SAN FRANCISCO
PLANNING DEPARTMENT

ADDENDUM TO ENVIRONMENTAL IMPACT REPORT

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date:	August 8, 2012
Case No.:	2011.1043E
Project Title:	1400 Mission Street Affordable Family Housing
Zoning:	C-3-G (Downtown-General Commercial) Zoning District 150-S and 200-S Height and Bulk Districts
Block/Lot:	3507/042
Lot Size:	24,631 square feet (0.57 acres)
Project Sponsor:	Tenderloin Neighborhood Development Corporation Mara Blitzer, (415) 358-3922
Lead Agency:	San Francisco Planning Department
Staff Contact:	Don Lewis – (415) 575-9095
	Don.Lewis@sfgov.org

INTRODUCTION AND PROJECT DESCRIPTION

This Addendum to the 2004 Environmental Impact Report (2004 EIR) describes the proposed project site and provides brief summaries of the original project, as analyzed in the 2004 EIR, and two revised projects, as analyzed in the 2007 Addendum to the EIR (2007 Addendum) and the 2009 Addendum to the EIR (2009 Addendum). The 2004 EIR was prepared for the original project and was certified by the San Francisco Planning Commission on October 14, 2004.[1] Following certification, the original project was revised, and the revised project was analyzed in an EIR Addendum, published on March 8, 2007.[2] In 2009, revisions were made to a portion of the revised project and the Mission Street Affordable Housing building was analyzed in an EIR Addendum published in March 2009.[3] Currently, the project sponsor is proposing further revisions to the project evaluated in the 2009 Addendum.

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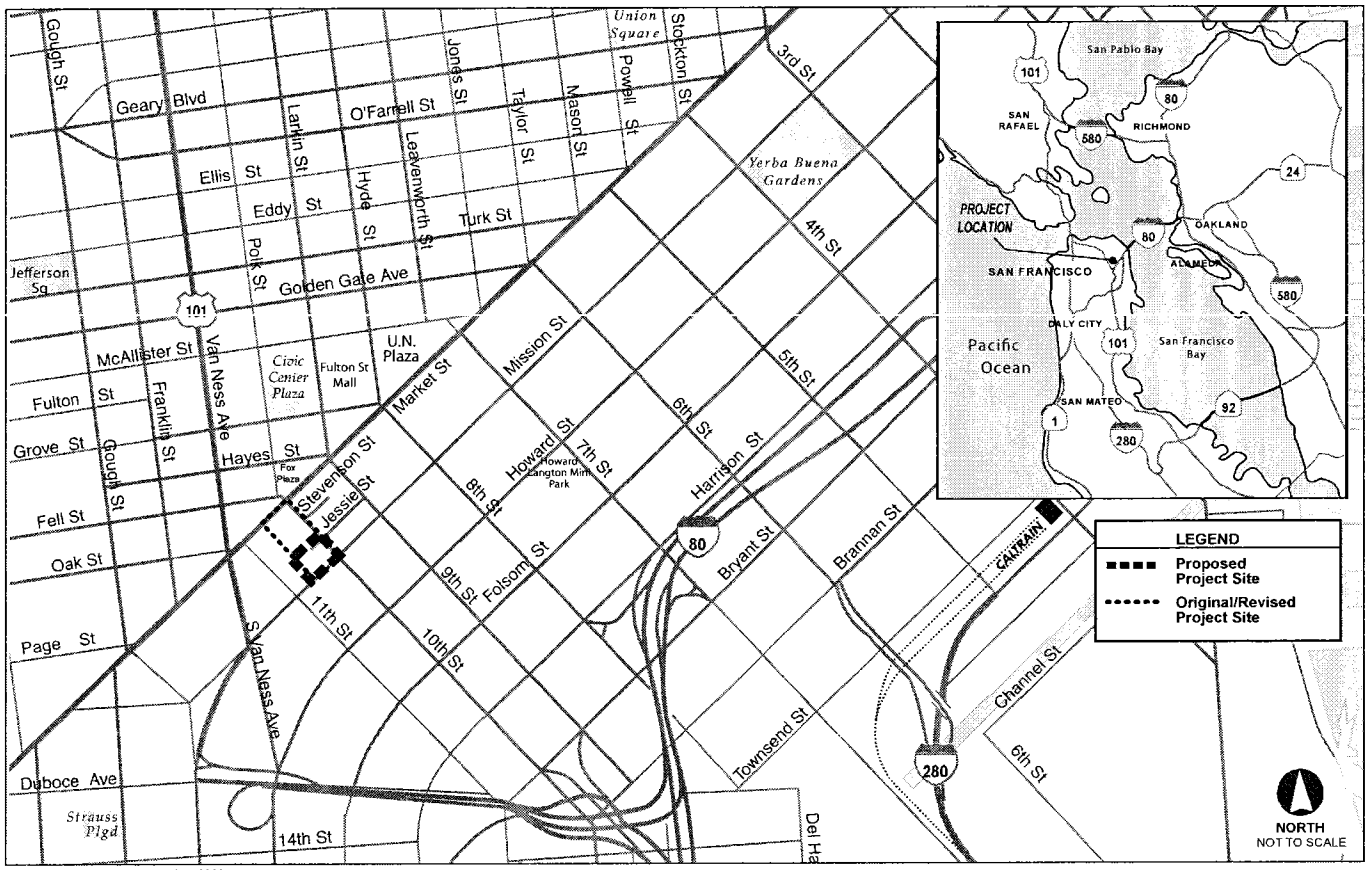
1 San Francisco Planning Department. 2004. *Tenth/Market/Mission Streets Mixed-Use Project, Final EIR*, October 14. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2003.0262E.

2 San Francisco Planning Department. 2007. *Tenth/Market/Mission Streets Mixed-Use Project, EIR Addendum*, March 8. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2003.0262E.

3 San Francisco Planning Department. 2009. *Tenth/Market/Mission Streets Mixed-Use Project, EIR Addendum*, March. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2003.0262E.



SOURCE: Clement Designs; Atkins, 2008.

1400 MISSION STREET

FIGURE 1: PROJECT LOCATION

The original 2004 project, the revised 2007 and 2009 projects, and the currently proposed project, described below, have been proposed at various times on the project site. The 2004 EIR and the 2007 Addendum describe development on Assessor's Block 3507, Lot 39, an approximately 95,000-square-foot (sf) site, consisting of seven vacant office buildings, and an active, 155-space surface parking lot, located on the west side of Tenth Street, between Market and Mission Streets, adjacent to the Bank of America Data Center at Market and 11th Streets, as shown in Figure 1, Project Location. Where "project site" is used with reference to the original 2004 project and the revised 2007 and 2009 projects, it refers to this site.

The project site has since been subdivided into Lots 42 (southeasterly-most parcel) and 41 (northwesterly-most parcel), of Block 3507. The 2009 Addendum and the proposed project analyzed herein consist of the development of Lot 42, an approximately 25,000-sf parcel fronting Mission Street and Tenth Street. Where "project site" is used with reference to the currently proposed project, it refers to this site.

SUMMARY OF THE ORIGINAL PROJECT

On October 14, 2004, the City's Planning Commission certified a Final EIR for the original project, involving the demolition of seven vacant office buildings, and an active, 155-space surface parking lot, located on the west side of Tenth Street, between Market and Mission Streets, and the construction of a mixed-use development including office, housing, parking, retail, and community-serving uses. The project analyzed in the 2004 EIR consisted of three buildings: (1) a 150-foot-tall affordable housing building on the corner of Mission and Tenth Streets (Mission Street Affordable Housing), consisting of up to 200 units (about 105,333 gross square feet (gsf) of residential use) and 3,500 gsf of ground floor commercial/retail space; (2) a 200-foot-tall residential building on Tenth Street (Tenth Street Housing), consisting of up to 250 units; and (3) a 320-foot-tall municipal office building (Office Building) on the corner of Tenth and Market Streets. The original project would have resulted in a total of 513,250 gsf of office space, 450 residential units, 12,750 gsf of ground floor commercial/retail space, 31,750 gsf of lobby, mechanical, and storage space, and 313 parking spaces (ten spaces attributable to the Mission Street Affordable Housing building). The original project also entailed subdivision of the project site into at least two parcels.

The original 2004 project included an Office Building to meet the long-term occupancy and financial objectives of the City. The City's intention was to consolidate its offices currently in leased space in the Civic Center area in a new office building that would be owned by the City.

According to the 2004 EIR, Tenderloin Neighborhood Development Corporation (TNDC) and Citizens Housing Corporation (CHC) would develop the Mission Street Affordable Housing and the Tenth Street Housing, while the Myers Development Company (MDC) would be responsible for developing the Office Building.

Following certification of the 2004 EIR, the Mission Street Affordable Housing and the Tenth Street Housing were approved by the Planning Commission in November of 2004, but the Office Building component was never approved, as the City made alternate plans for its municipal office needs.

SUMMARY OF THE 2007 ADDENDUM

Subsequently, Tenth and Market LLC purchased from TNDC and CHC a portion of the project site for the purpose of developing a high-rise residential project, the "Market Street Residential Building." That portion of the site consisted of the Office Building and Tenth Street Housing locations. Under the 2007 Addendum, the number of units in the Mission Street Affordable Housing building (200) was unchanged from the original project; however, the 2007 Addendum proposed a different building envelope on the revised project site. The 2007 Addendum covered two buildings with three towers (one tower associated with the Mission Street Affordable Housing building, and two towers associated with the newly proposed Market Street Residential Building). The Mission Street Affordable Housing tower included approximately 10,000 gsf of ground-floor retail (an increase of about 6,500 gsf from the original project). The two Market Street Residential Building towers were connected by a two-story landscaped podium, and included ground-floor retail below both towers.

The 2007 Addendum also covered an affordable housing Variant for the Mission Street Affordable Housing building. The revised project Variant included 200 residential units; however, instead of affordable, senior housing, the Variant included 200 units of affordable, family housing, with a different one- and two-bedroom unit mix. In addition, the Variant included 36 parking spaces (an increase of 26 spaces compared to the revised project) and approximately 3,500 gsf of ground floor commercial/retail space (a decrease of about 6,500 gsf compared to the revised project). Because the Variant was also a family housing project, similar to the currently proposed project, analysis of the currently proposed project in comparison to the previous projects refers extensively to the Variant.

SUMMARY OF THE 2009 ADDENDUM

In 2009, the project was further revised and consisted of development on an approximately 25,000-sf parcel that was an active, 155-space surface parking lot, located on the west side of

Tenth Street, between Mission and Jessie Streets. Under the 2009 Addendum, the project included approximately 124,900 gsf of affordable, family housing space (150 units), 3,640 gsf of ground floor commercial/retail space, and 15,000 gsf of semi-private open space in a podium and two roof gardens, for a total of about 210,540 gsf. The residential portion of the project covered under the 2009 Addendum included a unit mix of about 11 studios, 34 one-bedrooms, 78 two-bedrooms, and 27 three-bedrooms.

The building evaluated in the 2009 Addendum was variable in height, with the portion fronting Jessie Street five stories, the portion fronting Mission Street ten stories, and the portion fronting Tenth Street 15 stories. The building was proposed to be approximately 150 feet tall (up to 15 stories) and would include 18 automobile parking spaces and loading facilities (space for one medium sized truck), in an off-street, approximately 7,100-gsf parking garage. The rooftop gardens would be located on the portions of the building fronting Mission Street and Tenth Street. A podium courtyard would also be located on the second floor of the building. Additional features of the project covered under the 2009 Addendum included a community room, meeting facilities, television room, and "toddler" room. As previously stated, approximately 3,640 gsf of ground floor commercial/retail would be included on the ground floor and could occur as up to three separate commercial/retail spaces, directly accessible from Mission Street and Tenth Street.

SUMMARY OF THE PROPOSED PROJECT

The currently proposed project consists of a development on an approximately 25,000-sf parcel that was previously used as a 155-space surface parking lot, located on the west side of Tenth Street, between Mission and Jessie Streets. The paved parking lot parcel is currently leased to Swinerton Builders for construction staging for the Tenth Street and Market Street project called Crescent Heights. The Crescent Heights project was originally included as a component of the development evaluated in the 2004 EIR. The Tenth Street and Market Street portion of the 2004 project site was sold and approved for a high-rise condominium project in 2007. No permanent structures exist on the parcel that is being evaluated for the currently proposed project in this Addendum.

The project sponsor proposes to construct an approximately 150-foot-tall, 15-story, mixed-use building. It would be a total of approximately 215,545 gsf in size and consisting of approximately 160,080 gsf of affordable, family housing (197 units), approximately 4,910 gsf of ground floor commercial/retail space, and approximately 33,478 gsf of mechanical/storage/circulation/service areas. The residential unit mix would be approximately 8 studios, 78 one-bedrooms, 87 two-bedrooms, and 24 three-bedrooms. The proposed project would include an approximately 8,937 sf at-grade parking garage for up to 48 vehicles and one

loading facility. The parking garage would include one Americans with Disabilities Act (ADA)-compliant space, one car-share stall, 23 standard surface spaces, and 23 stalls utilizing car lifts. The loading facility would include one space for medium-sized trucks. Access to the parking garage would be from Jessie Street, with internal access to the residential/retail portion of the building from within the garage. Pedestrian access to the project would be from Mission Street. Access would also be available to the retail portions of the project site from both Mission Street and Tenth Streets. The proposed project also includes approximately 8,140 gsf of semi-private open space. The semi-private open space would be provided on the podium and unit balconies. Figure 2 through Figure 5, below, illustrate the building's layout, typical floor plans, and elevations.

The currently proposed project is variable in height, with the portion fronting Mission Street ten stories and the portion fronting Tenth Street 15 stories. A podium courtyard would also be located on the second floor of the proposed project and approximately 45 of the units would contain balconies.

