



# SAN FRANCISCO PLANNING DEPARTMENT

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## Preliminary Mitigated Negative Declaration

*Date:* June 20, 2018  
*Case No.:* 2015-001033ENV  
*Project Title:* 940 Battery Street  
*BPA Nos.:* To be determined  
*Zoning:* C-2 (Community Business) Use District  
65-X Height and Bulk District  
Waterfront Special Use District No. 3  
*Block/Lot:* 0136/004A  
*Lot Size:* 7,242 square feet  
*Project Sponsor:* Larry Badiner, Badiner Urban Planning, Inc.  
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### PROJECT DESCRIPTION:

The project site is located on the east side of Battery Street in the block bound by Battery, Green, Front and Vallejo streets in the North Beach neighborhood of San Francisco. The site is occupied by an approximately 21,720-square-foot, 50-foot-tall, three-story-over-basement commercial building with approximately 53 feet of frontage on Battery Street. The existing building was constructed in 1917 and is a contributor to the Northeast Waterfront Landmark District. The proposed project would realign the existing third floor to create a new fourth floor within the current building envelope and add a new fifth-floor penthouse at the existing roof level, which would be set back approximately 24 feet from the Battery Street property line. The Battery Street façade would be modified to include a new recessed entrance, storefront display window and recessed exit at the first floor and the existing windows at all floors would be either rehabilitated or replaced. A portion of the rear façade of the building would be removed to create terraces at the third and fourth floors. The proposed alterations and vertical addition would produce an approximately 35,955-square-foot, 63-foot-tall, five-story-over-basement, commercial building with about 19,450 square feet of institutional space (museum), 12,995 square feet of retail space (event rentals) and 3,510 square feet of office space. The proposed project would provide approximately 2,840 square feet of useable private open space in the form of terraces on the third, fourth and fifth floors. No off-street vehicle parking would be provided; however, 12 class 1 bicycle spaces would be included in a bicycle storage room in the basement and 12 class 2 bicycle parking spaces would be provided on the Battery Street sidewalk opposite the project site. Two shower rooms with lockers would also be provided at the basement level. The existing 12-foot-wide curb cut on Battery Street would be removed and three new street trees would be added along the property's frontage. During the approximately 12-month construction period, the proposed project would require excavation of an approximately 850-square-foot area to a depth of 5.5 feet below ground surface and removal of about 120 cubic yards of soil for the foundation. The proposed project would require approval of a Certificate of Appropriateness from the

Historic Preservation Commission and approval of site and building permits from the Department of Building Inspection.

**FINDING:**

This project could not have a significant effect on the environment. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached.

Mitigation measures are included in this project to avoid potentially significant effects. See pages 97-101.

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# Initial Study

## 940 Battery Street

### Planning Department Case No. 2015-001033ENV

#### A. PROJECT DESCRIPTION

##### *Project Location*

The project site consists of a 7,242-square-foot rectangular lot (Assessor's Block 0136, Lot 4A) located on the east side of Battery Street in the block bound by Battery, Green, Front and Vallejo streets in the North Beach neighborhood of San Francisco (Figure 1, Project Location). The site is occupied by an approximately 21,720-square-foot, 50-foot-tall, three-story-over-basement commercial building with approximately 53 feet of frontage on Battery Street. The existing building was constructed in 1917 and is a contributor to the Northeast Waterfront Landmark District; it is currently being used as a museum warehouse facility by the property owner. Two metered on-street parking spaces and a 12-foot-wide curb cut front the existing building.

##### *Project Characteristics*

The proposed project would realign the existing third floor<sup>1</sup> to create a new fourth floor within the current building envelope and add a new fifth-floor penthouse at the existing roof level, which would be set back approximately 24 feet from the Battery Street property line. The Battery Street façade would be modified to include a new recessed entrance, storefront display window and recessed exit at the first floor and the existing windows at all floors would be either rehabilitated or replaced. A portion of the rear façade of the building would be removed to create terraces at the third and fourth floors. The proposed alterations and vertical addition would produce an approximately 35,955-square-foot, 63-foot-tall, five-story-over-basement, commercial building with about 19,450 square feet of museum space (including 855 square feet of accessory retail), 12,995 square feet of retail space (event rentals) and 3,510 square feet of office space (Table 1, Summary of Existing and Proposed Uses). The proposed project would provide approximately 2,840 square feet of useable private open space in the form of terraces on the third, fourth and fifth floors. No off-street vehicle parking would be provided; however, 12 class 1 bicycle spaces would be provided in a bicycle storage room in the basement and 12 class 2 bicycle parking spaces would be provided on the Battery Street sidewalk opposite the project site.<sup>2</sup> Two shower rooms with lockers would also be provided at the basement level. The existing 12-foot-wide curb cut on Battery Street would be removed and three new street trees would be added along the property's frontage. The project sponsor would seek approval of a new passenger loading zone on Battery Street in front of the project site. The proposed project would require excavation of an approximately 850-square-foot area to a depth of 5.5 feet below ground surface and removal of about 120 cubic yards of soil for the foundation. The site plan, floor plans, elevations and building sections for the proposed project are included in the Appendix on page 105.

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<sup>1</sup> The floor-to-floor height between the existing second and third floors is approximately 17 feet.

<sup>2</sup> Section 155.1(a) of the planning code defines class 1 bicycle spaces as "spaces in secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residents, nonresidential occupants, and employees" and defines class 2 bicycle spaces as "spaces located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guests, and patrons to the building or use."



