site is already developed, future evaluation or designation of the site would not affect or be affected by the proposed project. There are no operational mineral resource recovery sites in the project area whose operations or accessibility would be affected by the construction or operation of the proposed project. Accordingly, topics 17a and 17b are not applicable to the proposed project.

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

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

Based on the above information, the proposed project would result in a less-than-significant impact on mineral or energy resources.

Impact C-ME-1: The proposed project, in combination with the past, present, and reasonably foreseeable future projects in the vicinity of the site, would not have a cumulatively considerable contribution to a significant cumulative energy and minerals resources impact. (Less than Significant)

There are several approved projects and reasonable foreseeable future projects within a quarter-mile radius of the project site, as identified in Table 2, p. 20. As described above, no known minerals exist at the project site or in the surrounding area, and therefore the project would not contribute to any cumulative impact on mineral resources. The project-related demand for electricity would be negligible in the context of overall demand within the City and the State, and would not in and of itself require a major expansion of power facilities. Additionally, the land uses associated with the cumulative projects are not inherently energy intensive and would not result in the excessive or wasteful use of energy. Therefore, the energy demand associated with the proposed project would result in a less-than-significant physical environmental effect. The proposed project would not result in a cumulatively considerable contribution to any significant impacts related to energy and natural resources. This impact would be less than significant.

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

Impact AF-1: The proposed project would not result in the conversion of farmland or forest lands to non-farm or non-forest use, nor would it conflict with existing agricultural or forest use or zoning. (No Impact)

The project site is located within an urban area in the City and County of San Francisco. The California Department of Conservation's Farmland Mapping and Monitoring Program does not list data or contain maps for the City and County of San Francisco because agricultural land does not exist within these boundaries.[105] 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, would not conflict with existing zoning for agricultural land use or a Williamson contract, and would not involve any changes to the environment that could result in the conversion of farmland or conversion of forest land to non-forest use. Therefore, the proposed project would have no impacts on farmland, agricultural resources, or forest land.

Impact C-AF-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the site, would not have a cumulatively considerable contribution to a significant cumulative agricultural and forest resources impact. (No Impact)

The cumulative projects considered for this analysis are within one-quarter mile of the project site. As described under Impact AF-1, above, the project area is highly urbanized and does not contain agricultural lands or forests. Additionally, the project area is not zoned for agriculture or forest use. Therefore, cumulative development in the project area would not result in conversion of farmland or forests to non-farm and non-forest uses and would not conflict with applicable zoning, resulting in no cumulative impact.

[105] California Department of Conservation, Farmland Mapping and Monitoring Program, Search for Maps, Reports, and Statistics, http://www.conservation.ca.gov/DLRP/fmmp/Pages/ Index.aspx, accessed November 21, 2011.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Not Applicable
19. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:					
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐	☐
b) Have impacts that would be individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐	☐
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐	☐

As discussed in the various topics in this Initial Study, the proposed project, with mitigation, is anticipated to have less-than-significant impacts in the areas discussed. The foregoing analysis indentifies significant impacts related to cultural resources, which would be reduced to a less-than-significant level though implementation of mitigation measures as described below and more fully within Section F.

a. The proposed project would not have the potential to degrade the quality of the environment for topics such as aesthetics, noise, greenhouse gas emissions, biological resources, geology and soils, hydrology and water quality, mineral and energy resources, and agriculture and forest resources. All impacts would be less than significant. With regards to cultural resources, air quality, and hazardous materials, with the incorporation of the identified mitigation measures, all impacts would be less than significant.

As discussed in Section E.4, Cultural Resources, it is possible that below-ground archaeological resources may be present. Any potential adverse effect to CEQA-significant archaeological resources resulting from soils disturbance from the proposed project would be reduced to a less-than-significant level by implementation of Mitigation Measure M-CP-2, which addresses the accidental discovery of archaeological resources. Accordingly, with mitigation, the proposed project would result in a less-than-significant impact to archaeological resources.

In addition, the proposed project could disturb potentially contaminated groundwater and soil. However, implementation of Mitigation Measure M-HZ-2 would ensure that workers and members of the public in the area during project construction would not be exposed to contaminated soils or ground water, resulting in a less-than-significant impact.