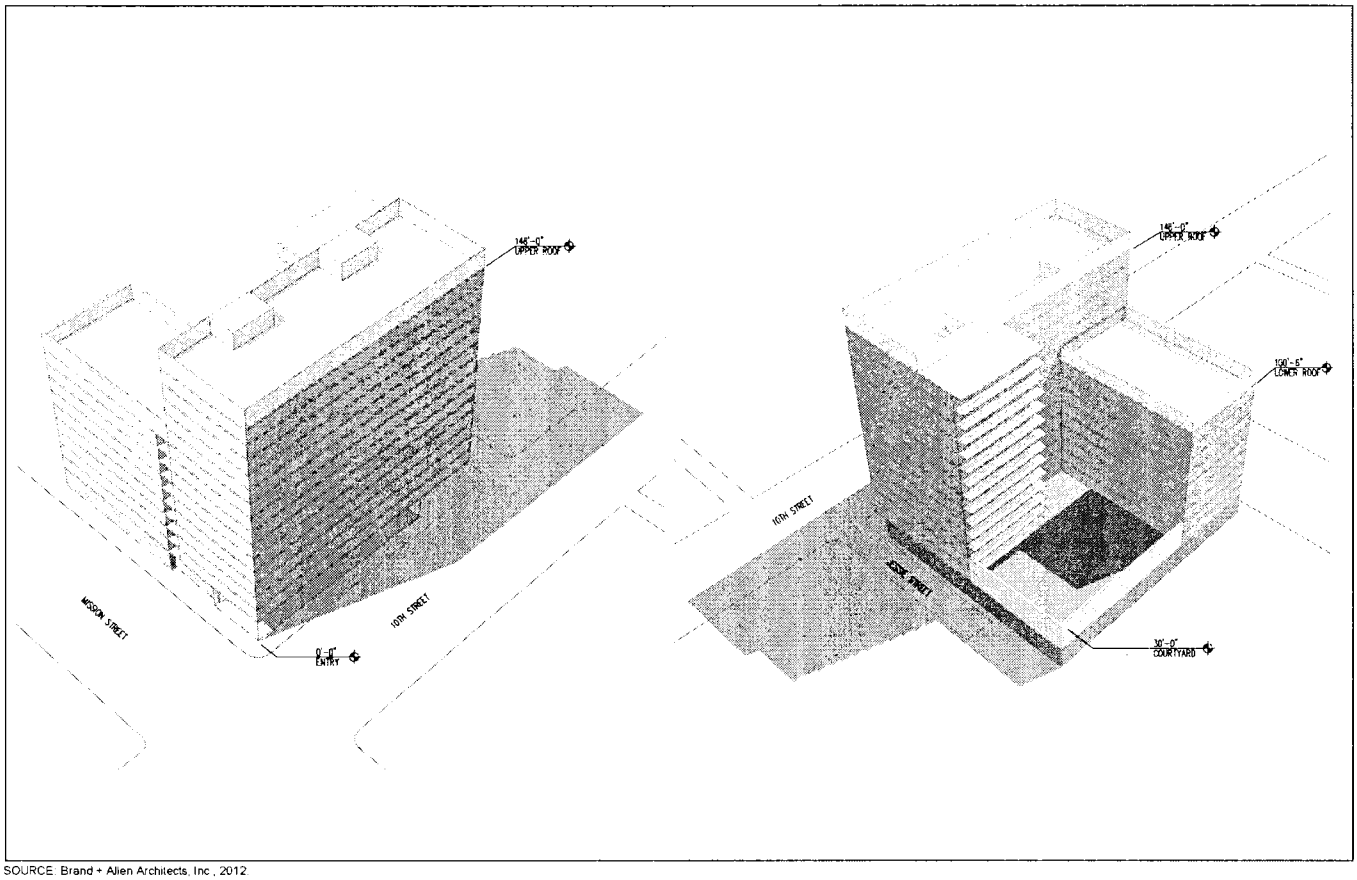
Construction of the currently proposed project would cost approximately 49 million dollars and would take approximately 16 months to complete. The architect is Brand and Allen.

Approvals Required for the Proposed Project

Approvals required may include, but are not limited to, the following:

- Planning Commission:
  - Conditional Use Authorization for a Floor Area Ratio of 8.75:1[4]: *Planning Code* Sections 124(f) and 303
  - Design Review Approval: Planning Code Section 309
  - Exception for rear yards: Planning Code Section 134(d) through Section 309 review process
  - Exception for ground-level wind currents: Planning Code Section 309
  - Exception for street frontages: Planning Code Section 145.1
- Department of Building and Inspection:
  - Building Permit (for new construction)
- Department of Public Works and Board of Supervisors:
  - Requested Passenger Loading Zone (on Tenth Street)

[4] The FAR of 8.55 is the "unadjusted" FAR, which does not take into account the exceptions allowed under the Planning Code, Section 102.9.



SOURCE: Brand + Alien Architects, Inc., 2012

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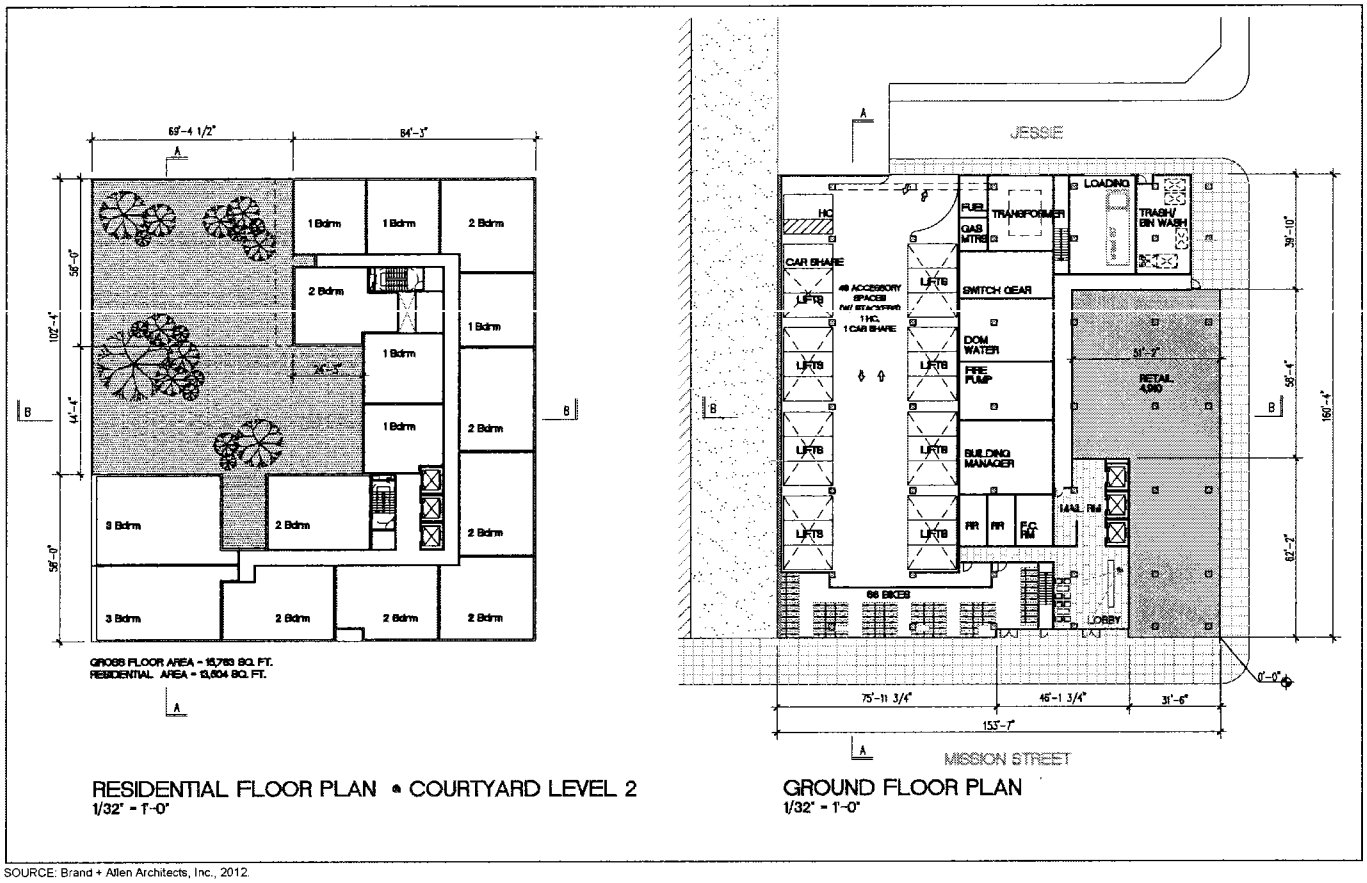
FIGURE 2: BUILDING LAYOUT



SOURCE: Brand + Allen Architects, Inc., 2012.

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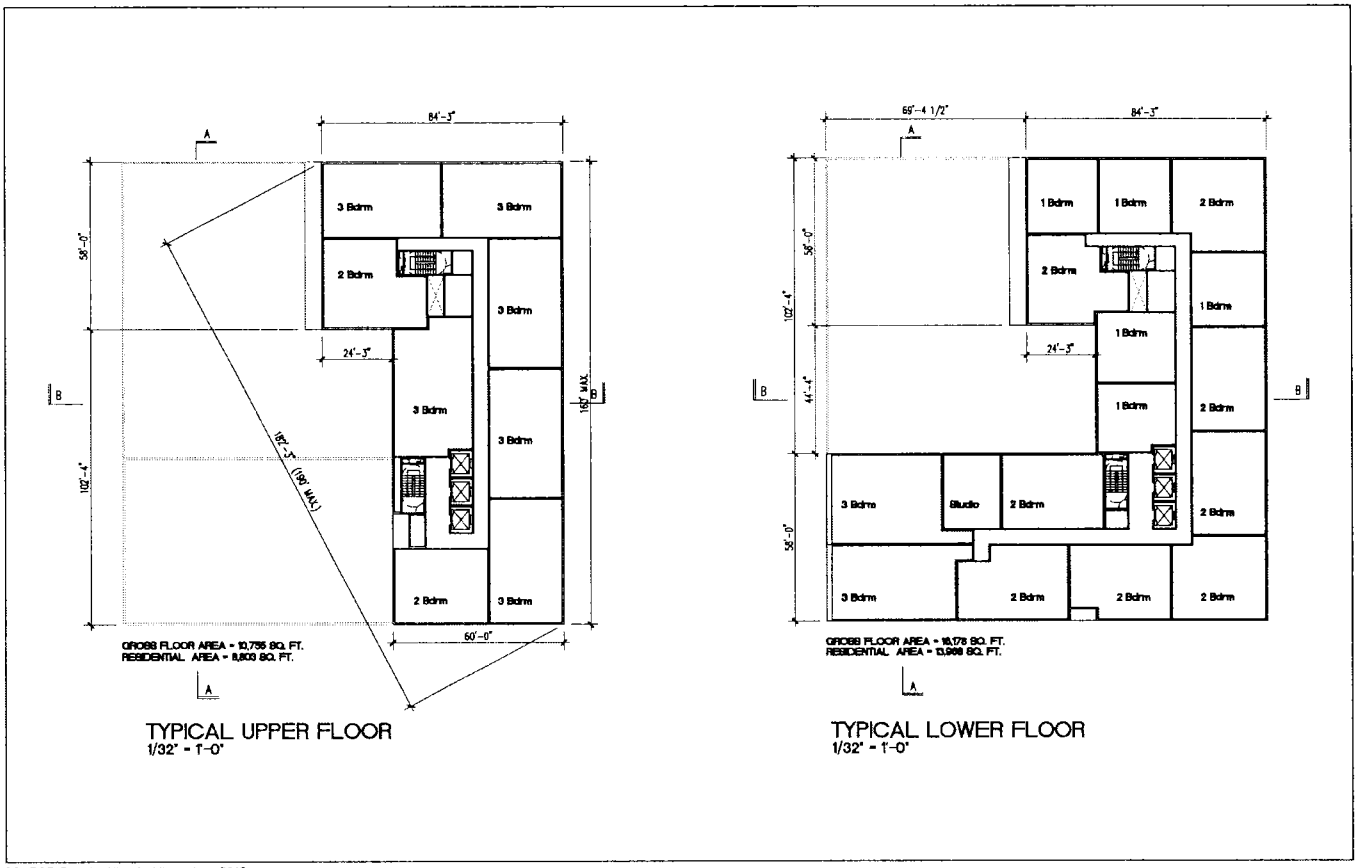
FIGURE 3: RESIDENTIAL AND GROUND FLOOR PLANS



SOURCE: Brand + Allen Architects, Inc., 2012

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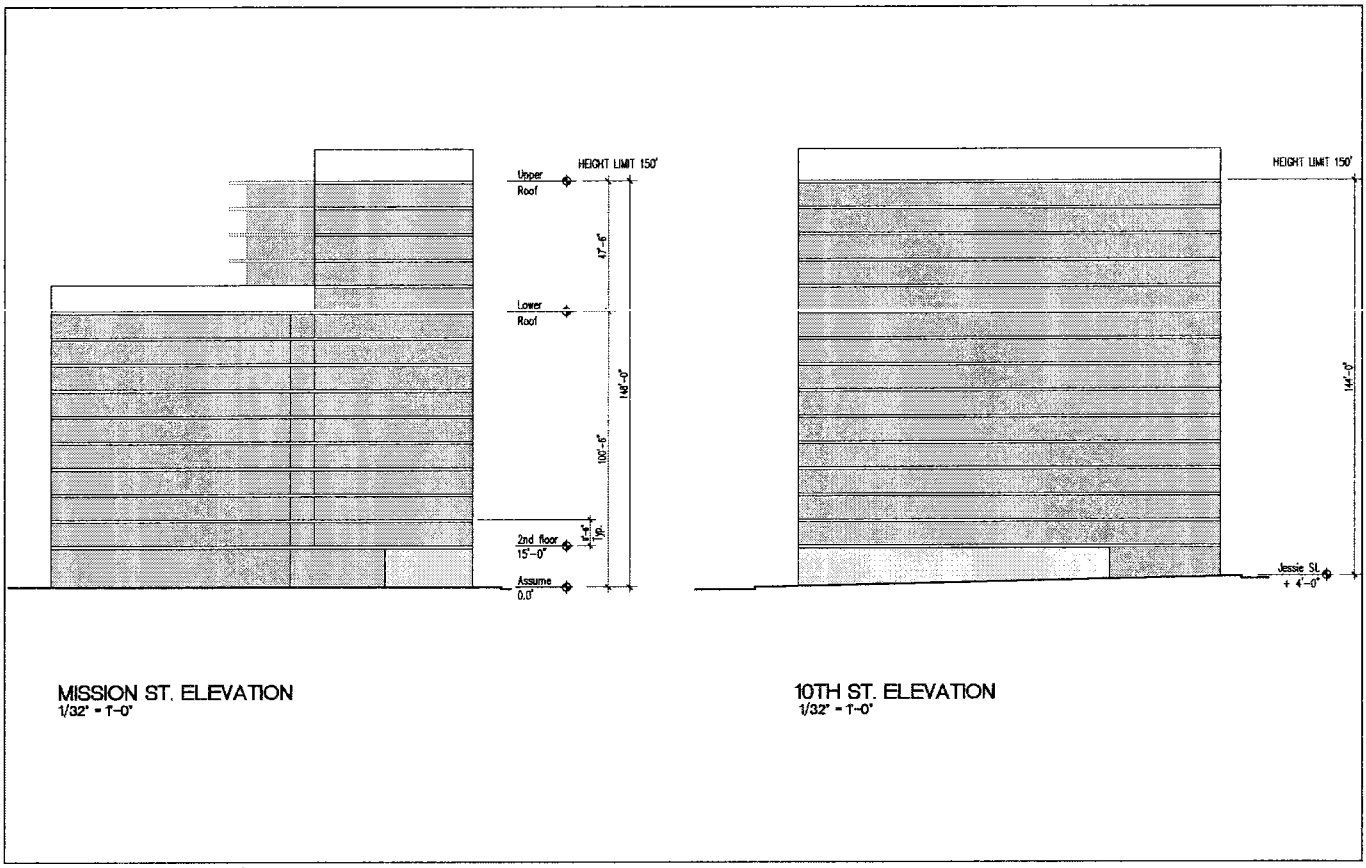
FIGURE 4: TYPICAL UPPER AND LOWER FLOOR PLANS