Figure 1. Project Location (Source: San Francisco Planning Department)

**Table 1. Summary of Existing and Proposed Uses**

| Land Use<br>(location)                                 | Existing<br>(gross square feet) | Proposed<br>(gross square feet)            |
|--|---------------------------------|--|
| PDR: Production, Distribution & Repair<br>(all floors) | 21,720                          | 0  |
| Institutional<br>(basement, floors 1-2)                | 0                               | 19,450                                     |
| Retail<br>(floors 3-4)                                 | 0                               | 12,995                                     |
| Office<br>(floor 5)                                    | 0                               | 3,510                                      |
| Open Space<br>(roof, floors 3-4)                       | 0                               | 2,840*                                     |
| Bicycle Parking<br>(basement, Battery Street sidewalk) | 0                               | 70**<br>(12 class 1 and 12 class 2 spaces) |
| Shower Rooms<br>(basement)                             | 0                               | 254**                                      |
| <b>Total</b>   | <b>21,720</b>                   | <b>35,955</b>                              |

Source: San Francisco Planning Department

\* Exterior open space excluded from total gross square footage

\*\* Excluded from total gross square footage because already incorporated in institutional square footage

### *Project Construction*

Construction of the proposed project would last approximately 12 months. The proposed alterations and vertical addition would require installation of a deep foundation system consisting of micropiles. The micropiles would be required to penetrate at least five feet into the underlying bedrock, which is believed to reside just below the basement level along the west end of the building and up to a depth of 15 to 20 feet below ground surface (bgs)—measured from the basement floor—along the east end of the building.

### *Project Approvals*

The proposed project would require the following approvals:

- **Certificate of Appropriateness.** In accordance with Article 10 of the Planning Code (sections 1002(a)(2) and 1006), the proposed project would require approval of a Certificate of Appropriateness from the Historic Preservation Commission to alter the existing building.
- **Demolition, site and building permits.** The proposed project would require approval of demolition, site and building permits from the Department of Building Inspection.

## **B. PROJECT SETTING**

The project vicinity includes a range of two- to eight-story buildings with retail, office and residential uses. Immediately north of the project site, there are two three-story commercial buildings. The first building (950 Battery) contains a florist and a coffee shop at the ground level, with office and retail uses above, including an advertising agency, graphic design studio and a

media services business. The second building (962 Battery Street/ 99 Green Street) contains a building design company. A three-story warehouse (900 Battery Street) containing a self-storage facility occupies the lot immediately south of the project site. To the east, at the rear of the project site, there are five buildings ranging in height from two to five stories; these buildings contain office and/or retail uses, including a sound studio (69 Green Street), the offices of a shipping container supplier (55 Green Street) and a construction firm (945 Front Street), computer security firm (921 Front Street) and a financial services company (915 Front Street). Across Battery Street, to the west of the project site, there are three commercial buildings: 945 Battery Street/101 Green Street; 915 Battery Street; and 901-911 Battery Street/200-222 Vallejo Street. The first building is a three-story building containing two software companies. The second building is a two-story building containing office uses, including a technology-focused investment bank. The third building is a four-story building containing office uses, including two architecture firms and a software company.

The nearest residential use in proximity to the site is located at 810-820 Battery Street (approximately 350 feet south of the project site) and consists of a six- to eight-story mixed-use building complex with 87 dwelling units, retail uses and a preschool center on the ground floor.. The closest school to the site is John Yehall Chin Elementary School located approximately 725 feet southwest of the project site.

The project site is located in a C-2 (Community Business) zoning district and a 65-X height and bulk district. Other surrounding zoning districts include: Residential-House, Three Family (RH-3); Residential-Mixed, Low Density (RM-1); Residential-Commercial, High Density (RC-4); Light Industrial (M-1); Public (P); and Broadway Neighborhood Commercial District (Broadway NCD). Height and bulk designations also vary in the project vicinity and include 40-X, 65-A, 84-E, 275-E and OS districts. The project site is also located in the Northeast Waterfront Landmark District and the Waterfront Special Use District No. 3.

The topography of the project site and its immediate vicinity is relatively flat, but after one block slopes steeply upwards to the west toward Telegraph Hill starting around Sansome Street. There are numerous publicly accessible open spaces located within a few blocks of the project site. These include Telegraph Hill/Pioneer Park (five blocks northwest), Levi Plaza (two blocks north), Sydney G. Walton Square (four blocks south) and Sue Bierman Park (seven blocks southeast). In addition, the scenic shoreline promenade known as Herb Caen Way is located one block east of the project site, across The Embarcadero.

The project site is located within one-half mile of the Ferry Building and one quarter-mile of numerous major transit stops, including those served by the following Muni lines: 10-Townsend, 12-Folsom/Pacific, 30X-Marina Express, 39-Coit, 82X-Levi Plaza Express, E-Embarcadero and F-Market & Wharves. These transit lines provide access to local and regional transportation links, including the Ferry Building, and Bay Area Rapid Transit (BART) and Caltrain stations.

Past, present and reasonably foreseeable cumulative development projects within a 0.25-mile radius of the project site and within the Northeast Waterfront Landmark District are listed below in Table 2 and mapped in Figure 2. These cumulative projects are either under construction or the subject of an Environmental Evaluation Application and/or a Certificate of Appropriateness application currently on file with the Planning Department.