The proposed project would require construction activities for the approximate 18-month construction phase. Project construction activities would result in short-term emissions of diesel particulate matter and other toxic air contaminants that would add emissions to areas already adversely affected by poor air quality. Mitigation Measure M-AQ-3 provides specific mechanisms that would reduce construction emissions to a less-than-significant level.

Because the project site is located in an area that already experiences poor air quality, the proposed emergency back-up generator has the potential to expose sensitive receptors to substantial concentrations of diesel emissions, also known as TACs. Mitigation Measure M-AQ-5a specifies best available control technology for diesel generators that would reduce this impact to a less-than-significant level.

b. Cumulative impacts are described under each impact topic analyzed above. As noted in the above analysis, the proposed project would result in significant cumulative impacts associated with cultural resources and air quality. However, these cumulative impacts would be reduced to a less-than-significant level with the identified mitigation measures. Other impacts would not result in a cumulatively considerable contribution to significant cumulative impacts.

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 land use and land use and planning, population and housing, transportation and circulation, wind and shadow, recreation, utilities and service systems, and public services would be less than significant.

G. MITIGATION MEASURES AND IMPROVEMENT MEASURES

MITIGATION MEASURES

The following mitigation measures and improvement measures have been adopted by the project sponsor. The following mitigation measures are necessary to reduce the significant effects of the proposed project to a less-than-significant level.

Mitigation Measure M-CP-2: Archaeological Testing Plan

Based on a reasonable presumption that archaeological resources may be present within the 250 Fourth Street project site, the following measures shall be undertaken to avoid any significant adverse effect on buried or submerged historical resources, including human remains.

- The project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the San Francisco Planning Department archaeologist. The archaeological consultant shall undertake an archaeological testing program as specified in the *Archaeological Research Design and Treatment Plan for 250 Fourth Street, San Francisco, CA* (Far Western Anthropological Research Group, August 2012). In addition, the consultant shall be available to conduct an archaeological monitoring and/or data recovery program, if required as a result of the archaeological testing program, and also in conformance with the project's *Archaeological Research Design and Treatment Plan* (ARDTP).
- The archaeological consultant's work shall be conducted at the direction of the Environmental Review Officer (ERO). In instances of inconsistency between the requirements of the project archaeological research design and treatment plan and requirements of this archaeological mitigation measure, the requirements of this archaeological mitigation measure shall prevail. All plans and reports prepared by the consultant 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.
- Archaeological 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 potential effects on significant archaeological resources as defined in CEQA *Guidelines* Section 15064.5 (a) through (c) to less than significant levels.
- *Consultation with Descendant Communities*. On discovery of an archaeological site associated with descendant Native Americans or the Overseas Chinese, the ERO and an appropriate representative of the descendant group shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archaeological field investigations of the site and to consult with the ERO regarding appropriate archaeological treatment of the site and recovered data from the site, and, if applicable, any interpretative treatment of the associated archaeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.
- *Archaeological Testing Program*. The archaeological consultant shall prepare and submit to the ERO for review and approval an archaeological testing plan (ATP). The archaeological testing program shall be conducted in accordance with the

approved ATP. The ATP shall identify the property types of the expected archaeological resource(s) that could be adversely affected by the proposed project, the investigation method to be used, locations to be tested, and the justification for the selected investigation method(s) and locations. The purpose of the archaeological testing program shall be to identify and, to the extent possible, evaluate the legal significance (California Register/National Register eligibility) of any archaeological resource(s) that may be adversely affected the project. At the completion of the archaeological testing program, the archaeological consultant shall submit a written report of the findings to the ERO. Based on the archaeological testing program, the ERO shall determine what additional archaeological investigation and mitigation measures are warranted. If the ATP determines that a legally significant archaeological resource may be potentially affected by the project, the preferred mitigation shall be preservation in place consistent with the preservation strategies set forth in CEQA Guidelines Section 15126.4(b)(3)(A) and (B), including avoidance of the archaeological site by project redesign; incorporation of the archaeological site into open space; physical insulation of the archaeological site, and deeding of the archaeological site into a permanent conservation easement. If it has been satisfactorily demonstrated to the ERO that preservation in place of the archaeological resource is infeasible through evaluation strategies including, but not necessarily limited to those noted in Guidelines Section 15126.6(b)(3)(B) and set forth above, an archaeological data recovery program consistent with an ERO-approved archaeological data recovery plan (ARDP) shall be implemented. Where the ERO determines that the archaeological resource is (also) of high public interpretive value, an interpretive use plan shall be submitted to the ERO for review and approval.