SOURCE: Brand + Allen Architects, Inc., 2012

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FIGURE 5: BUILDING ELEVATIONS

COMPARISON OF THE ORIGINAL PROJECT, 2007 ADDENDUM, 2009 ADDENDUM, AND PROPOSED PROJECT

Table 1, Project Comparison, compares the original 2004 project, the revised 2007 and 2009 projects, and the currently proposed project. Under the currently proposed project, the residential unit count would be approximately 197 (approximately 160,080 gsf of residential use). This is a reduction of three units compared to the original 2004 project, but an increase of approximately 54,747 gsf of residential use compared to the original 2004 project (due to increased unit size [two- and three-bedroom units]), a decrease of approximately 39,920 gsf when compared to the project covered in the 2007 Addendum (due to a decrease in three units), and an increase in 47 units and 35,180 gsf when compared to the project covered in the 2009 Addendum. Under the currently proposed project, the total commercial/retail use would be approximately 4,910 gsf. This is an increase of approximately 140 gsf in commercial/retail use compared to the original 2004 project and the project covered in the 2007 Addendum, and an increase in approximately 1,270 gsf when compared to the project covered in the 2009 Addendum. The height of the currently proposed project would remain the same, approximately 150 feet (ft) as under the original 2004 project and revised 2007 and 2009 projects. The currently proposed project would provide 48 off-street parking spaces which is an increase of 38 spaces, 12 spaces, and 30 spaces when compared to the original 2004 project, the project covered in the 2007 Addendum, and the project covered in the 2009 Addendum, respectively.

Vehicular access from Jessie Street under the currently proposed project is the same as the projects covered in the 2007 and 2009 Addenda; however, the original project covered in the 2004 EIR considered vehicular access from 10th Street instead of on Jessie Street as proposed in the current project.

CEQA REVIEW OF THE PROPOSED PROJECT

Based on the new application submitted to the City (for the proposed project), the City must determine what level of environmental review is required to comply with the California Environmental Quality Act (CEQA). An Addendum may be prepared if (1) the proposed project is not substantially revised so as to result in new significant impacts or a worsening of significant impacts identified in the previously certified EIR; (2) the background conditions under which the proposed project would be constructed have not changed substantively from those conditions described in the previously certified EIR; and (3) new information of substantial importance has not surfaced (see Section 15162 of the *CEQA Guidelines* for a detailed description of the conditions that trigger preparation of a subsequent EIR). The proposed

TABLE 1
PROJECT COMPARISON

Type of Use	Original Project Mission Street Affordable Housing Component	2007 Addendum Mission Street Affordable Housing Component[a]	2009 Addendum 1400 Mission Street Project	Current Proposed Project 1400 Mission Street Project
Studio (units)	142	—	11	8
One-bedroom (units)	58	120	34	78
Two-bedroom (units)	—	80	78	87
Three-bedroom units (units)	—	—	27	24
Total Residential (units)	up to 200	up to 200	150	197
Total Residential (gsf)	105,333	up to 200,000	124,900	160,080
Commercial/Retail (gsf)	3,500	up to 10,000	3,640	4,910
Restaurant/Non-restaurant Retail (gsf)	—	—	—	—
Mechanical/Storage/Circulation/ Service Areas (gsf)	875	875	74,900	33,478
Height (exclusive of mechanical penthouse)	150 feet 15 stories	up to 150 feet up to 15 stories	up to 150 feet up to 15 stories	up to 150 feet up to 15 stories
Parking (gsf) Automobile parking (spaces)	3,620 (10 spaces)	(36 spaces)	7,100 (18 spaces)	8,937 (48 spaces)[b]
Bicycle parking (spaces)	13 spaces	—	64 spaces	66 spaces
Residential open space (gsf)	8,000	8,000	15,000[c]	8,140
Public open space (gsf)	—	—	—	—
Total (gsf)	**140,600**	**up to 222,495**	**210,540**	**215,545[d]**

Source: Original Project: TCM Mid-Market Venture, 2003.
2007 Addendum: Heller Manus Architects, March 2006.
2009 Addendum: Saida Sullivan Design Partners and Barnhart Associates, Architects Inc., December 2008.
Proposed Project: Brand + Allen Architects, Inc., December 2011.

Notes: gsf = gross square feet

a. The Mission Street Affordable (Family) Housing development was a "Variant," analyzed within the 2007 Addendum. The other option analyzed within the 2007 Addendum was "senior housing," which would have exclusively consisted of up to 200 studio/one-bedroom units for qualifying seniors; however, for a comparison of impacts between projects, only the Variant is shown.

b. Includes car lifts.

c. This number not included in the total gsf.

d. This number indicates the gross floor area which was calculated per Section 102.9 of the San Francisco Planning Code.

project would not result in any new significant impacts compared to those identified in the 2004 EIR for the original project, the 2007 Addendum for the revised project, and the 2009 Addendum. Therefore, under Section 15162 of the *CEQA Guidelines*, a subsequent EIR does not need to be prepared. This Addendum conforms to the requirements of CEQA Guidelines Section 15164 and discloses potential changes in physical effects relating to project modifications.

As described above, when compared to the original 2004 project, the currently proposed project would decrease the number of residential units by three, increase the size of commercial/retail use by approximately 1,410 gsf, and increase the number of off-street parking spaces by 38 with the use of car stackers on the ground-floor level. The project site and its surroundings have remained largely the same as when they were analyzed within the 2004 EIR, 2007 Addendum, and 2009 Addendum, with the exception of Twitter moving into the 1355 Market Street building, which was formerly occupied by the SF Mart. However, this change is not considered substantial enough to alter the cumulative analysis of the 2004 EIR or the 2007 and 2009 Addenda. New significant effects or increases in the severity of previously identified significant effects are not expected to result from the proposed project, and a subsequent EIR is, therefore, not necessary. Accordingly, an Addendum is appropriate for CEQA clearance of the proposed project.

ENVIRONMENTAL ANALYSIS

LAND USE, PLANS, AND ZONING

The project site is approximately 25,000-sf in size, and fronts Tenth Street to the east and Mission Street to the south in the South of Market (SoMa) neighborhood. The project site is within the C-3-G (Downtown-General Commercial) Zoning District, and in the 150-S and 200-S Height and Bulk Districts (150 foot and 200 foot maximum height; the S bulk district establishes the building base at 1.25 times the width of the adjacent street). The project site is adjacent to the Market and Octavia Neighborhood Plan Area and is in close proximity to the Western SoMa Community Plan Area. The existing site was formerly used as a surface parking lot and currently the parking lot is being used as a construction staging area for the adjacent Crescent Heights development. Currently, the project area is in transition from low- and mid-rise commercial and industrial uses, to high-density mid- to high-rise office and residential uses. Existing land uses in the vicinity of the project site include residential, retail, hotel, office, institutional, mixed uses, and parking. Development fronting Mission Street between Van Ness Avenue and 8th Street is characterized by a range of low- to high-rise commercial buildings that have ground-floor retail space and are built out to the sidewalk and property lines.

The original project analyzed in the 2004 EIR included office, residential, commercial/retail uses, open space, and parking. The currently proposed project would include primarily residential uses with some commercial/retail uses.

The currently proposed project would provide a total of approximately 197 residential units (about 160,080 gsf of residential use), approximately 4,910 gsf of commercial/retail use, and approximately 8,140 gsf of semi-private open space for the residents (including 45 private balconies for residences). The proposed project would also include 48 off-street parking spaces (approximately 8,937 gsf).

The proposed project would increase the total gsf of development on the project site from that under the original 2004 project by approximately 74,945 gsf; however, the total number of residential units would decrease by three units in the currently proposed project, when compared to the original 2004 project. Residential and commercial/retail uses are permitted under the current C-3-G zoning designation. As discussed in the 2004 EIR, the project vicinity is in "transition from low- and mid-rise commercial and residential uses to mid- to high-rise, high-density offices and residential development" (EIR p. 46). The uses adjacent to the project site include a mix of office, residential, governmental, and cultural uses around the Civic Center. In addition, the 2004 EIR notes other residential or residential mixed-use projects under construction, approved, or under Planning Department review in the vicinity of the project site (EIR p. 49). Furthermore, the 2004 EIR states that the original project and other major developments in the project vicinity are part of a trend to increase the amount of high-density residential and commercial uses in the project area (EIR p. 58). The 2004 EIR states that the original project would "not disrupt or divide the physical arrangement of an established community" (EIR p. 59). The 2004 EIR concluded that while the original project would increase densities on the project site, compared to existing conditions, the project would be generally compatible with planned or under-construction uses in the area adjacent to the project block. Similar to the original 2004 project, the currently proposed project would involve a change of use from a surface parking lot to a primarily residential, high-density, affordable housing development at the project site. This change of use would be consistent with the project area, which includes high-density residential use, and would be permitted on the project site. Furthermore, since the publication of the 2004 EIR, construction of the Crescent Heights development has begun on the adjacent parcel that was evaluated in the EIR and, thus, has increased the residential density in the immediate project vicinity. Therefore, the currently proposed project would be compatible with planned or under construction residential uses in the vicinity, and would not disrupt or divide an established community.

The proposed project would have less-than-significant land use impacts, as was identified in the 2004 EIR, 2007 Addendum, and 2009 Addendum.

Compatibility with Existing Zoning and Plans

Planning Code

In the C-3-G district, the maximum floor area ratio (FAR) is 6.0:1. However, under *Planning Code* Section 124(f), the floor area of affordable housing to be constructed on a project site in a C-3-G district can be approved with conditional use authorization over and above that permitted by the base FAR limits, provided certain requirements are met. Here, there is no existing FAR available for the project site because it was previously applied to the adjacent Market Street Residential Building.[5] Thus, conditional use authorization is required for the proposed project regardless of the FAR proposed. The proposed project would include approximately 215,545 gross square feet of floor area (not including exclusions under Section 102.9) on a lot area of 24,631 square feet, for a requested FAR of approximately 8.75:1.

The proposed residential density of one unit for every 125-sf of lot area would be within the permitted C-3-G zoning district density of one unit for every 125-sf of lot area. The project applicant is seeking approval of the proposed project under *Planning Code* Section 309, which allows for exceptions to certain requirements of the *Planning Code*. The project applicant would also request approval from the Department of Public Works (DPW) for a passenger loading zone on Tenth Street.

In addition, exceptions would be needed for rear yard, ground-level wind currents, and street frontages. Per Section 134 of the *Planning Code*, a minimum rear yard equal to 25 percent of the total depth of the lot must be provided at the lowest story containing a dwelling unit, and at each succeeding level. The Planning Code makes no provision for the proposed courtyard configurations as a method of complying with rear yard requirements. However, Section 134(d) allows for an exception from the strict application of these requirements through the Section 309 review process, provided that the building location and configuration assure adequate light and air to all residential units and to the usable open space areas.

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[5] The Planning Department determined that the project site and the adjacent parcel constituted a single development lot for the purposes of calculating FAR, and that FAR could be allocated between the development sites. The project applicant of the Market Street Residential Building acquired the available gross square footage, and the funds are available to the non-profit owners of the project site to support the development of affordable housing. See Planning Commission Motion No. 17414 on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2006.0584KXCV.

Section 148 of the *Planning Code* includes specific comfort- and hazard-level criteria for ground-level wind currents. If the project creates new exceedances of the comfort-level criteria, or if the project fails to fails to ameliorate existing exceedances, an exception may be sought through the Section 309 review process.

Pursuant to Section 145.1 of the *Planning Code*, all ground floor frontage that is not used for parking and loading access, building egress, and mechanical systems must be occupied by active uses. The bicycle frontage that would be located along the Mission Street frontage does not meet the definition of an "active use", as stated in Section 145.1(b)(2). In addition, Section 145.1(c)(2) of the *Planning Code* limits the width of parking and loading access along a given frontage to no more than one-third the width of the abutting street. Based on this standard, the aggregate width of the parking and loading access along Jessie Street should not exceed 12 feet. However, a total of 27 feet of parking and loading access is proposed along this frontage.

San Francisco General Plan

The City's *General Plan*, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. *General Plan* policies pertaining to other issues but not affecting the physical environment are not discussed in this document, but will be considered by decision makers as part of their decision whether to approve or disapprove the proposed project. No substantial conflict with any environmental objective or policy within the *General Plan* was identified in the 2004 EIR for the original project. Similarly, the proposed project would not result in substantial conflict with any environmental *General Plan* objective or policy. The issue of *General Plan* conformity will be reconsidered by the Planning Commission during their deliberations over the proposed project. Any potential conflicts with the *General Plan* identified as part of that process would not alter the physical and environmental effects of the proposed project. Further, the conclusions reached in the 2004 EIR that the original project would not conflict with relevant plans would remain applicable to the proposed project. Thus, the proposed project would have similar less-than-significant land use impacts, as was identified in the 2004 EIR.