**Table 2. Cumulative Proposed Development Projects within the Project Vicinity**

| Address                  | Planning Record No. | Description  | Dwelling Units | Gross square feet (gsf) |               |               |                     |                                |
|--------------------------|---------------------|--|----------------|-------------------------|---------------|---------------|---------------------|--------------------------------|
|                          |                     |  |                | Residential             | Retail        | Office        | Hotel               | Entertainment (e.g., theaters) |
| Seawall lots 323 and 324 | 2015-016326 ENV/COA | New construction on existing parking lot   |                |                         |               |               | 160,218 (192 rooms) | 29,566 (285 seats)             |
| 88 Broadway              | 2016-007850 ENV/COA | New Construction of affordable family/senior housing on existing parking lot                 | 178            | 127,000                 | 6,400         |               |                     |                                |
| 1088 Sansome Street      | 2016-010294 ENV/COA | Change of use from 63,288 square feet of manufacturing use                                   |                |                         | 13,290        | 50,000        |                     |                                |
| 875 Sansome Street       | 2017-003998PRJ      | New construction to replace 6,795-square-foot office building                                |                | 6,350                   | 2,840         | 9,603         |                     |                                |
| 17 Osgoode Place         | 2017-001423PRJ      | Vertical and horizontal addition (mixed-use building)  | No change      | 4,538                   |               | 876           |                     |                                |
| 401 Broadway             | 2016-002777PRJ      | Change of use from bar (ground level only) to hotel  |                |                         |               |               | 4,000 (10 rooms)    |                                |
| 357 Union Street         | 2017-005738PRJ      | Vertical addition, addition of dwelling two units  | 3              | 5,328                   |               |               |                     |                                |
| 1 Union Street           | 2017-013532COA      | Façade modification (retail/office building)   |                |                         | No change     | No change     |                     |                                |
| 200 Green Street         | 2016-006269COA      | Window replacement (office building)   |                |                         |               | No change     |                     |                                |
| 850 Battery Street       | 2015-002085COA      | New antenna system (mixed-use building)  | No change      | No change               |               | No change     |                     |                                |
| 900 Front Street         | 2014-000182COA      | Relocation/ addition of satellite dishes and whip antenna at roof (radio/television station) |                |                         |               | No change     |                     |                                |
| <b>Totals</b>            |                     |  | <b>181</b>     | <b>143,216</b>          | <b>22,530</b> | <b>60,479</b> | <b>164,218</b>      | <b>29,566</b>                  |

Source: San Francisco Planning Department



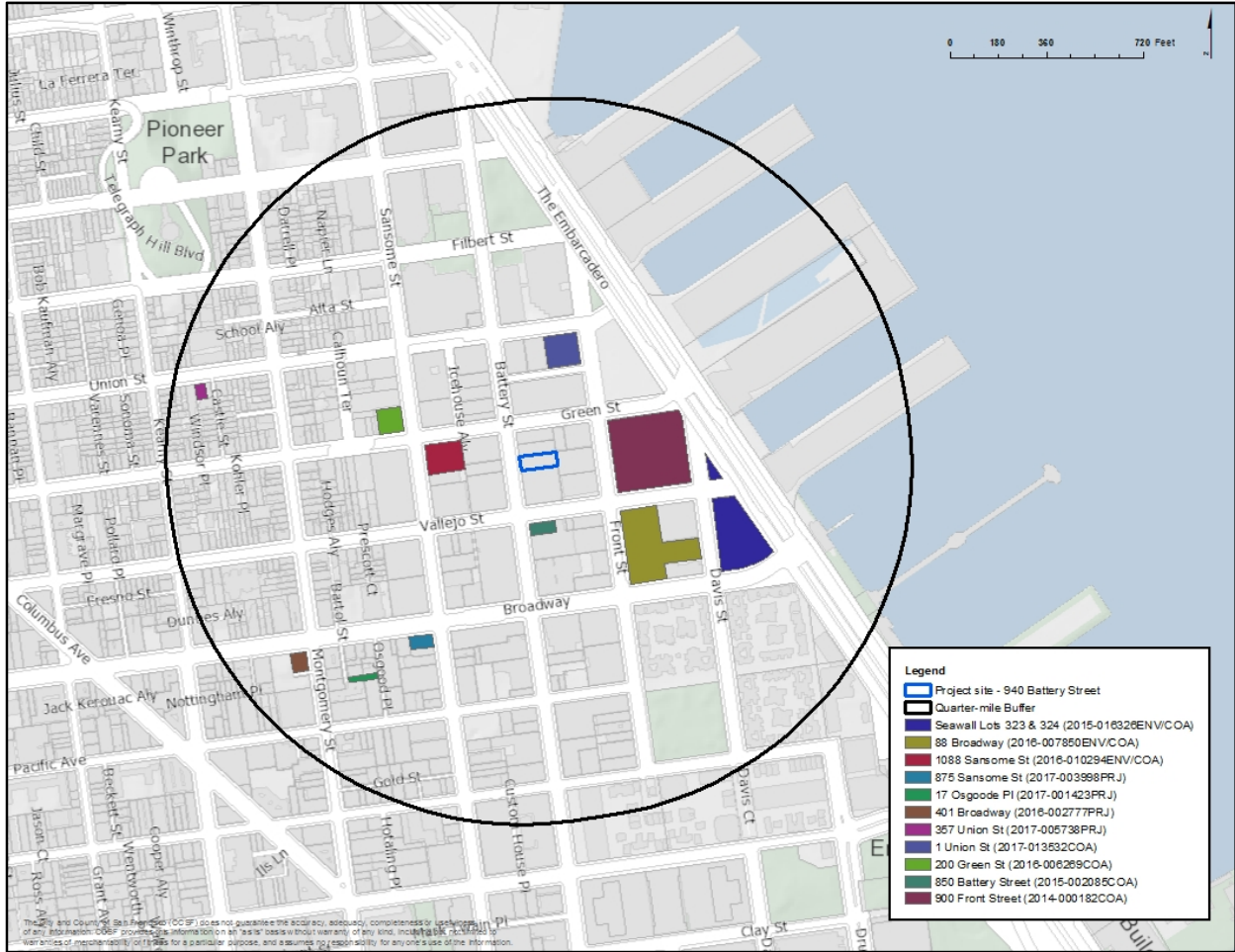


Figure 2. Map of Cumulative Development Projects (Source: San Francisco Planning Department)