- *Archaeological Monitoring Program*. If the ERO in consultation with the archaeological consultant determines that an archaeological monitoring program (AMP) shall be implemented, the archaeological monitoring program shall minimally include the following provisions:
  - The archaeological 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 archaeological consultant shall determine what project activities shall be archaeologically 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.), and site remediation, shall require archaeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context.
  - The archaeological consultant shall advise all project contractors of the need to be on the alert for evidence of the presence of the expected resource(s),

ways to identify the evidence of the expected resource(s), and the appropriate protocol in the event of apparent discovery of an archaeological resource.

- The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archaeological consultant and the ERO until the ERO has, in consultation with project archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits.
- The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis. If an intact archaeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archaeological 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 archaeological monitor has cause to believe that the pile-driving activity may affect an archaeological resource, the pile-driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archaeological consultant shall immediately notify the ERO of the encountered archaeological deposit. The archaeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit and present the findings of this assessment to the ERO.
- Whether or not significant archaeological resources are encountered, the archaeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

- *Archaeological Data Recovery Program*. The archaeological data recovery program shall be conducted in accord with an archaeological data recovery plan (ADRP). The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archaeological 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 archaeological resource is expected to contain. That is, the ADRP shall 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, shall 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 archaeological resources if non-destructive 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 archaeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archaeological 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) (Public Resources Code Section 5097.98). The archaeological 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* Section 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 Archaeological Resources Report*. The archaeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO. The FARR shall evaluate the historical significance of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archaeological 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: the California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one copy; the ERO shall receive a copy of the transmittal of the FARR to the NWIC; and the Environmental Planning Division of the San Francisco Planning Department shall receive one bound copy, one unbound copy, and one unlocked, searchable

PDF copy on CD, 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 high interpretive value of the resource, the ERO may require a different final report content, format, and distribution from that presented above.

Mitigation Measure M-AQ-3: Construction Emissions Minimization

A. Construction Emissions Minimization Plan. Prior to issuance of a construction permit, the project sponsor shall 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 shall detail project compliance with the following requirements:

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

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

   b) All off-road equipment shall have:

      i. Engines that meet or exceed either United State Environmental Protection Agency (USEPA) or Air Resource 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).[106]

   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 the requirements of this exception provision apply. Under this circumstance, the sponsor shall 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

[106] Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement; therefore, a VDECS would not be required.

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 shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table 8.

TABLE 11
OFF-ROAD EQUIPMENT COMPLIANCE STEP-DOWN SCHEDULE

Compliance Alternative	Engine Emission Standard	Emissions Control
1	Tier 2	ARB Level 2 VDECS
2	Tier 2	ARB Level 1 VDECS
3	Tier 2	Alternative Fuel*

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.

a) The project sponsor shall require that the idling time for off-road and on-road equipment is 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 shall 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.

b) The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.

c) The Plan shall 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.

d) 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.

- *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.

- *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.

Mitigation Measure M-AQ-5a. Best Available Control Technology for Diesel Generators

All diesel generators shall have engines that (1) meet Tier 4 Final or Tier 4 Interim emission standards, or (2) meet Tier 2 emission standards and are equipped with an Air Resource Board Level 3 Verified Diesel Emissions Control Strategy (VDECS).

Mitigation Measure M-HZ-2: Site Mitigation Plan (Voluntary Remedial Action Plan)

The project sponsor shall submit a work plan for subsurface assessment to the Department of Public Health (DPH) Site Assessment and Mitigation (SAM). Soil and groundwater monitoring is recommended. DPH SAM will review the results of the subsurface site assessment and determine if a site mitigation plan (SMP) and vapor intrusion controls are needed. If determined necessary, an SMP shall be prepared to address the testing and management of contaminated soils, contingency response

actions, worker health and safety, dust control, stormwater-related items, and noise control.