VISUAL QUALITY

The 2004 EIR found that, in terms of visual quality, the original project "would be consistent with the visual character of existing (and approved or proposed) development in the vicinity" (EIR p. 76). As shown by the visual simulations in the 2004 EIR, the original project would be consistent with the urban character of downtown San Francisco, and would not degrade the existing visual character of development along Market, Tenth, or Mission Streets (EIR pp. 66-70). In addition, the original project would not obstruct views of hills or open space from

Market Street, at Van Ness Avenue. The proposed project's visual impacts would not be substantially different from those of the Mission Street Affordable Housing component of the original project.

The proposed project would have a maximum height of approximately 150 feet (15 stories), which would represent no change from the project covered in the 2009 Addendum. In addition, the proposed project would be within the 150-S to 200-S height and bulk districts as shown in 2004 EIR, Figure 11 (EIR p. 53). The design of the currently proposed project is not final; however, the conceptual design and massing has been established and would be similar to that under the 2004 EIR, 2007 Addendum, and 2009 Addendum. Figure 17 and Figure 18, as presented and discussed in the Visual Quality section of the 2004 EIR, represent distant viewpoints of the project site, with and without the original project. The differences between the original 2004 project and the currently proposed project would not be distinguishable from those locations (EIR p. 69-70).

Figure 3 in the 2009 Addendum shows the existing view and the proposed view of the project site looking north on Tenth Street at Howard Street (similar to the viewpoint in the 2004 EIR, Figure 15; discussed in the 2004 EIR, p. 64). Similar to the project in the 2009 Addendum, the currently proposed project's effect on this view would not substantially differ from that discussed in the 2004 EIR, which concluded that the original 2004 project would be similar in height among the existing high-rise buildings of the area and that the original project would obstruct views of the California State Automobile Association (CSAA) building on Van Ness Avenue. However, these visual changes would be consistent with the urban character of downtown San Francisco and would not degrade the existing visual character of development on Tenth Street. Similar to the original 2004 project and the revised 2007 and 2009 projects, the currently proposed project would not obstruct views of hills or open space from this viewpoint.

Figure 4 in the 2009 Addendum shows the existing and proposed view of the project site from I-80, looking north, near Seventh Street (similar to the viewpoint in the 2004 EIR, Figure 16; discussed in the 2004 EIR, p. 68). The view shows that the project under the 2009 Addendum would expand the grouping of high-rises along the Market Street corridor. Similar to the project in the 2009 Addendum, the currently proposed project's effect on this view would not substantially differ from that of the original 2004 project. The 2004 EIR concluded that the original 2004 project would be comparable in height to existing buildings along Market Street; would not degrade the existing visual character from this view; and would not obstruct views of hills or open space from I-80 near Bryant Street.

The above analysis indicates that similar to the original 2004 project, and the revised projects analyzed in the 2007 Addendum and 2009 Addendum, the currently proposed project would not degrade the visual character of this urbanized portion of San Francisco; would not have a demonstrable adverse aesthetic effect; would not substantially degrade visual quality; and would not result in substantial light or glare. Therefore, the currently proposed project would have less-than-significant aesthetic impacts, as was identified in the 2004 EIR for the original project, and in the 2007 Addendum and 2009 Addendum for the revised projects.

TRANSPORTATION

This section provides an updated assessment of the transportation impacts associated with the proposed project. This assessment is based on a technical memorandum prepared for the proposed project, dated June 12, 2012.[6]

Trip Generation Methodology

Trip generation was conducted to estimate the total trips from the proposed project and quantify the impact of the net new trips on the surrounding roadway network. Trip generation calculations were based on SF Guidelines and assumed a daily trip rate of 7.5 trips for every studio or one bedroom unit, 10 trips for every two and three bedroom units, and 150 trips per 1,000 gross square feet of retail space. Trip generation calculations also assumed that 17.3 percent of the daily residential trips, and 9 percent of the retail trips, would occur during the PM peak hour. These assumptions were used for both the 2009 addendum scenario and the proposed project scenario to calculate the net difference in project generated trips due to the proposed project. This assessment accounts for the changes from the revised to the proposed project, an increase in the number of dwelling units and an increase in retail space. Mode split information for the proposed project land uses was based on the *SF Guidelines* for the C-3 District.[7] Residential mode split data were obtained from the 2000 Census for Census Tract 176.01.

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[6] Atkins. *Transportation Summary for 1400 Mission Street*, June 12, 2012. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2011.1043E.

[7] San Francisco Planning Department, *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002. This document is also known as SF Guidelines.

Proposed Project Trip Generation and Comparison to Previous Studies

Table 2 summarizes the PM peak hour total and net new trips generated from the proposed project.[8]

TABLE 2
TRIP GENERATION – PERSON TRIPS (PROPOSED PROJECT)

	Residential Trips		Retail Trips		Total	
Travel Modes	Daily	Pm Peak	Daily	Pm Peak	Daily	Pm Peak
Auto	352	61	209	19	561	80
Transit	651	113	125	11	776	124
Walk	558	97	317	28	875	125
Other	192	33	84	8	276	41
Total	**1,753**	**304**	**735**	**66**	**2,491**	**370**

Source: Atkins, 2012

Average vehicle occupancy factors obtained from the SF Guidelines were applied to the auto mode split to obtain the vehicle trips due to the proposed project. Resultant PM peak-hour vehicle trips are shown in Table 3 along with the person trips for other modes of travel. Table 3 includes a comparison of PM peak-hour project trips for the proposed project against the 2009 Addendum.

TABLE 3
TRIP GENERATION (PM PEAK) – TRIP TYPE (PROPOSED PROJECT COMPARED TO 2009 ADDENDUM)

Trip Types	Proposed Project			2009 Addendum			Difference		
	In	Out	Total	In	Out	Total	In	Out	Total
Vehicle	34	20	54	26	15	41	8	5	13
Transit*	80	44	124	61	33	94	19	11	30
Walk*	78	47	125	59	35	94	19	12	31
Other*	26	15	41	20	11	31	6	4	10
Total	**218**	**126**	**344**	**165**	**95**	**260**	**53**	**31**	**84**

**-denotes person trips*
Source: Atkins, 2012

Analysis of the projected trips from the proposed project indicates that the revised land use would result in the following additional trips as compared to the 2009 Addendum: 13 vehicle trips during the PM peak hour, 30 transit trips, and 31 walk trips and 10 other trips, see Table 3.

[8] Detailed trip generation information is available for review in Case File No. 2011.1043E at 1650 Mission Street, Suite 400, San Francisco.

As shown in Table 3, the proposed project would result in an increase of 13 PM peak-hour project-generated vehicle trips as compared to the vehicle trips for the 2009 Addendum. Thirteen vehicle trips distributed to local intersections would represent approximately two vehicle trips per intersection. Therefore, the proposed project would have less-than-significant traffic impacts due to vehicle trips generated by the proposed project.

Following is a brief summary of the findings of the original study, the 2009 Addendum, and the proposed project. This summary and analysis is included to help understand the impact of the project in relation to the changes proposed to the project land use for the various scenarios. The proposed project would be subject to queuing condition of approval.

Original Study (2004 FEIR)

The impact analysis conducted for the 2004 FEIR indicated that total project trips would result in an impact to the intersection of Mission Street and South Van Ness Avenue for both, existing plus project and cumulative plus project conditions.

Existing Plus Project Conditions (2004 FEIR). Addition of project trips identified an increase in intersection delay at Mission Street and South Van Ness Avenue from 72.8 second per vehicle (LOS E) to 90.2 seconds per vehicle (LOS F) under existing plus project conditions. The EIR identified Mitigation Measure A.1 to optimize the signal cycle length and the signal splits. Following implementation of the mitigation measure, the intersection would operate at LOS E (same as the existing condition) with an average delay of 71.6 seconds.

In addition, review of pedestrian, bicycle and transit impact analysis in the 2004 Project EIR indicates that the project (on the entire block) would not result in any impacts to pedestrian and bicycle facilities.

The screenline analysis for MUNI for the 2004 Project indicated that additional MUNI riders generated by the proposed project would worsen the current conditions for the Third Street corridor and Mission Street corridor (southeast screenline) by exceeding its capacity, thus having a significant impact on MUNI operation. The proposed municipal office space (Parcel X) was identified as being subject to the Transit Impact Development Fee (TIDF) unless special consideration was taken to exempt this fee based on the government office use. This would mitigate the portion of the new PM peak riders generated by the project but not to a less-than-significant level. Project trips did not result in significant impacts to regional transit.

Cumulative Plus Project Conditions (2004 FEIR). Under the 2004 Project EIR analysis, and similar to the existing plus project condition in that analysis, project trips would result in impacts to intersection operations for the intersection of Mission and South Van Ness Avenue.

Addition of project trips would increase intersection delay to 100.3 seconds per vehicle (LOS F) for future 2020 conditions. The EIR identified a mitigation measure (A.1) to optimize the intersection signal timing, same as proposed for existing plus project conditions that would also improve the level of service for the Future Cumulative condition. Implementation of this mitigation measure would result in the intersection operating at LOS E under Cumulative (2020) conditions with a delay slightly higher than existing condition (78.9 seconds per vehicle).

Review of transit impact analysis results indicate that the project would not result in any impacts to transit facilities. The proposed project would contribute negligible amounts of riders to the growth in volume for regional transit lines and would not be considered as having a significant impact on regional ridership.

For future (2020) cumulative conditions, ridership for the four MUNI screenlines were projected to increase by 19 percent and capacity by 14 percent from existing conditions. Cumulative conditions would approach capacity at all screenlines. The largest project trip contribution would be to the southeast screenline in the Third Street and the Mission Street corridors, which were projected to operate at 85 and 89 percent capacity, respectively. The project trip contributions to other corridors do not result in capacity exceeding demand since future capacity utilization metrics for these corridors range between 57 and 96 percent with project trips. The proposed project's contributions to growth in transit demand were found to not be considerable, nor constitute a significant impact on MUNI operations.

Project Addendum (2009 Revision)

Revisions to the project land use that were proposed as a part of the 2009 Addendum resulted in an increase of approximately one PM peak-hour vehicle trip under the 2009 Addendum and a decrease of approximately three PM peak-hour vehicle trips under the 2009 project variant, as compared to the original 2004 FEIR project and the original 2004 FEIR variant, respectively. The Addendum indicated that the change of one to three peak-hour vehicle trips would not affect the LOS analysis, the project impact, and the resultant mitigation measures presented in the original 2004 FEIR study.

Proposed Project (2012 Revision)

Analysis of the projected trips from the proposed project (as shown in Table 3) indicates that the revised land use would result in the following additional PM peak-hour trips: 13 vehicle trips, 30 transit trips, 44 walk trips and 15 other trips.

The proposed project would result in minimal changes (13 trips) in project generated vehicle trips as compared to the vehicle trips for the 2009 Addendum. Assignment of these 13

additional trips to the network would result in a volume change of approximately two trips per intersection which would result in a negligible change to projected intersection delay for both existing and future conditions.

The 30 additional transit trips would be distributed across the various transit facilities. A third (10 trips) of these additional trips would be added to the northwest and southeast screenlines each. The addition of these new trips would result in an increase in future capacity utilization by a tenth of one percent resulting in no substantial difference in transit impacts.

Additional pedestrian trips generated from the project would be relatively low and would be distributed over Mission, Tenth, and Market Streets sidewalks which experience moderate to low pedestrian traffic. The sidewalks along Mission, Tenth, and Market Streets are between 10 feet and 12 feet wide and currently experience low to moderate pedestrian volume. It is estimated that adequate capacity is available to accommodate project-generated pedestrian trips. Due to the high concentration of transit services in the study area, the transit-related pedestrian trips would likely occur within a block or two of the project site. Considering additional project-generated pedestrian trips and transit trips, the additional pedestrian trips as compared to the 2009 Addendum would not cause significant impacts to pedestrian facilities.

Comparing parking demand to potential supply, the original 2004 EIR indicated a short fall of 119 parking spaces. The proposed project's change in land use would result in increasing this short fall by an additional 57 additional spaces. As a result, the total unmet parking demand compared to supply is estimated to be 176 spaces. The existing off-street parking facilities in the study area operate with some available capacity (76 percent occupied or approximately 396 spaces available during the midday, and 17 percent occupied or 1,459 spaces available during the evening). The unmet residential demand (176 spaces) would be expected to be accommodated by these facilities.

As discussed in the original 2004 EIR document, a parking shortage is not considered to be a permanent condition and is also not considered to be a physical environmental impact even though it is understood to be an inconvenience to drivers. Therefore, the creation of or an increase in parking demand resulting from a proposed project that cannot be met by existing or proposed parking facilities would not itself be considered a significant environmental effect under CEQA. In the absence of such physical environmental impacts, CEQA does not require environmental documents to propose mitigation measures solely because a project is expected to generate parking shortfalls.

The Planning Code requires that two loading spaces be provided for residential developments between 200,000 and 500,000 sf. The proposed project would provide a total of seven off-street

loading spaces two of which would be for the residential and commercial land uses. Thus the project would provide enough loading spaces to meet project demand and the loading demand would not be an adverse effect.

The 2007 and 2009 Addenda determined that the revised project would not alter the conclusions reached in the 2004 FEIR. Transportation-related mitigation measures identified in the original FEIR document would be applicable to the proposed project. As part of the proposed project, the project applicant shall ensure that Mitigation Measure A.1 (working with SFMTA to lengthen the cycle at South Van Ness Avenue and Mission Street) as outlined in the 2004 FEIR, is implemented. The FEIR identified that this traffic impact at South Van Ness Avenue and Mission Street would remain significant and unavoidable even after the mitigation, and this impact was included in the statement of overriding considerations adopted with the original project approval. As discussed above, this analysis indicates that the conclusions drawn in the 2009 Addendum will not substantially change transportation conditions due to the latest proposed changes to the land use. Therefore, it can be concluded that the transportation effects of the proposed project would be similar to those identified in the 2004 FEIR.