### C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

|   | <i>Applicable</i>                   | <i>Not Applicable</i>               |
|---|-------------------------------------|-------------------------------------|
| Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Discuss any approvals and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from Regional, State, or Federal Agencies. | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

#### San Francisco Planning Code and Zoning Maps

The Planning Code, which incorporates by reference the City's zoning maps, governs permitted uses, densities, and the configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless: (1) the proposed project complies with the Planning Code, (2) an allowable exception or variance is granted

pursuant to the provisions of the Planning Code, or (3) legislative amendments to the Planning Code are included and adopted as part of the proposed project.

### ***Land Use***

The project site is located in a Community Business (C-2) zoning district. According to Planning Code section 210.1, the C-2 zoning district is intended to provide convenience goods and services to residential areas of the City, both in outlying sections and in closer-in, more densely built areas. The extent of these districts varies from smaller clusters of stores to larger concentrated areas, including both shopping centers and small retail shops along major thoroughfares, and in each case the character and intensity of commercial development is intended to be consistent with the character of other uses in the adjacent areas. The proposed museum, retail and office uses are principally permitted in C-2 districts, pursuant to Planning Code table 210.1.

### ***Height and Bulk***

The project site is located in a 65-X height and bulk district, which permits a maximum building height of 65 feet. At a height of 63 feet, the proposed project would comply with the 65-foot height limit. Bulk controls reduce the size of a building's floorplates as the building increases in height. Pursuant to Planning Code Section 270(a), there are no bulk controls in an "X" bulk district.

### ***Floor Area Ratio***

Floor area ratio (FAR) is the ratio of the gross floor area of a building to the area of the lot it occupies. Pursuant to Planning Code sections 124(e) and 240.3(j), the basic FAR shall be 5.0 to 1 for any property located in both a Waterfront Special Use District and a C District. Therefore, a maximum of 36,210 gross square feet can be developed on the 7,242-square-foot project site. At a total of 35,955 gross square feet,<sup>3</sup> the proposed project would comply with the basic FAR for the project site.

### ***Certificate of Appropriateness***

Pursuant to Planning Code sections 1002(a)(2) and 1006, a *certificate of appropriateness* is required for projects that would alter a structure located on a designated landmark site. The proposed project would alter a building that is a contributor to the Northeast Waterfront Landmark District. The proposed project is currently seeking approval of a certificate of appropriateness from the Historic Preservation Commission.

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<sup>3</sup> In accordance with Planning Code section 102, gross floor area is calculated pursuant to Planning Code section 102, which excludes such features as elevator or stair penthouses and areas devoted to building operation maintenance.

## Plans and Policies

### *San Francisco General Plan*

The *San Francisco General Plan* (General Plan) establishes objectives and policies to guide land use decisions related to the physical development of San Francisco. It is comprised of ten elements, each of which addresses a particular topic that applies citywide: Air Quality; Arts; Commerce and Industry; Community Facilities; Community Safety; Environmental Protection; Housing; Recreation and Open Space; Transportation; and Urban Design. Any conflict between the proposed project and policies that relate to physical environmental issues are discussed in Section E, Evaluation of Environmental Effects. The compatibility of the proposed project with General Plan policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project.

### *Proposition M – The Accountable Planning Initiative*

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the Planning Code and established eight Priority Policies. These policies, and the topics in Section E, Evaluation of Environmental Effects, that address the environmental issues associated with these policies, are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character (Question 1c, Land Use and Land Use Planning); (3) preservation and enhancement of affordable housing (Question 3b, Population and Housing, regarding housing supply and displacement issues); (4) discouragement of commuter automobiles (Questions 4a, 4b, 4f, and 4g, Transportation and Circulation); (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Question 1c, Land Use and Land Use Planning); (6) maximization of earthquake preparedness (Questions 13a through 13d, Geology and Soils); (7) landmark and historic building preservation (Question 3a, Cultural Resources); and (8) protection of open space (Questions 8a and 8b, Wind and Shadow, and Questions 9a and 9c, Recreation).

Prior to issuing a permit for any project that requires an Initial Study under CEQA, and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action that requires a finding of consistency with the General Plan, the City is required to find that the proposed project or legislation would be consistent with the Priority Policies.

As noted above, the compatibility of the proposed project with General Plan objectives and policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project. Any potential conflicts identified as part of that process would not alter the physical environmental effects of the proposed project.

### *Regional Plans and Policies*

The five principal regional planning agencies and their overarching policies and plans (noted in parentheses) that guide planning in the nine-county bay area include the Association for Bay Area Governments (*Projections 2013* and *Plan Bay Area*), the Bay Area Air Quality Management District (*2017 Bay Area Clean Air Plan*), the Metropolitan Transportation

Commission (*Regional Transportation Plan – Transportation 2035*), the San Francisco Regional Water Quality Control Board (*San Francisco Basin Plan*), and the San Francisco Bay Conservation and Development Commission (*San Francisco Bay Plan*). Due to the location, size and nature of the proposed project, no anticipated conflicts with regional plans and policies would occur.

**Required Approvals by Other Agencies**

In addition to the required project approvals that are listed in Section A, Project Description, the following permits and approvals are required.