The project sponsor shall submit the SMP at least six weeks prior to beginning construction excavation work if an SMP is requested by DPH SAM. The Health and Safety Plan may be submitted two weeks prior to beginning construction field work. Also, if an SMP is developed, a final report describing the SMP implementation shall be submitted to DPH SAM.

Should an underground storage tank (UST) be encountered, work shall be suspended and the owner notified. The site owner shall notify DPH of the situation and of the proposed response actions. The UST shall be removed under permit with DPH-Hazardous Materials Unified Program Agency (HMUPA) and the San Francisco Fire Department (SFFD). DPH SAM shall be sent a copy of any documents received for or prepared for HMUPA or the SFFD.

IMPROVEMENT MEASURES

The following improvement measures would reduce the less-than-significant impacts of the proposed project. The project sponsor has agreed to implement these measures.

Improvement Measure I-TR-1: Coordination of Construction Activity

Traffic Control Plan for Construction. To reduce potential conflicts between construction activities and pedestrians, transit, and vehicles at the project site, the contractor should prepare a traffic control plan for the project construction period. The project sponsor and construction contractor(s) should meet with Sustainable Streets Division, San Francisco Municipal Transportation Agency, the Fire Department, MUNI Operations and other City agencies to coordinate feasible measures to reduce traffic congestion, including temporary transit stop relocations (not anticipated, but if determined necessary) and other measures to reduce potential traffic and transit disruption and pedestrian circulation effects during construction of the proposed project. This review should consider other ongoing construction in the project area. The contractor should be required to comply with the *City of San Francisco's Regulations for Working in San Francisco Streets*, which establish rules and permit requirements so that construction activities can be done safely and with the lowest level of possible conflicts with pedestrians, bicyclists, transit and vehicular traffic. As part of this effort, alternate construction staging locations should be identified and assessed.

Carpool and Transit Access for Construction Workers. To minimize parking demand and vehicle trips associated with construction workers, the construction contractor should encourage carpooling and transit to the project site by construction workers in the Construction Management Plan.

Project Construction Updates for Adjacent Businesses and Residents. To minimize construction impacts on access to nearby institutions and businesses, the project sponsor should provide nearby residences and adjacent businesses with regularly updated information regarding project construction, including construction activities, peak construction vehicle activities (e.g., concrete pours), travel lane closures, and other lane closures (e.g., sidewalks/parking). A web site should be created by project sponsor that would provide current construction information of interest to neighbors, as well as contact information for specific construction inquiries or concerns.

Improvement Measure I-TR-4a: Transportation Demand Management

To encourage the use of alternative transportation modes, the hotel operator should provide an option for hotel guests registering online to purchase a one-, three-, or seven-day MUNI Passport or pre-loaded Clipper Cards, and should have MUNI Passports and pre-loaded Clipper Cards available for purchase at the hotel. The hotel operator should provide information on the hotel website about how to access the hotel and nearby attractions via transit, walking, and bicycling.

Improvement Measure I-TR-4b: Installation of Bicycle Racks on Fourth Street Sidewalk

To accommodate hotel and restaurant/retail visitors arriving by bicycle, the project sponsor should request San Francisco Municipal Transportation Agency to install bicycle rack(s) on the Fourth Street sidewalk. The project sponsor should work with San Francisco Municipal Transportation Agency as to the number and location of the bicycle rack(s).

H. PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on February 9, 2012, to the owners of properties within 300 feet of the project site, to neighborhood groups, and other potentially interested parties. The Planning Department received no substantive responses expressing specific environmental concerns.

No public comments were received during the public review period for the Preliminary Mitigated Negative Declaration (PMND), which was published on December 12, 2012. However, it was noted that two figures showing elevations of an earlier version of the project were inadvertently included in the PMND. The PMND also contains Figure 5 and 6, which correctly present elevations of the proposed project, and the text in the PMND correctly describes the proposed project. Subsequent to publication of the PMND, the two superfluous figures were eliminated. This correction does not change the analysis or conclusions of this document.

H. DETERMINATION

On the basis of this Initial Study:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.

Bill Wycko
Environmental Review Officer
for
John Rahaim
Director of Planning

DATE December 19, 2012