AIR QUALITY

The 2004 EIR determined that construction and operational emissions associated with the original project would be less than significant because the original project would be required to implement all feasible construction-related measures recommend by the Bay Area Air Quality Management District (BAAQMD) and the City. For operational emissions, the original project would not exceed the BAAQMD thresholds (in place in 2004) for particulate matter (PM10), nitrogen oxide (NOx), or reactive organic gases (ROG). The original project was also analyzed for potential carbon monoxide (CO) hotspots. The modeling determined that impacts would be less than significant. As previously discussed, the proposed project has been altered, compared to the original project that was analyzed in 2004. The proposed project now includes 197 affordable family housing units and 4,910 gsf of commercial/retail uses, which is a three-unit decrease in the number of units and an increase of 1,410 gsf in commercial/retail square footage. Although the design of the proposed project is not final, the conceptual design and massing has been established and would be similar to the previously proposed projects under the 2004 EIR, 2007 Addendum, and 2009 Addendum.

As stated in the 1400 Mission Street Transportation Summary (dated June 12, 2012), prepared by Atkins, the proposed project would result in an increase of 13 vehicle trips compared to the revised project previously analyzed in the 2009 Addendum. Operational emissions would remain less than significant as the increase of project-related traffic would not be substantial compared to the revised project. From an air quality standpoint, an increase of 13 vehicle trips

would not be considered a significant change from the revised project, nor would it alter the findings of the 2004 EIR, the 2007 Addendum, and the 2009 Addendum.

As stated in the 2009 Addendum, the air quality mitigation measures set forth in the 2004 EIR would no longer apply to the proposed project, as the City adopted a Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The Construction Dust Control Ordinance was adopted 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 San Francisco Building Code Section 106A.3.2.6.3 requires a "no visible dust" requirement with the intent of reducing the quantity of dust generated during site preparation, demolition and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI).

The Building Code requires that all site preparation work, demolition, or other construction activities within San Francisco that have the potential to create dust or to expose or disturb more than 10 cubic yards or 500 square feet of soil comply with specified dust control measures whether or not the activity requires a permit from DBI.

Since the project site is over one half acre in size, the Building Code requires the project sponsor to designate a person or persons who will be responsible for monitoring compliance with dust control requirements. The designated person or persons shall be on the site or available by telephone or other means during all times that site preparation, demolition, or construction activities may be in progress, including holidays and weekends. The name and telephone number where such person or persons may be reached at all times shall be provided to the Director of DBI and to the Director of Public Health prior to commencement of work on the project.

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

- Water all active construction areas sufficiently to prevent dust from becoming airborne. Increased watering frequency may be necessary whenever wind speeds exceed 15 mile per hour. Reclaimed water must be used if required by Article 21, Section 1100 et seq. of the San Francisco Public Works Code. If not required, reclaimed water should be used whenever possible;

- Provide as much water as necessary to control dust (without creating run-off) in an area of land clearing, earth movement, excavation, drillings, and other dust-generating activity;
- During excavation and dirt-moving activities, wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the end of the workday;
- Cover any inactive (no disturbance for more than seven days) stockpiles greater than ten cubic yards or 500 square feet of excavated materials, backfill material, import material, gravel, sand, road base, and soil with a 10 mil (0.01 inch) polyethylene plastic or equivalent tarp and brace it down or use other equivalent soil stabilization techniques; and
- Use dust enclosures, curtains, and dust collectors as necessary to control dust in the excavation area.

Compliance with the San Francisco Building Code's General Dust Control Requirements would ensure that the project's fugitive dust impacts would be less than significant.

In addition, Article 38 was added to the San Francisco Health Code to require that all newly constructed buildings containing ten or more units within the Potential Roadway Exposure Zone perform an Air Quality Assessment to determine whether the PM 2.5[9] concentration at the project site is greater than 0.2 micrograms per cubic meter (0.2 ug/m3).[10] Sponsors of projects on sites where the PM 2.5 concentration exceeds the 0.2 ug/m3 action level are required to install ventilation systems or otherwise redesign the project to reduce PM 2.5 concentrations for habitable areas of dwelling units by a performance standard of 80 percent. The project site is located within the Potential Roadway Exposure Zone, triggering the application of San Francisco Health Code Article 38. An Air Quality Assessment was completed by the Department of Public Health for the project site on July 29, 2008.[11] The results indicate that the proposed project at 1400 Mission Street does not exceed the action level of 0.2 micrograms per cubic meter annual exposure and mitigation measures are not required. Therefore, the project would not expose new project residents to substantial concentrations of air pollutants.

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9 PM 2.5 is a measure of smaller particles in the air that are 2.5 micros or less in diameter. PM 10 (10 microns or greater in diameter) has been the pollutant particulate level standard against which EPA has been measuring Clean Air Act compliance. On the basis of newer scientific findings, the Agency is considering regulations that will make PM 2.5 the new "standard".

10 See Board of Supervisors Ordinance No. 281-08, effective January 5, 2009.

11 Modeling completed by Thomas Rivard of the San Francisco Department of Public Health on July 29, 2008. Modeling results are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Project File No. 2011.1043E.

Based on the above, the proposed project would have less than significant impacts related to air quality, as was identified in the 2004 EIR for the original project, the 2007 Addendum, and the 2009 Addendum.

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

While the presence of the primary GHGs in the atmosphere are naturally occurring, carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O) are largely emitted from human activities, accelerating the rate at which these compounds occur within earth's atmosphere. Emissions of carbon dioxide are largely by-products of fossil fuel combustion, whereas methane results from off-gassing associated with agricultural practices and landfills. Other GHGs include hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and are generated in certain industrial processes. Greenhouse gases are typically reported in "carbon dioxide-equivalent" measures (CO_2E).[12]

There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.[13]

The Air Resources Board (ARB) estimated that in 2006 California produced about 484 million gross metric tons of CO2E ($MMTCO_2E$), or about 535 million U.S. tons.[14] The ARB found that transportation is the source of 38 percent of the State's GHG emissions, followed by electricity

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12 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.

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

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

generation (both in-state and out-of-state) at 22 percent and industrial sources at 20 percent. Commercial and residential fuel use (primarily for heating) accounted for 9 percent of GHG emissions.[15] In the Bay Area, fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) and the industrial and commercial sectors are the two largest sources of GHG emissions, each accounting for approximately 36 percent of the Bay Area's 95.8 MMTCO2E emitted in 2007.[16] Electricity generation accounts for approximately 16 percent of the Bay Area's GHG emissions followed by residential fuel usage at 7 percent, off-road equipment at 3 percent and agriculture at 1 percent.[17]

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

Pursuant to AB 32, ARB adopted a Scoping Plan in December 2008, outlining measures to meet the 2020 GHG reduction limits. In order to meet these goals, California must reduce its GHG emissions by 30 percent below projected 2020 business as usual emissions levels, or about 15 percent from today's levels.[18] The Scoping Plan estimates a reduction of 174 million metric tons of CO2E (MMTCO2E) (about 191 million U.S. tons) from the transportation, energy, agriculture, forestry, and high global warming potential sectors, see Table 4. ARB has identified an implementation timeline for the GHG reduction strategies in the Scoping Plan.[19] Some measures may require new legislation to implement, some will require subsidies, some have already been developed, and some will require additional effort to evaluate and quantify. Additionally, some

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

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

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

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

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

emissions reductions strategies may require their own environmental review under CEQA or the National Environmental Policy Act (NEPA).

TABLE 4
GHG REDUCTIONS FROM THE AB 32 SCOPING PLAN SECTORS[20]

GHG Reduction Measures By Sector	GHG Reductions (MMT CO_2E)
Transportation Sector	62.3
Electricity and Natural Gas	49.7
Industry	1.4
Landfill Methane Control Measure (Discrete Early Action)	1
Forestry	5
High Global Warming Potential GHGs	20.2
Additional Reductions Needed to Achieve the GHG Cap	34.4
Total	**174**
Other Recommended Measures	
Government Operations	1-2
Agriculture- Methane Capture at Large Dairies	1
Methane Capture at Large Dairies	1
Additional GHG Reduction Measures	
Water	4.8
Green Buildings	26
High Recycling/ Zero Waste • Commercial Recycling • Composting • Anaerobic Digestion • Extended Producer Responsibility • Environmentally Preferable Purchasing	9
Total	**42.8-43.8**

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

The Scoping Plan relies on the requirements of Senate Bill 375 (SB 375) to implement the carbon emission reductions anticipated from land use decisions. SB 375 was enacted to align local land use and transportation planning to further achieve the State's GHG reduction goals. SB 375

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

requires regional transportation plans, developed by Metropolitan Planning Organizations (MPOs), to incorporate a "sustainable communities strategy" in their regional transportation plans (RTPs) that would achieve GHG emission reduction targets set by ARB. SB 375 also includes provisions for streamlined CEQA review for some infill projects such as transit-oriented development. SB 375 would be implemented over the next several years and the Metropolitan Transportation Commission's 2013 RTP would be its first plan subject to SB 375.

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

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

The most common GHGs resulting from human activity are CO_2, CH_4, and N_2O.[21] State law defines GHGs to also include hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. These latter GHG compounds are usually emitted in industrial processes, and therefore not applicable to the proposed project. Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity

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

providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations.

The proposed project would increase the activity onsite by replacing a surface parking lot with a 150-foot-tall, 15-story building with up to 197 residential units and 4,910 square feet of commercial space at the ground floor. The new development could result in an increase in overall energy and also 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 associated with energy use, water use and wastewater treatment, and solid waste disposal.

As discussed above, the BAAQMD has adopted CEQA thresholds of significance for projects that emit GHGs, one of which is a determination of whether the proposed project is consistent with a Qualified Greenhouse Gas Reduction Strategy, as defined in the 2010 CEQA Air Quality Guidelines. On August 12, 2010, the San Francisco Planning Department submitted a draft of the City and County of San Francisco's Strategies to Address Greenhouse Gas Emissions to the BAAQMD.[22] This document presents a comprehensive assessment of policies, programs and ordinances that collectively represent San Francisco's Qualified Greenhouse Gas Reduction Strategy in compliance with the BAAQMD's 2010 CEQA Air Quality Guidelines and thresholds of significance.

San Francisco's GHG reduction strategy identifies a number of mandatory requirements and incentives that have measurably reduced greenhouse gas emissions including, but not limited to, increasing the energy efficiency of new and existing buildings, installation of solar panels on building roofs, implementation of a green building strategy, adoption of a zero waste strategy, a construction and demolition debris recovery ordinance, a solar energy generation subsidy, incorporation of alternative fuel vehicles in the City's transportation fleet (including buses and taxis), and a mandatory composting ordinance. The strategy also identifies 42 specific regulations for new development that would reduce a project's GHG emissions.

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

- By 2008, determine the City's 1990 GHG emissions, the baseline level with reference to which target reductions are set;

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

- Reduce GHG emissions by 25 percent below 1990 levels by 2017;
- Reduce GHG emissions by 40 percent below 1990 levels by 2025; and
- Reduce GHG emissions by 80 percent below 1990 levels by 2050.

The City's 2017 and 2025 GHG reduction goals are more aggressive than the State's GHG reduction goals as outlined in AB 32, and consistent with the State's long-term (2050) GHG reduction goals. San Francisco's Strategies to Address Greenhouse Gas Emissions identifies the City's actions to pursue cleaner energy, energy conservation, alternative transportation and solid waste policies, and concludes that San Francisco's policies have resulted in a reduction in greenhouse gas emissions below 1990 levels, meeting statewide AB 32 GHG reduction goals. As reported, San Francisco's 1990 GHG emissions were approximately 8.26 million metric tons (MMT) CO_2E and 2005 GHG emissions are estimated at 7.82 $MMTCO_2E$, representing an approximately 5.3 percent reduction in GHG emissions below 1990 levels.

The BAAQMD reviewed San Francisco's Strategies to Address Greenhouse Gas Emissions and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in BAAQMD's CEQA Guidelines (2010) and stated that San Francisco's "aggressive GHG reduction targets and comprehensive strategies help the Bay Area move toward reaching the State's AB 32 goals, and also serve as a model from which other communities can learn."[23]

Based on the BAAQMD's 2010 CEQA Air Quality Guidelines, projects that are consistent with San Francisco's Strategies to Address Greenhouse Gas Emissions would result in a less than significant impact with respect to GHG emissions. Furthermore, because San Francisco's strategy is consistent with AB 32 goals, projects that are consistent with San Francisco's strategy would also not conflict with the State's plan for reducing GHG emissions. As discussed in San Francisco's Strategies to Address Greenhouse Gas Emissions, new development and renovations/alterations for private projects and municipal projects are required to comply with San Francisco's ordinances that reduce greenhouse gas emissions. Applicable requirements are shown below in Table 5.

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

TABLE 5
GHG REGULATIONS APPLICABLE TO THE PROPOSED PROJECT

Regulation	Project Requirements
Emergency Ride Home Program	All persons employed in San Francisco are eligible for the emergency ride home program.
Transportation Management Programs (Planning Code, Section 163)	Development of the proposed project would exceed 100,000 square feet. The project sponsor would be required to implement a Transportation Management Program and provide on-site transportation management brokerage services for the life of the building.
Transit Impact Development Fee (Administrative Code, Chapter 38)	The project sponsor would comply with the Transit Impact Development Fee by paying commercial development fees to the SFMTA to improve local transit services.
Bicycle Parking in Residential Buildings (Planning Code, Section 155.5)	The project sponsor will provide 66 bicycle parking spaces as a part of the proposed project.
Car Sharing Requirements (Planning Code, Section 166)	The residential development would be required to comply with the car sharing requirements.
San Francisco Green Building Requirements for Energy Efficiency (SF Building Code, Chapter 13C)	Under the Green Point Rated System and in compliance with the Green Building Ordinance, all new residential buildings would be required to be at a minimum 15% more energy efficient than Title 24 energy efficiency requirements.
San Francisco Green Building Requirements for Stormwater Management (SF Building Code, Chapter 13C) Or San Francisco Stormwater Management Ordinance (Public Works Code Article 4.2)	The project would be required to manage stormwater on-site using low impact design and comply with LEED® Sustainable Sites Credits 6.1 and 6.2.
Residential Water Conservation Ordinance (SF Building Code, Housing Code, Chapter 12A)	The project sponsor would be required to comply with the Residential Water Conservation Ordinance.
Residential Energy Conservation Ordinance (SF Building Code, Housing Code, Chapter 12)	The project sponsor would be required to comply with the Residential Energy Conservation Ordinance.
San Francisco Green Building Requirements for solid waste (SF Building Code, Chapter 13C)	The project sponsor would be required to comply with the San Francisco Green Building Requirements for solid waste.
Mandatory Recycling and Composting Ordinance (Environment Code, Chapter 19)	The project sponsor would be required to comply with the Mandatory Recycling and Composting Ordinance.
San Francisco Green Building Requirements for construction and Demolition Debris Recycling (SF Building Code, Chapter 13C)	Demolition activities associated with construction would be required to comply with the San Francisco Green Building Requirements for Construction and Demolition Debris Recycling.
Street Tree Planting Requirements for New Construction (Planning Code Section 428)	Planning Code Section 428 requires new construction, significant alterations or relocation of buildings within many of San Francisco's zoning districts to plant on 24-inch box tree for every 20 feet along the property street frontage. The project sponsor would be required to comply with the Street Tree Planting Requirements for New Construction.