**San Francisco Public Works**

- If sidewalk(s) are used for construction staging and pedestrian walkways are constructed in the curb lane(s), approval of a street space permit from the Bureau of Street Use and Mapping is required
- Approval of a permit to plant street trees adjacent to the project site
- Approval of construction within the public right-of-way (e.g., curb cuts, bulb-outs and sidewalk extensions) to ensure consistency with the Better Streets Plan

**San Francisco Municipal Transportation Agency**

- Approval of the placement of bicycle racks on the sidewalk, and of other sidewalk improvements, by the Sustainable Streets Division
- If sidewalk(s) are used for construction staging and pedestrian walkways are constructed in the curb lane(s), approval of a special traffic permit from the Sustainable Streets Division is required

**D. SUMMARY OF ENVIRONMENTAL EFFECTS**

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

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

This Initial Study examines the proposed project to identify potential effects on the environment. For each item on the Initial Study checklist, the evaluation has considered the impacts of the proposed project both individually and cumulatively. All items on the Initial Study checklist that

have been checked “Less than Significant Impact with Mitigation Incorporated,” “Less than Significant Impact,” “No Impact” or “Not Applicable” indicate that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect relating to that issue. A discussion is included for those issues checked “Less than Significant Impact with Mitigation Incorporated” and “Less than Significant Impact” and for most items checked with “No Impact” or “Not Applicable.” For items checked “No Impact” or “Not Applicable” without discussion, the conclusions regarding potential significant adverse environmental effects are based upon field observation, staff experience and expertise on similar projects, and/or standard reference material available within the Planning Department, such as the *Transportation Impact Analysis Guidelines for Environmental Review* or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Wildlife. For each checklist item, the evaluation has considered the impacts of the proposed project both individually and cumulatively. The items checked above have been determined to be “Less than Significant with Mitigation Incorporated.”

## SENATE BILL 743

### ***Aesthetics and Parking***

In accordance with CEQA Section 21099, Modernization of Transportation Analysis for Transit Oriented Projects, aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets all of the following three criteria:

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

The proposed project meets each of the above criteria; therefore this Initial Study does not consider aesthetics and the adequacy of parking in determining the significance of project impacts under CEQA.<sup>4</sup>

### ***Automobile Delay and Vehicle Miles Traveled***

In addition, CEQA Section 21099(b)(1) requires that the State Office of Planning and Research (OPR) develop revisions to the CEQA Guidelines to establish criteria for determining the significance of transportation impacts of projects that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA Section 21099(b)(2) states that upon certification of the revised guidelines for determining transportation impacts pursuant to Section 21099(b)(1), automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment under CEQA.

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<sup>4</sup> San Francisco Planning Department, *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 940 Battery Street*, January 23, 2018. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of case file no. 2015-001033ENV.

In January 2016, OPR published for public review and comment a *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*,<sup>5</sup> which recommends that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted the OPR's recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution 19579). (Note: the VMT metric does not apply to the analysis of project impacts on non-automobile modes of travel such as riding transit, walking, and bicycling.) A VMT and induced automobile travel impact analysis is provided in the Transportation section.

## E. EVALUATION OF ENVIRONMENTAL EFFECTS

| Topics:   | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact        | No Impact                | Not Applicable           |
|---|--------------------------------|--|-------------------------------------|--------------------------|--------------------------|
| <b>1. LAND USE AND PLANNING.—<br/>Would the project:</b>  |                                |  |                                     |                          |                          |
| a) Physically divide an established community?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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

The division of an established community typically involves the construction of a physical barrier to neighborhood access, such as a new freeway, or the removal of a means of access, such as a bridge or a roadway. Implementation of the proposed project would not result in the construction of a physical barrier to neighborhood access or the removal of an existing means of access; it would result in the alteration, vertical expansion and change of use of an existing building within its established lot boundaries. In addition, the proposed project would not alter the established street grid or permanently close any streets or sidewalks. Although portions of the sidewalk adjacent to the project site could be closed for periods of time during project construction, these closures would be temporary in nature. Therefore, the proposed project would not physically divide an established community and thus, would result in a less-than-significant impact.

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<sup>5</sup> State Office of Planning and Research, Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA, [http://www.opr.ca.gov/docs/Revised\\_VMT\\_CEQA\\_Guidelines\\_Proposal\\_January\\_20\\_2016.pdf](http://www.opr.ca.gov/docs/Revised_VMT_CEQA_Guidelines_Proposal_January_20_2016.pdf), accessed November 21, 2017.

**Impact LU-2: The proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. (Less than Significant)**

Land use impacts would be considered significant if the proposed project would conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Environmental plans and policies are those that directly address environmental issues and/or contain targets or standards that must be met in order to preserve or improve characteristics of the City's physical environment. The proposed project would not substantially conflict with any applicable land use plan, policy, or regulation such that an adverse physical change would result (see Section C, Compatibility with Existing Zoning and Plans). Furthermore, the proposed project would not conflict with the San Francisco General Plan policies that relate to physical environmental issues.

In addition, the proposed project would not conflict with any such adopted environmental plan or policy, including Article 10 of the City's Planning Code, the 2017 Bay Area Clean Air Plan, the Strategies to Address Greenhouse Gas Emissions (GHG Reduction Strategy) and the City's Urban Forestry Ordinance, as discussed in section E.3, Cultural Resources, section E.6, Air Quality, section E.7, Greenhouse Gas Emissions, and section E.12, Biological Resources, respectively. Therefore, the proposed project would have a less-than-significant impact with regard to conflicts with land use plans, policies, or regulations.