TABLE 5
GHG REGULATIONS APPLICABLE TO THE PROPOSED PROJECT

Regulation	Project Requirements
Wood Burning Fireplace Ordinance (San Francisco Building Code, Chapter 31, Section 3102.8)	Project construction would not include the installation of wood burning fireplaces. The project would be required to comply with the Wood Burning Fireplace Ordinance.
Regulation of Diesel Backup Generators (San Francisco Health Code, Article 30)	The proposed project would be required to comply with Article 30 of the San Francisco Health Code.

Depending on a proposed project's size, use, and location, a variety of controls are in place to ensure that a proposed project would not impair the State's ability to meet statewide GHG reduction targets outlined in AB 32, nor impact the City's ability to meet San Francisco's local GHG reduction targets. Given that: (1) San Francisco has implemented regulations to reduce greenhouse gas emissions specific to new construction and renovations of private developments and municipal projects; (2) San Francisco's sustainable policies have resulted in the measured success of reduced greenhouse gas emissions levels; (3) San Francisco has met and exceeded AB 32 greenhouse gas reduction goals for the year 2020; (4) current and probable future state and local greenhouse gas reduction measures will continue to reduce a project's contribution to climate change; and (5) San Francisco's Strategies to Address Greenhouse Gas Emissions meet BAAQMD's requirements for a Qualified GHG Reduction Strategy, projects that are consistent with San Francisco's regulations would not contribute significantly to global climate change. The proposed project would be required to comply with these requirements, and was determined to be consistent with San Francisco's Strategies to Address Greenhouse Gas Emissions.[24] As such, the proposed project would result in a less than significant impact with respect to GHG emissions.

NOISE

In February 2012, a noise technical report was prepared to evaluate potential noise impacts associated with the construction and operation of the currently proposed project.[25]

The 2004 EIR states that the original project would have involved construction of a mixed-use development with offices, senior affordable housing, other housing, parking, retail, and other residential community-serving uses, including meeting rooms. Demolition of existing structures

[24] *Greenhouse Gas Analysis: Compliance Checklist.* April, 2012. This document is on file in Case File No. 2011.1043E and available for public review at the Planning Department, 1650 Mission Street, Suite 400.

[25] Atkins, *1400 Mission Street Noise Technical Report,* February 29, 2012. This document is on file in Case File No. 2011.1043E and available for public review at the Planning Department, 1650 Mission Street, Suite 400.

on the project site would have been necessary to accommodate the originally proposed structures that would have been located along Tenth Street between Market and Mission Streets. The demolition and construction effort would have occurred over approximately two years and would have included pile driving. The currently proposed project would consist of one building and no demolition of existing structures would be required. Excavation and foundation work would be similar to the originally proposed 2004 project and pile driving may still be required for construction of the currently proposed project. Construction noise and vibration impacts would be similar to the originally proposed 2004 project, but the construction schedule for the currently proposed project would be shorter due to the downsizing of the originally proposed 2004 project. Implementation of the mitigation measure identified in the 2004 Initial Study (Appendix A of the 2004 EIR), which is similar to mitigation measure NO-1.1 from the 2012 Noise study, would reduce potential project-related noise and vibration impacts on the environment to less-than-significant levels. This mitigation measure is included later in this document as Mitigation Measure C.1.

In addition to construction noise, the 2004 EIR states that the original project would have included stationary noise sources associated with the mixed-use development. Mechanical equipment, parking spaces, loading/unloading, trash bins and pumps were proposed to be located in the ground floor and contained in mechanical rooms. These stationary noise sources would not have caused a noise impact. The currently proposed project would include operation related stationary noise sources. These stationary noise sources would be similar to those described in the 2004 EIR. The currently proposed project would include HVAC, parking, loading/unloading activities, and trash bins. As stated above, these stationary noise sources would be located within mechanical rooms. Stationary noise impact evaluation for the currently proposed project would be similar to those described in the 2004 EIR, and no new impacts would occur.

The 2004 EIR states that the original project would have included traffic noise increases associated with an increase in traffic volumes on project area roadways due to the mixed-use development. The original analysis evaluated the amount of additional project traffic combined with existing and future traffic volumes qualitatively. The project evaluated in the 2004 EIR would not have caused a doubling of traffic volumes, which in turn would not cause a noticeable or perceptible increase in traffic noise at existing noise sensitive receptors. Similar to the 2004 EIR, the currently proposed project would cause an increase in traffic volumes on project area roadways. Quantifying the change in traffic volumes and then predicting traffic noise levels based on this change resulted in a minimal increase (+1 dBA Ldn) along one roadway segment. Traffic noise increases with implementation of the currently proposed

project would be similar to those described for the original project in the 2004 EIR, and no new impacts would occur.

The 2004 EIR states that the original project would have been exposed to ambient noise in the project area due primarily to traffic. The original analysis called for the 2004 project to comply with Title 24 standards and showed that exterior noise levels would not exceed the City's exterior noise standard at the common outdoor activity area. Thus, the 2004 EIR concluded that the original project would be compatible with the ambient noise environment. Like the original project analyzed 2004 EIR, the currently proposed project would be exposed to ambient noise in the project area due primarily to traffic also. The currently proposed project would also have an outdoor activity area that is protected from traffic noise levels and would comply with the City's exterior noise level at the common outdoor activity area. With adherence to Title 24 guidelines, interior noise levels at noise sensitive uses would achieve 45 dBA or less, and therefore, the currently proposed project would be compatible with the ambient noise environment. In addition, both construction and operation of the currently proposed project would be required to comply with Article 29 (Regulation of Noise) of the San Francisco Municipal Code, which would ensure that this project has a less-than-significant impact on noise levels, similar to the less-than-significant impact identified for the revised projects in the 2007 and 2009 Addenda.

WIND

The 2004 EIR states that under existing conditions, the average speed at all test point locations in the project area meets the *Planning Code's* pedestrian comfort criterion value of 11 miles per hour (mph). The 2004 EIR found that the original project generally would not affect overall wind conditions at the project site and in the vicinity. The 2004 EIR states that under existing conditions, 16 of the 24 test point locations meet the *Planning Code's* wind hazard criterion of 26 mph, while eight test point locations exceed it. The original 2004 project would eliminate two of the pre-existing eight locations of wind hazard exceedances and reduce the total duration of exceedances by 25 hours per year, from 482 hours per year to 457 hours per year. With cumulative development, the total duration of wind hazard exceedances would be further reduced to 245 hours per year. Thus, the 2004 EIR concluded that the original project, in combination with cumulative development, would not result in either project specific or cumulative wind impacts.

For the 2007 Addendum, which included the 15-story Mission Street Affordable Housing component, an updated wind-tunnel study was prepared. The analysis showed that there is little difference between wind patterns predicted for the original project analyzed in the 2004 EIR and the project covered in the 2007 Addendum. Though there would continue to be

exceedances, the design of the project under the 2007 Addendum would not worsen wind conditions at the project area study locations, as compared to the design of the original 2004 project, or as compared to wind conditions under the existing setting.[26] Therefore, as the 2004 EIR concluded that the original project would not increase the occurrence of hazardous winds and would not have a significant adverse impact on wind conditions, the 2007 Addendum concluded that the revised project would also not have a significant adverse impact on hazardous wind conditions.

A technical memorandum was completed for the 2009 Addendum that evaluated how the then revised project could change pedestrian winds and project wind impacts in relation to designs previously tested in the wind tunnel. In the technical memorandum, it is noted that various previous studies in the study area included a 15-story building at the project site within their cumulative analysis, and indicated improvement in conditions at the project site compared to existing conditions. In addition, given the project site's downwind location from the Tenth and Market Streets intersection (an area known for extreme winds), the revised 2009 project would have no effect on this intersection and would not further exacerbate this problem. The memorandum concludes that the revised 2009 project "does not have the potential to cause significant changes to the wind environment in pedestrian areas adjacent or near the site" when compared to the original 2004 project and the revised 2007 project. Therefore, the 2009 Addendum concluded that its revised project would result in a less-than-significant wind impact, similar to the original 2004 project and the revised project covered in the 2007 Addendum.

In March 2012, a technical memorandum was prepared for the currently proposed project based on a site visit, review of project plans and elevations, and consideration of previous wind tunnel tests for proposed development on the project site and other nearby sites.[27] The technical memorandum states that given the currently proposed project's downwind location with respect to the Tenth and Market Streets intersection and the multiple wind tunnel tests conducted for development on the project site that shows that development at Tenth and Mission Streets would have no effect on wind conditions at the Tenth and Market Streets intersection, the currently proposed project would not exacerbate the problematic winds at that

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[26] As compared to the existing setting (six exceedances), it was estimated that the revised project would result in three additional exceedances; however, those exceedances would mostly be as a result of the Market Street building, proposed as a part of the original and revised projects. It was estimated that with cumulative development in the area, exceedances would be reduced to below existing conditions (five exceedances). (See 2007 Addendum, Table 25).

[27] Ballanti, Donald. *Wind Impact Evaluation for the Proposed 1400 Mission Street Project*, San Francisco, March 2, 2012. This report is available for review in Case File No. 2011.1043E at 1650 Mission Street, Suite 400, San Francisco, CA.

location. The memorandum concludes that based on consideration of the exposure, massing, and orientation of the currently proposed project, this project does not have the potential to cause significant changes to the wind environment in pedestrian areas adjacent to or near the project site. Furthermore, the currently proposed project would not affect winds at the known wind problem area near the Tenth and Market Streets intersection. Therefore, the currently proposed project would result in a less-than-significant wind impact, similar to the original project, the 2007 Addendum, and the 2009 Addendum.

SHADOW

The shadow analysis in the 2004 EIR concluded that the original project would not create substantial adverse shadows effects on open space or other pedestrian areas (p. 143). The original 2004 project would cause no net new shading on public open space in the project vicinity (Civic Center Plaza) subject to *Planning Code* Section 295 at any time of year from one hour after sunrise to one hour before sunset. The original 2004 project would not have adverse shadow effects on open space subject to *Planning Code* Section 147 such as Fulton Street Mall or United Nations Plaza.

The currently proposed project would have a maximum height of approximately 150 feet (15 stories). This would represent no change from the original 2004 project, or from the revised projects under the 2007 Addendum and the 2009 Addendum. Similar to the revised projects covered under the 2009 Addendum, the currently proposed project would not create new shadows on Civic Center Plaza at times specified in *Planning Code* Section 295.[28] The proposed project would also not affect shadow conditions subject to *Planning Code* Section 147, such as the United Nations Plaza. Therefore, the shadow analysis conclusions for the original 2004 project would apply to the currently proposed project. The currently proposed project would have less-than-significant shadow impacts, as was identified in the 2004 EIR for the original project, and for the revised projects covered under the 2007 and 2009 Addenda.

OTHER ENVIRONMENTAL EFFECTS

The 2004 EIR for the original project states that the Initial Study (Appendix A of the 2004 EIR), published on November 15, 2003, determined that the following effects of the original project would either be insignificant or would be reduced to a less-than-significant level by implementation of the mitigation measures included in the Initial Study: Biological Resources, Cultural Resources, Geology/Soils, Hazards and Hazardous Materials, Hydrology/Water

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[28] San Francisco Planning Department. *1400 Mission Shadow Analysis*, July 21, 2008 and February 7, 2012. These documents are on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2011.1043E.

Quality, Noise, Population/Housing, Public Services, and Utilities/Service Systems (p. 46). Therefore, the 2004 EIR did not discuss these issues. However, an updated Noise study was prepared for this Addendum and information from that study is discussed above. The Initial Study also found that project-related land use changes would not cause potential significant environmental effects, but this topic (Land Use/Planning) was presented in the 2004 EIR for informational purposes.

The Initial Study analysis remains relevant to the currently proposed project, and all mitigation and improvement measures applicable to the original 2004 project from the Initial Study and the 2004 EIR would be carried forward, except as otherwise provided below, under the "Mitigation Measures" section of this document.

On May 23, 2006, the Board of Supervisors adopted Ordinance 116-06, directing the City to use a CEQA Initial Study Checklist based on the form included in Appendix G of the State's CEQA Guidelines. Accordingly, the City's Planning Department subsequently adopted a new Initial Study Checklist, consistent with Appendix G, but also incorporating additional questions specific to the urban environment of the City. This new checklist includes some questions not included in the Initial Study for the original 2004 project. The following discussion provides information about the currently proposed project's effects on those issues included in the new checklist, which were also analyzed for the revised projects within the 2007 Addendum and 2009 Addendum.

Recreation

Recreation and Park Department properties within six blocks of the project site include Howard-Langton Mini Park, at Howard Street and Langton Street, about five blocks southeast of the project site; Civic Center Plaza, at Hayes Street and Polk Street, about two blocks northeast of the project site; and Patricia's Green (also known as Hayes Green), at Hayes Street and Octavia Boulevard, about five bocks west of the project site.

The currently proposed project would provide about 8,140 gsf of semi-private open space for residents. The project would be located within walking distance of the above-noted parks and open spaces. Thus, residents of the currently proposed project would have convenient access to semi-private and public open space. The currently proposed project would have a less-than-significant impact on recreation, because it would not substantially increase demand for or use of neighborhood parks or citywide facilities, such as Golden Gate Park, in a manner that would cause substantial physical deterioration of these facilities, similar to the less-than-significant impact identified for the revised projects covered in the 2007 and 2009 Addenda.