**Impact C-LU-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative land use impact. (Less than Significant)**

The cumulative context for land use effects are typically localized, within the immediate vicinity of the project site, or at the neighborhood level. Cumulative development in the project vicinity (within a quarter-mile radius of the project site) includes the projects identified in Table 2 and Figure 2 of section B, Project Setting. These projects, both individually and in combination with the proposed project, would not result in the physical division of an established community, either by constructing a physical barrier to neighborhood access, removing a means of access, altering the established street grid or permanently closing any streets or sidewalks. Furthermore, these projects would not conflict with any adopted environmental plan or policy, including Article 10 of the City's Planning Code, the 2017 Clean Air Plan, the Strategies to Address Greenhouse Gas Emissions (GHG Reduction Strategy) and the City's Urban Forestry Ordinance, as discussed in section E.3, Cultural Resources, section E.6, Air Quality, section E.7, Greenhouse Gas Emissions, and section E.12, Biological Resources, respectively.

Therefore, the proposed project in combination with past, present and reasonably foreseeable future projects would not result in a significant cumulative land use impact.

| <u>Topics:</u>  | <u>Potentially Significant Impact</u> | <u>Less Than Significant with Mitigation Incorporated</u> | <u>Less Than Significant Impact</u> | <u>No Impact</u>         | <u>Not Applicable</u>    |
|---|---------------------------------------|---|-------------------------------------|--------------------------|--------------------------|
| <b>2. POPULATION AND HOUSING.—<br/>Would the project:</b>   |                                       |   |                                     |                          |                          |
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing housing units, necessitating the construction of replacement housing?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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

The proposed project would alter and expand an existing 21,720-square-foot commercial building, currently used as a warehouse, to produce a 35,955-square-foot commercial building with approximately 19,450 square feet of institutional (museum) space (including 855 square feet of accessory retail), 12,995 square feet of retail space (event rentals) and 3,510 square feet of office space. Since the project site is located in an urbanized area and surrounded by similar commercial uses, the proposed project would not substantially alter existing development patterns in the North Beach neighborhood, or in San Francisco as a whole. Furthermore, the proposed project would not require, or create new demand for, the extension of municipal infrastructure.

According to the 2010 U.S. Census, the proposed project is located within Census Tract 105, which had a reported population of 2,685 residents.<sup>6</sup> The 2010 U.S. Census also reported a population of 805,235 residents in the City and County of San Francisco, and a population of approximately 14,863 residents within the North Beach neighborhood.<sup>7</sup>

Based on the size (gross square footage) of the proposed museum, office and retail spaces, the proposed project would generate approximately 106 new employees at the proposed building,

<sup>6</sup> United States Census Bureau, 2010 Census, [https://factfinder.census.gov/aces/nao/jsf/pages/community\\_facts.xhtml](https://factfinder.census.gov/aces/nao/jsf/pages/community_facts.xhtml), accessed January 12, 2018.

<sup>7</sup> The North Beach neighborhood of San Francisco includes the following census tracts: 101, 102, 104, 105 and 106. According to the 2010 U.S. Census, these census tracts collectively include 14,863 residents.



once it is completed.<sup>8</sup> Most of the employees would be expected to live in San Francisco (or nearby communities). Given the relatively small number of net new additional project-related employees, the project would not generate substantial demand for new housing from the potential commercial employees or require the construction of additional infrastructure to support them. As such, any increase in population and employees associated with the project would have a less-than-significant impact related to population growth, both directly and indirectly.

**Impact PH-2: The proposed project would not displace substantial numbers of existing housing units or people, necessitating the construction of replacement housing. (Less than Significant)**

The proposed project would not displace any residents or housing units, since no residential uses or housing units currently exist on the project site. Therefore, the proposed project would have a less-than-significant impact related to the displacement of housing units or people and would not necessitate the construction of replacement housing.

**Impact C-PH-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact related to population and housing. (Less than Significant)**

The cumulative context for population and housing effects are typically citywide. Over the last several years, the supply of housing has not met the demand for housing within San Francisco. In July 2013, the Association of Bay Area Governments (ABAG) projected regional housing needs in the *Regional Housing Need Plan for the San Francisco Bay Area: 2014–2022*. The jurisdictional need of San Francisco for 2014 through 2022 is 28,869 dwelling units: 6,234 dwelling units in the very low income level (0–50 percent); 4,639 units in the low income level (51–80 percent); 5,460 units in the moderate income level (81–120 percent); and 12,536 units in the above moderate income level (120 percent plus).<sup>9</sup> These numbers are consistent with the development pattern identified in the region's *Plan Bay Area: 2040* (Plan Bay Area), a state-mandated, integrated long-range transportation, land use, and housing plan.<sup>10</sup> As part of the planning process for Plan Bay Area, San Francisco identified Priority Development Areas, which consist of areas where new development will support the day-to-day needs of residents and workers in a pedestrian-friendly environment served by transit. The project site is located within the Downtown/Van Ness/Geary Priority Development Area. Therefore, although the proposed project, in combination with other

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<sup>8</sup> The number of employees generated by the proposed project was estimated using the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review*, which assumes 276 gross square feet and 350 gross square feet of office and retail space, respectively, per employee. Museum uses are treated as retail uses for the purpose of estimating the number of project-generated employees.

<sup>9</sup> Association of Bay Area Governments (ABAG), *Regional Housing Need Plan for the San Francisco Bay Area: 2014 – 2022*, July 2013, [https://abag.ca.gov/files/ABAG\\_Final\\_RHNA\\_Publication.pdf](https://abag.ca.gov/files/ABAG_Final_RHNA_Publication.pdf), accessed December 11, 2017.