Utilities and Public Services

As described in the Initial Study for the original 2004 project (Appendix A of the 2004 EIR), meeting project utilities and public services needs would not require new or substantially expanded infrastructure to maintain service standards. Existing water supply entitlements and resources could serve project water and wastewater demand. Solid waste from the currently proposed project would be recycled by Recology (formerly Norcal Waste Systems). The City's waste is taken to a transfer station and then diverted to Waste Management's Altamont Landfill, located approximately 60 miles from the City at 10840 Altamont Pass Road in Livermore. The landfill is owned and operated by Waste Management of Alameda County. The currently proposed project would comply with federal, State, and local statutes and regulations related to solid waste. Meeting public service demand for police, fire, schools, parks, or other services would not require new or altered governmental facilities in order to maintain acceptable performance standards. The currently proposed project would have a less-than-significant impact on utilities and public services, similar to the less-than-significant impact identified for the revised projects in the 2007 Addendum and 2009 Addendum.

Biological Resources

The currently proposed project would result in similar less-than-significant impacts as those identified for the revised projects in the 2007 Addendum and 2009 Addendum because there are no adopted habitat conservation plans applicable to the project site, nor does the site include any riparian habitat or other significant biological resources.

Hydrology and Water Quality

The currently proposed project would result in similar less-than-significant impacts as those identified in the Initial Study for the original 2004 project (Appendix A of the 2004 EIR). The Initial Study concluded that the original 2004 project would be included in the San Francisco Public Utilities Commission's Urban Water Management Plan and, thus, would not substantially increase the existing water demand beyond expected levels. The Initial Study further explained that the original 2004 project would comply with all local wastewater discharge requirements and, therefore, would not substantially degrade water quality. Since the project site is entirely made up of impervious surfaces and the currently proposed project would similarly cover the project site with impervious surfaces, its construction would not substantially alter site drainage. Furthermore, no use of groundwater currently exists on the site. Therefore, groundwater resources would not be substantially degraded or depleted, and the currently proposed project would not interfere substantially with groundwater recharge. The currently proposed project would not result in any additional disturbance outside the

original footprint evaluated in the 2004 EIR, nor would it create additional impervious surfaces than previously evaluated. Therefore, the currently proposed project would result in similar less-than-significant impacts as identified for the revised projects in the 2007 and 2009 Addenda.

Geology/Soils

The Initial Study for the original 2004 project (Appendix A of the 2004 EIR) stated on page A-15 that impacts related to geology and topography had been determined to be either less than significant or to be mitigated to insignificance through measures included in the project. Geology and topography issues were explained on pages A-36 through A-39 of the Initial Study (as summarized below) and required no further environmental analysis in the 2004 EIR.

The 2007 Addendum stated on p. 8 that impacts related to geology and topography had been determined by the Initial Study analysis (Appendix A of the 2004 EIR) to be either less than significant or to be mitigated to insignificance through measures included in the original project and that the effects of the revised 2007 project would be largely the same. The 2007 Addendum and 2009 Addendum stated the 2004 Initial Study analysis, including that of geology and topography issues, remained applicable to the revised project(s).

An additional geotechnical report was prepared in January 2008 and summarized in the 2009 Addendum for the then revised project. The surface of the project site consists of 3 to 6 inches of asphaltic concrete pavement. The pavement is underlain by as much as 5 feet of loose to medium dense fill over 20 to 25 feet of medium dense native dune sand, which in turn, overlies about a 4 foot layer of marsh deposit (medium stiff sandy clay and loose to medium dense clayey sand containing organic material) and 20 to 60 feet of interbedded dense to very dense sand, silt, and clay of the Colma formation. Groundwater was encountered between 19 and 23 feet bgs.[29] According to the geotechnical report, because design and construction at the project site would continue to be regulated by the SFBC, no additional impacts beyond those identified in the Initial Study for the original 2004 project would be created by the 2009 change in the original project. The impacts of the 2009 revised project would be less than significant.

Until January 1, 2008, the *California Building Code* (CBC) was based on the then current *Uniform Building Code* and contained Additions, Amendments and Repeals specific to building conditions and structural requirements in California. The 2010 CBC, effective January 1, 2011, is

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[29] Treadwell & Rollo. 2008. *Geotechnical Investigation, 10th and Mission Streets, San Francisco, California,* January11, pp. 4 and 5, Figure 3, and Appendix A. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2003.0262E.

based on the current (2009) *International Building Code* (IBC).[30] Each jurisdiction in California may adopt its own building code based on the 2010 CBC. Local codes are permitted to be more stringent than the 2010 CBC, but, at a minimum, are required to meet all state standards and enforce the regulations of the 2010 CBC beginning January 1, 2011.

San Francisco adopted the 2010 CBC as the basis for its Building Code by Ordinances 271-10, 275-10, and 276-10, on November 2, 2010. The full 2010 San Francisco Building Code (SFBC)[31] consists of the 2009 IBC, as amended by the 2010 CBC, and as further modified by San Francisco amendments designed to be used in conjunction with the 2010 CBC and the 2010 California Green Building Standards Code. The SFBC amendments were adopted by the Board of Supervisors became effective January 1, 2011.

The impacts associated with the currently proposed project would be similar to those identified in the 2004 EIR for the original project, and in 2007 Addendum and 2009 Addendum for the revised projects. As stated in the 2009 Addendum, the recommendations identified in the 2008 Geotechnical Report for seismic design would follow the 2010 SFBC seismic standards. Thus, adherence to these standards would ensure that impacts related to geology and topography are less than significant, as identified in the 2004 Initial Study for the original project. This is applicable to the currently proposed project as well.

Hazards

A Phase I Environmental Site Assessment (ESA) of the project site was prepared in November 1998.[32] The findings of the Phase I ESA were summarized in the Initial Study for the original project (Appendix A of the 2004 EIR). Historic uses of the project site include commercial and office uses on the northern portion, and a gas station and carwash. In January 1992, four underground storage tanks (UST) were removed from the project site (from the former gas station and carwash site), contaminated soils were excavated and disposed of, and three groundwater monitoring wells were installed. After quarterly groundwater analysis gathered between March 1991 and March 1993, the case was closed by the Regional Water Quality Control Board (RWQCB) in August 1993. Adjacent to the project site, at 1455 Market Street, soil and groundwater contamination was detected in March 1989. This case was subsequently

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30 California Building Standards Commission, *2010 California Building Code*, California Code of Regulations, Title 24, Part 2, Volumes 1 and 2, effective January 1, 2011, website: http://publicecodes.citation.com/st/ca/st/b200v10/index.htm, accessed, March 23, 2011.

31 City and County of San Francisco *Building, Electrical, Housing, Mechanical and Plumbing Codes*, website: http://www.amlegal.com/library/ca/sanfrancisco.shtml, accessed March 23, 2011.

32 San Francisco Planning Department. 2004. *Tenth/Market/Mission Streets Mixed-Use Project, Final EIR*, p. A-41, October 14. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2003.0262E.

remediated, and the case was closed both by the San Francisco Department of Public Health and RWQCB in 1996. In addition, the project site is known to contain soils with elevated lead concentrations based on a previous subsurface investigation report conducted by Treadwell and Rollo on August 29, 2000.[33]

The Phase I ESA identified the possibility of residual soil contamination, and the 2004 EIR included Mitigation Measure F.1.a, which required that a Phase II investigation be conducted to characterize site contamination prior to any demolition or excavation activities. In addition, Mitigation Measure F.1.b from the 2004 EIR required that a site mitigation plan be developed to address any contaminated soils, groundwater, or other hazardous materials identified during the Phase II investigation.

Leading up to the 2009 Addendum, the project applicant took the necessary steps to implement the mitigation measures included in the 2004 EIR by conducting a Phase II Subsurface Investigation on January 7, 2008 at the project site. The Phase II report was prepared to: (1) further characterize soil for suspect elevated lead content, (2) obtain additional information to assist in evaluating excavation and soil handling options, (3) and help minimize final excess soil disposal costs.[34] The project site contains fill material and debris at varying depths across the site, but was generally observed from the surface to a depth of four feet bgs. Earthquake fill material typically contains higher lead concentrations than the background levels of lead found in native soils. An anomalously high lead concentration was found in the location of soil boring B10, which is located on the west side of the project site, about halfway between the north and south site boundaries.[35] Soil excavated from this area must be handled as Federal RCRA hazardous waste. Soil excavated to a depth of four feet bgs across the project site contains elevated soluble lead concentrations and constitutes California hazardous waste. This soil would be considered non-RCRA California hazardous waste and could thus be disposed of out-of state as Class II non-hazardous material. No soil movement has taken place since the 2008 Phase II. Improper disposal of hazardous waste could result in a significant impact; however, implementation of the mitigation measures identified in the 2004 EIR and modified below as Mitigation Measure F.1, would ensure that the currently proposed project's impacts related to

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[33] Treadwell & Rollo. 2000. *Phase II Environmental Assessment Report,* August 29. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2003.0262E.

[34] ACC Environmental Consultants. 2008. *Phase II Subsurface Investigation Report,* January 7. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2003.0262E.

[35] ACC Environmental Consultants. 2008. *Phase II Subsurface Investigation Report,* January 7. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2003.0262E.

hazards would be less than significant, similar to the original 2004 project, the 2007 Addendum, and 2009 Addendum.

Mineral and Energy Resources

The Initial Study for the original 2004 project (Appendix A of the 2004 EIR) stated on page A-15 that impacts related to energy and natural resources had been determined to be either less than significant or to be mitigated to less than significant through measures included in the original project. Energy and natural resources issues were explained on pages A-40 and A-41 of the Initial Study (as summarized in the following paragraph) and required no further environmental analysis in the 2004 EIR.

The original 2004 project would meet current State and local codes concerning energy consumption, including Title 24 of the California Code of Regulations, enforced by the Department of Building Inspection. Other than natural gas and coal fuel used to generate the electricity for the project, the original 2004 project would not have a substantial effect on the use, extraction, or depletion of a natural resource. Consequently, the original 2004 project would not cause a wasteful use of energy, and would not have a substantial adverse effect on natural resources. Both the 2007 Addendum and 2009 Addendum determined that impacts associated with mineral and energy resources would either be less than significant or mitigated to less than significant through the implementation measures included in the Initial Study.

Because the currently proposed project would also meet current State and local codes concerning energy consumption, including Title 24 of the California Code of Regulations, enforced by the Department of Building Inspection, no additional impacts would be created by this project than what was identified for the original and revised projects. Impacts to mineral and energy resources would also remain less than significant.

Agricultural Resources

The currently proposed project would result in similar less-than-significant impacts as identified in the 2007 Addendum and 2009 Addendum because no agricultural resources are located on or near the project site.

GROWTH INDUCEMENT

Growth inducement under CEQA considers the ways in which proposed projects could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Projects that are traditionally or most commonly considered growth inducing are those that would remove obstacles to population growth (for

example, a major expansion of a wastewater treatment plant may allow more construction in its service area, or a new freeway may allow growth at freeway exits).

With the anticipated new housing construction associated with the original 2004 project, and with other approved and proposed residential developments, the project area would increase the City's overall housing stock. However, it was determined in the 2004 EIR that implementation of the original project would not have represented a significant growth in employment or housing in the context of the City as a whole. Additionally, the original 2004 project was located in an urban area that is already serviced by the City's municipal infrastructure and public services; no expansion to municipal infrastructure or public services not already under consideration or included with the original project would have been required to accommodate new development directly or indirectly induced by the original project. The original 2004 project would not have resulted in development of new public services that would accommodate significant further growth. For these reasons, it was determined in the 2004 EIR that the original project was not considered to result in significant growth-inducing impacts.

While the currently proposed project would result in population growth in the project vicinity, it would do so on a lesser scale than the original 2004 project and the revised project covered under the 2007 Addendum, which both included 200 residential units. However, the currently proposed project would result in population growth greater than that covered for the revised project in the 2009 Addendum, which included 150 residential units. The currently proposed project would include approximately 197 residential units and would add approximately 450 new residents based on an estimate of 2.28 persons per household.[36] Although the currently proposed project could increase the population within the City, it would also increase the City's housing stock and would therefore contribute to the City's ability to meet its need for housing options of varying sizes, types, and levels of affordability. Thus, the currently proposed project would not induce substantial growth or concentration of population or reduce the housing supply, and would result in a less-than-significant environmental impact.

The currently proposed project would generate approximately 11 jobs[37] associated with the proposed commercial/retail uses; this would be approximately 25 employees less than what was identified for the original project in the 2004 EIR. As indicated in the 2004 EIR, employment generated by commercial/retail uses was not considered to be a significant contributor to

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[36] Association of Bay Area Governments. 2009. *Projections 2009*. San Francisco City/County Projections 2010; 2.28 persons per dwelling unit.

[37] Estimates for number of retail and restaurant employment was taken from Table C-1, Trip Generation Rates & Employment Densities for Typical Land Uses, *San Francisco Transportation Analysis Guidelines*, p. C-3, October 2002. Retail and restaurant uses = 1 employee per 350 gsf.

growth inducement. Since the currently proposed project would generate fewer employees than the original 2004 project, it also would not significantly contribute to growth inducement. Thus, this impact would be less than significant.

MITIGATION MEASURES

This section presents mitigation measures that address significant environmental impacts identified in the Initial Study for the original project and the 2004 EIR for the original project. As noted throughout this document, the currently proposed project would not result in any new significant impacts, compared to those identified for the original project in the 2004 EIR.

The mitigation measures presented in the 2004 EIR, 2007 Addendum, and 2009 Addendum would continue to apply to the currently proposed project except as follows: (1) the currently proposed project would not result in significant impacts on transportation, and therefore the mitigation measures from the 2004 EIR are replaced by improvement measures from the 2009 Addendum suggested to address less-than-significant impacts of the currently proposed project, and (2) the City has adopted a Construction Dust Control Ordinance; this ordinance would ensure that potential dust-related air quality impacts would be reduced to a less-than-significant level, and replaces mitigation measures related to air quality from the original project.

This Addendum updates the mitigation measures to reflect current Planning Department practices. While the language of such mitigation measures is different from that presented in the 2004 EIR, the overall intent and effects of the mitigation measures are the same. The mitigation measures have been numbered to correspond with the mitigation measures contained in the 2004 EIR. For the reasons explained below, the updated mitigation measures do not change the conclusions of significance reached in the 2004 EIR, 2007 Addendum, and 2009 Addendum.