<sup>10</sup> Metropolitan Transportation Commission and ABAG, *Plan Bay Area: 2040*, July 26, 2017, <http://2040.planbayarea.org/>, accessed on January 12, 2018.

past, present, and reasonably foreseeable future projects, would increase the daytime population in the area, it would not induce substantial additional population growth beyond that already anticipated to occur.

For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable population and housing impact.

| <u>Topics:</u>  | <u>Potentially Significant Impact</u> | <u>Less Than Significant with Mitigation Incorporated</u> | <u>Less Than Significant Impact</u> | <u>No Impact</u>         | <u>Not Applicable</u>    |
|---|---------------------------------------|---|-------------------------------------|--------------------------|--------------------------|
| <b>3. CULTURAL RESOURCES.—Would the project:</b>  |                                       |   |                                     |                          |                          |
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?   | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of formal cemeteries?  | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code §21074?   | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact CR-1: The proposed project would not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines section 15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code. (Less than Significant)**

Historical resources are those properties that meet the definitions in section 21084.1 of the CEQA statute and section 15064.5 of the CEQA guidelines. Historical resources include properties listed in, or formally determined eligible for listing in, the California Register of Historical Resources (California Register) or in an adopted local historic register. Historical resources also include resources identified as significant in a historical resource survey meeting specified criteria. Additionally, properties that are not listed, but are otherwise determined to be historically significant, based on substantial evidence, would also be considered historical resources. The significance of a historical resource is materially impaired when a project “demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance.”

As previously described, the project site is located in the Northeast Waterfront Landmark District and is currently occupied by a three-story-over-basement commercial building. The existing 101-

year-old building was constructed in 1917 and is a contributor to the Northeast Waterfront Landmark District. The Northeast Waterfront Landmark District, which became a designated San Francisco historic district in 1983, is described in Article 10: Preservation of Historical Architectural and Aesthetic Landmarks of the San Francisco Planning Code.<sup>11</sup> The Northeast Waterfront District contains commercial warehouse buildings from nearly every decade of San Francisco's history. The area reflects the waterfront storage and maritime activities which, until recently, were an important aspect of San Francisco business history. These buildings range in age from the early clipper ship warehouses of Scotsman Daniel Gibb in the 1850's to the properties owned by the General Engineering and Drydock Co., a company crucial to the shipbuilding effort that made San Francisco Bay the major Pacific maritime support facility during World War II. These warehouse facilities have been in continuous industrial use from the Gold Rush to the mid 1960's. Since that decade showrooms, office and retail uses have been integrated into renovated warehouse structures. The proposed project includes a vertical addition and interior and exterior alterations to the existing building at 940 Battery Street, which is a contributor to the Northeast Waterfront Landmark District. In order to determine whether the proposed expansion and alterations of the existing building would materially impair its significance as a contributor to the Northeast Waterfront Landmark District, the project sponsor submitted a *historical resource evaluation* (HRE) report prepared by a qualified consultant.<sup>12</sup> Planning staff reviewed the HRE and conducted an analysis of the proposed project against the Secretary of the Interior's Standards for the Treatment of Historic Properties.<sup>13</sup> The results of this determination have been detailed in a memorandum,<sup>14</sup> which is summarized below.

According to the Secretary of Interior's Standards, rehabilitation is the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features that convey its historical, cultural, or architectural values. The proposed project would change the use of the building on the project site from an industrial warehouse to a museum with additional event and office space. Since the historic property's high ceilings, large floorplates, heavy-timber framing and distinctive industrial windows are already well suited for use as a museum and an event space (as proposed by the project sponsor), no substantial changes to the character-defining features of the building are required or proposed.

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<sup>11</sup> San Francisco Planning Code, Article 10: Preservation of Historical Architectural and Aesthetic Landmarks, Appendix D, [http://library.amlegal.com/nxt/gateway.dll/California/planning/article10preservationofhistoricalarchite?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:sanfrancisco\\_ca\\$anc=JD\\_Article10,AppendixD](http://library.amlegal.com/nxt/gateway.dll/California/planning/article10preservationofhistoricalarchite?f=templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca$anc=JD_Article10,AppendixD), accessed June 12, 2018.

<sup>12</sup> Brandi, Richard, *Historic Resource Evaluation: 940 Battery Street*, June 6, 2016.

<sup>13</sup> United States Department of the Interior, National Park Service, Technical Preservation Services, The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings, <https://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf>, accessed December 5, 2017.

<sup>14</sup> San Francisco Planning Department, *Preservation Memorandum: 940 Battery Street, San Francisco, California*, December 7, 2017.

The proposed interior alterations would retain a majority of the existing building's historic heavy-timber columns, which are a character-defining feature of its interior. The proposed exterior alterations would include modifications to door and window openings at the first floor of the Battery Street façade, rehabilitation of historic (character-defining) steel windows at the second floor of the Battery Street façade, construction of a one-story rooftop addition and other exterior alterations not visible from a public right-of-way. Although the window and door openings to be altered at the first floor of the Battery Street façade appear to be the historic openings, these openings have non-historic infill, and therefore, their removal would not destroy any historic materials that characterize the property. In addition, the proposed larger entrance opening would be compatible with the historic industrial character of the building and the surrounding Northeast Waterfront Landmark District, which contains many historic industrial buildings with large ground floor entrances designed to accommodate the loading and unloading of goods and materials.