A. TRANSPORTATION

As previously explained above, while the original 2004 project resulted in significant and unavoidable project-specific and cumulative traffic impacts and project-specific transit impacts, the proposed project would result in less-than-significant traffic and transit impacts as discussed in the transportation analysis performed for the currently proposed project. Therefore, transportation-related mitigation measures identified for the original project in the 2004 EIR would no longer apply to the currently proposed project. However, transportation improvement measures were included as part of the 2009 Addendum and are included for the currently proposed project, as shown below.

C. NOISE

The mitigation measure identified for the original project in the 2004 Initial Study was intended to reduce potential noise effects to a less-than-significant level. The 2012 Noise study identified the same mitigation measure and, thus, it is included here as a part of the currently proposed project. Implementation of the following mitigation measure would reduce potential noise effects to a less-than-significant level.

Contractors shall be required to use construction equipment with state-of-the-art noise shielding and muffling devices.

C.1 The project applicant shall require that its geotechnical engineering contractor conduct a pre-construction assessment of existing subsurface conditions and the structural integrity of nearby buildings subject to pile driving impacts prior to receiving a building permit. If recommended by the geotechnical engineer, for structures or facilities within 50 feet of pile driving, the project applicant shall require ground-borne vibration monitoring of nearby structures. The project applicant shall also require its construction contractor to use feasible noise-reducing pile driving techniques if nearby structures are subject to pile driving noise and vibration. These techniques may include pre-drilling pile holes (depending on soil type) to the maximum feasible depth, installing intake and exhaust mufflers on pile driving equipment, vibrating piles into place when feasible, and installing shrouds around the pile driving hammer where feasible.

At least 48 hours prior to pile-driving activities, the project applicant shall notify building owners and occupants within 200 feet of the project site of the dates, hours, and expected duration of such activities.

D. AIR QUALITY

As discussed in the Air Quality chapter of this document the original 2004 project included mitigation measures to reduce the impacts to air quality as a result of construction activities. However, since the certification of the 2004 EIR, the City adopted a Construction Dust Control Ordinance. This ordinance includes such provisions as the preparation of a Dust Control Plan, and the placing of dust monitors around the project. The ordinance would ensure that potential dust-related air quality impacts of the currently proposed project would be reduced to a less-than-significant level, and replaces mitigation measures related to air quality from the original project.

E. WATER QUALITY

Based on previous subsurface investigation reports prepared for the project site for the 2004 EIR, the water table appears to be at a depth of approximately 17 to 21 feet bgs. Since the currently proposed project does not include underground levels, it is unlikely that dewatering would be required. However, any groundwater encountered during construction would be subject to the requirements of the San Francisco Industrial Waste Ordinance (Ordinance No. 199-77), requiring that groundwater meet specified standards before being discharged into the sewer system if the project were to require dewatering.

E.1 a. If dewatering were necessary, the project applicant shall follow the recommendations of the geotechnical engineer or environmental remediation consultant, in consultation with the Bureau of Environmental Regulation and Management of the Department of Public Works, regarding treatment, if any, of pumped groundwater prior to discharge to the combined sewer system.

b. If dewatering were necessary, groundwater pumped from the site shall be retained in a holding tank to allow suspended particles to settle, if this were found to be necessary by the Bureau of Environmental Regulation and Management of the Department of Public Works to reduce the amount of sediment entering the combined sewer system.

c. The project applicant shall require the general contractor to install and maintain sediment traps in local stormwater intakes during construction to reduce the amount of sediment entering the combined sewer system, if this were found to be necessary by the Bureau of Environmental Regulation and Management of the Department of Public Works.

F. HAZARDS

The following mitigation measure was presented in the 2004 EIR, 2007 Addendum, and 2009 Addendum and would continue to apply to the currently proposed project. However, it has been revised to delete the requirement that the project applicant must enter into a "remedial action agreement" with the Department of Public Health pursuant to Health and Safety Code Section 101480 et. seq. The analysis in the 2004 EIR and 2007 Addendum relied on a Phase I Environmental Site Assessment (ESA).[38] The 2009 Addendum relied on a Phase II Subsurface

[38] ATC Associates Incorporated, *Phase I Environmental Site Assessment of 10th and Market Streets, Bank of America – 10th and Market Complex,* San Francisco, California, 94102, November 4, 1998. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2003.0262E.

Investigation conducted in January 2008.[39] That investigation determined that total lead was the only constituent of concern and concluded that soil management by the Department of Public Health would not be necessary if the majority of soil containing elevated lead concentrations is removed.

F.1 In addition to local, State, and federal requirements for handling hazardous materials, underground storage tanks, and soil and groundwater containing chemical contaminants, the project applicant shall undertake the following work and any additional requirements imposed by the Department of Public Health

a. A Phase II investigation has been performed to evaluate soil quality at the site as a result of former operations at the site and in the site vicinity. Soil was evaluated for the presence of petroleum hydrocarbons, metals, volatile organic compounds, semi-volatile organic compounds and polynuclear aromatic hydrocarbons.

b. A site mitigation plan shall be developed to address any contaminated soil and/or groundwater, underground storage tanks, or other hazardous materials identified during the Phase II investigation or subsequent demolition activities.

If deemed necessary, all impacted materials shall be mitigated prior to construction. Soils with elevated petroleum hydrocarbon or lead concentrations may require excavation and off-site disposal. Soil levels in excess of applicable federal, state, or local limits for petroleum hydrocarbon or lead concentrations shall be disposed of off site in accordance with California hazardous waste disposal regulations (CCR Title 26) or shall be managed in place with approval of the California Department of Toxic Substances Control or the Regional Water Quality Control Board.

If the site mitigation results in earth-moving activities that require the preparation of a site safety and health plan because contaminated soils and/or groundwater may be encountered, in addition to measures that protect on-site workers, the plan shall include measures to minimize public exposure to contaminated soils. Such measures would include dust control, appropriate site security, restriction of public access, and posting of warning signs. Such measures would apply from the time of surface disruption through the completion of earthwork construction.

c. Prior to any demolition or excavation at the project site, the project applicant shall conduct surveys to identify any potentially hazardous materials (e.g., asbestos, lead-based paint, PCBs, mercury) in existing buildings or building materials. At a minimum, these surveys shall identify any hazardous materials

[39] ACC Environmental Consultants. 2008. *Phase II Subsurface Investigation Report*, January 7. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2003.0262E.

that would require removal and disposal prior to demolition. These surveys shall be completed by a state registered inspector or a similarly qualified individual who states that all necessary mitigation measures have been implemented.

d. All reports and plans prepared in accordance with this mitigation measure shall be provided to the San Francisco Department of Public Health (DPH) and any other agencies identified by DPH. When all hazardous materials have been removed from existing buildings and soil and groundwater analysis and other activities have been completed, as appropriate, the project applicant shall submit to the San Francisco Planning Department and DPH a report stating that the mitigation measure has been implemented. The report shall describe the steps taken to comply with the mitigation measure and include all verifying documentation. The report shall be certified by a Registered Environmental Assessor or a similarly qualified individual who states that all necessary mitigation measures have been implemented.

e. Should elevated levels of contamination remain at the site, a deed notification shall be required for the project site along with a DPH-approved Cap Maintenance Plan. The deed notification is to be recorded on the deed, prior to DPH issuing a "No Further Action" letter for the project site.

G. ARCHAEOLOGICAL RESOURCES

The following mitigation measure was identified for the original project in the 2004 EIR, carried through to the 2007 Addendum and 2009 Addendum for the revised projects, and would continue to apply to the currently proposed project. The 2004 EIR identified that the original project would require excavation throughout the site and pile driving at greater depths. Therefore, the original 2004 project and subsequent projects could potentially adversely affect legally significant archaeological resources within the project area. Implementation of the following measure would reduce any potentially significant disturbance, damage, or loss of archaeological resources to a less-than-significant level.

G.1 Based on a reasonable presumption that archaeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project applicant shall retain the services of a qualified archaeological consultant having expertise in California prehistoric and urban historical archaeology. The archaeological consultant shall implement the archaeological research design and treatment plan (ARD/TP). The consultant shall be available to conduct an archaeological monitoring and/or data recovery program if required pursuant to this measure. The archaeological consultant's work shall be conducted in accordance with this measure and with the requirements of the project ARD/TP (Archeo-Tec, *Draft Archaeological*

Research Design/Treatment Plan, Tenth/Market/Mission Mixed Use Project, June 26, 2003) at the direction of the Environmental Review Officer (ERO). In instances of any inconsistency between the requirements of the project ARD/TP and of this archaeological mitigation measure, the requirement of this latter shall prevail. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. 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 to a less than significant level potential effects on a significant archaeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

Archaeological Testing Program. The archaeological consultant shall prepare and submit to the ERO for review and approval a final 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 potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archaeological testing program will be to determine to the extent possible the presence or absence of archaeological resources and to identify and to evaluate whether any archaeological resource encountered on the site constitutes a historical resource under CEQA.

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

- Redesign the proposed project so as to avoid any adverse effect on the significant archaeological resource; or

- Implement a data recovery program, unless the ERO determines that the archaeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

Archaeological Monitoring Program. If the ERO in consultation with the archaeological consultant determines that an archaeological monitoring program is to be implemented, the archaeological monitoring program shall minimally include the following provisions:

- The archaeological consultant, project applicant, and ERO shall meet and consult on the scope of the archaeological monitoring program 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 (e.g., demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles for foundation or shoring, 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 to be on the alert for evidence of the presence of the expected resource(s), how 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 materials 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 applicant, 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 will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the 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 of associated or unassociated funerary objects discovered during any soils-disturbing activity shall comply with applicable state and federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco

and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC), which shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archaeological consultant, project applicant, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

Final Archaeological Resources Report. The archaeological consultant shall submit a draft final archaeological resources report (FARR) to the ERO that evaluates 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 and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

IMPROVEMENT MEASURES

Most of the improvement measures presented in the 2004 EIR, 2007 Addendum, and 2009 Addendum would continue to apply to the currently proposed project; however, several measures were modified or would no longer be applicable to the currently proposed project, as they were intended to be implemented by the Market/Tenth Street project. The modifications to the improvement measures are as follows:

1. Transportation Improvement Measure that recommends that "signs should direct service vehicles into the garage where valet attendants will assist them in finding the service space" is no longer applicable because this measure was intended for the Market/Tenth Street project and the project is not proposing valet parking.

2. The Wind Improvement Measure previously recommended that interior plazas, walkways, and terraces be landscaped to reduce wind and improve usability. The Wind Improvement Measure proposed below does not include interior plazas and walkways because they are not proposed as part of the project.

A. TRANSPORTATION

Loading Improvement Measures

The project applicant would address the issues of truck/van access:

- Signage should be posted on Tenth Street directing all loading/unloading vehicles to enter Jessie Street (trucks larger than 35 feet would be prohibited).
- On Jessie Street, signs should direct trucks to pull up to the end of the Jessie Street and back into the loading stalls.
- Loading stalls should be clearly signed so drivers know they are permitted to use these spaces.
- Signs should also be placed on Jessie Street to warn pedestrians and motorists that trucks may be backing into loading stalls.
- In order to assist trucks in safely backing up and avoiding conflict with incoming vehicles, large exterior convex mirrors should be placed on the Mission Street Affordable Housing building so truck drivers can clearly see vehicles entering Jessie Street behind them.
- Within the garage, signs should be prominently posted at the exits warning motorists that trucks may be backing into loading stalls and directing them to use the mirrors for better visibility.
- The project sponsors should install a warning system that triggers a red light when trucks are backing up in order to stop vehicles exiting the garage. In lieu of this system, the project sponsor should place a Dock Master at the loading area.

Pedestrian Improvement Measure

- The City should clearly designate the pedestrian crosswalk with striping at Tenth and Jessie Streets in order to discourage vehicle traffic from blocking the pedestrian pathway.

Construction Traffic Improvement Measures

Any construction traffic occurring between 7:00 a.m. and 9:00 a.m. or between 3:30 p.m. and 6:00 p.m. would coincide with peak-hour traffic and could impede traffic flow. The impact of lane closures and construction traffic would decrease the capacity of streets and slow the movement of traffic, including MUNI buses. During the AM peak period

on one-way, southbound Tenth Street and during off-peak period, traffic volumes may accommodate construction vehicles without substantial delay to traffic. Although construction impacts would be temporary and of relatively short duration, the following improvement measures would lessen their impacts:

- To the extent possible for the proposed project, truck movements should be limited to the hours before 3:30 p.m.
- Prior to any lane closure and encroachment on traffic lanes, proper permits must be obtained from the City.
- The project applicant must seek special permission for sidewalk closure if no alternative is found and should meet with the Traffic Engineering Division of the Department of Parking and Traffic, the Fire Department, and the Planning Department to determine feasible traffic measures to reduce traffic congestion and pedestrian circulation impacts during construction of the project.
- To ensure that construction activities do not impact MUNI bus stops or routes in the area, the project applicant should coordinate with MUNI's Chief Inspector prior to construction.

B. WIND

Terraces could be landscaped to reduce wind and improve usability. Porous materials or structures (vegetation, hedges, screens, latticework, and perforated or expanded metal structures) could be used to offer superior wind shelter compared to a solid surface. Wind-sheltering elements should have sufficient height to shelter the area in question. (Wind shadows behind porous wind screens or shelter belts generally provide shelter a distance downwind equivalent to three to five times the height of the wind screen). Any outdoor furniture and any landscape structures could be firmly attached to the ground or buildings to resist being blown over.

CEQA CONCLUSION

Based on the analysis and discussion presented in this document, no supplemental or subsequent environmental analysis is needed pursuant to the *CEQA Guidelines*, Sections 15162, 15163, and 15164. It is concluded that the analyses conducted and the conclusions reached in the original EIR, certified on October 14, 2004, remain valid. The currently proposed project would not cause new significant impacts not identified in the original 2004 EIR or result in a substantial increase in the severity of previously identified significant impacts, and no new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the original 2004 or revised 2007 and 2009 projects that would cause significant environmental impacts to which the currently proposed project would contribute considerably, and no new information has become available that shows that the original (2004), revised (2007 or 2009), or currently proposed project would cause significant environmental impacts. Therefore, no supplemental environmental review is required beyond this Addendum.

August 7, 2012

Date of Determination

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

Sarah Jones for

Bill Wycko
Environmental Review Officer

Cc: Project Sponsor; Supervisor Kim, District 6; Distribution List; Bulletin Board