Furthermore, the proposed rooftop addition and railings would not destroy any historic materials, features, or spatial relationships that characterize the property. The rooftop addition and stair penthouse would be set far back from the Battery Street façade of the building, rendering them only minimally visible from a public right-of-way. In addition, these proposed additions would be clad with a cement plaster finish matching the cladding and finish of the historic Battery Street façade and would also include a simple, contemporary design to distinguish the proposed additions from the historic property. Finally, the proposed creation of two covered terraces at the upper floors of the rear elevation of the building would not be visible from a public right-of-way and would not destroy or alter the features and spatial relationships that characterize the property. Moreover, the portions of the rear elevation cladding proposed to be removed are not character-defining features of the building, and thus their removal would not destroy spatial relationships that define the building.

Therefore, the proposed project would not result in a substantial adverse change to the significance of the existing building at 940 Battery Street or the Northeast Waterfront Landmark District.

**Impact CR-2: Construction of the proposed project would not result in physical damage to adjacent historical resources. (Less than Significant)**

The existing building at 940 Battery Street is located adjacent to four historical resources: 900 Battery Street, 950 Battery Street, 945 Front Street and 69 Green Street. Three of these buildings (900 Battery Street, 950 Battery Street and 945 Front Street) are composed of reinforced concrete frames with stucco cladding and one building (69 Green Street) is composed of a steel frame with brick cladding.<sup>15</sup> All four buildings could be susceptible to damage from ground-borne

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<sup>15</sup> San Francisco Planning Department, Property Information Map, <http://propertymap.sfplanning.org/>, accessed June 15, 2018.

vibrations associated with project-related construction activities that could potentially result in structural or cosmetic damage to the identified adjacent buildings.

Construction vibration impacts are assessed based on Federal Transit Administration (FTA) standards. FTA guidelines define a vibration impact as significant if it exceeds the peak particle velocity (PPV) criteria, measured in inches per second, associated with each identified receptor building’s type, or category (see Table 3).<sup>16</sup> Since the four buildings adjacent to 940 Battery Street (i.e., receptor buildings) are composed of either reinforced concrete or steel frames, they would be subject to the 0.5 PPV criterion. The existing building at 940 Battery Street, which is constructed of a reinforced concrete frame, would also be subject to the 0.5 PPV criterion.

**Table 3. Federal Transit Administration Construction Vibration Damage Criteria**

| Building Category                                       | PPV (in/sec) | Approximate Vibration Decibels (Vdb) (micro-inch/second) |
|---|--------------|--|
| I. Reinforced-concrete, steel or timber (no plaster)    | 0.5          | 102  |
| II. Engineered concrete and masonry (no plaster)        | 0.3          | 98   |
| III. Non-engineered timber and masonry buildings        | 0.2          | 94   |
| IV. Buildings extremely susceptible to vibration damage | 0.12         | 90   |

Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment, Chapter 12, Noise and Vibration During Construction, [https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Noise_and_Vibration_Manual.pdf), accessed June 15, 2018.

The proposed project includes a vertical addition and interior and exterior alterations to the existing building at 940 Battery Street. A new foundation system consisting of micropiles would also be constructed to support the increased load of the modified building. The micropiles would be installed using a hollow-stem auger, which would produce vibration levels of approximately 0.089 PPV.<sup>17</sup> Therefore, drilling activities associated with the installation of the new foundation system would not exceed the 0.5 PPV vibration significance criteria described above. Moreover, the proposed project would not require the use of any heavy construction equipment that would exceed the vibration significance criteria since construction activities would primarily be confined to the roof, interior, and front and rear façades of the existing building.

For these reasons, the proposed project would not result in physical damage to adjacent historical resources (or to the existing building at 940 Battery Street), and therefore, its construction-related impact on historical resources would be less than significant.

**Impact CR-3: The proposed project could result in a substantial adverse change in the significance of an archeological resource. (Less than Significant with Mitigation)**

<sup>16</sup> Federal Transit Administration, Transit Noise and Vibration Impact Assessment, Chapter 12, Noise and Vibration During Construction, [https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Noise_and_Vibration_Manual.pdf), accessed June 15, 2018.

<sup>17</sup> *Ibid.* Table 12.2 (PPV value for “caisson drilling” was used since augers are typically used to drill caissons).

The proposed project would require excavation of an 850-square-foot area to a maximum depth of 5.5 feet bgs (measured from the basement floor) and remove approximately 120 cubic yards of soil. The proposed alterations and vertical addition would also require installation of a deep foundation system consisting of micropiles. The micropiles would be required to penetrate at least five feet into the underlying bedrock, which is anticipated to reside just below the basement level along the west end of the building and at a depth of 15 to 20 feet bgs (measured from the basement floor) along the east end of the building.

To determine the potential for the proposed project to affect archeological resources, the Planning Department conducted a preliminary archeological review of the project site.<sup>18</sup> The preliminary review determined that the project site is located within an archeologically sensitive area. Specifically, the project site is located on the historical shoreline to the north of Clark's Point, along the northern stretch of Yerba Buena Cove. There are no documented improvements from the Yerba Buena Period (1835-1848) within the project site but the site is not far from the early wharves and warehouse structures associated with Clarks Point and the Yerba Buena-period cemetery. Fort Montgomery was also located along the shoreline to the northwest of the project site near Green Street. By 1852, the Cunningham Wharf along with several associated buildings had been constructed on the project site, this private wharf extended from the project site in a 'T' out into the bay. Archival research indicates that Charles Cunningham built this wharf by 1850 and that a portion may have burned in the early 1850s and been rebuilt. The *Fortuna* is also recorded to be located within or directly adjacent to the project site. This ship was used as a hotel during the early 1850s. By the late 1850s, the project site had been filled in and a building is shown fronting on Battery Street. Dense development is shown on the project site and the general area by the 1869 US Coast Survey map. The 1887 Sanborn map (sheet 8) shows Overland Packing company on the project site. The 1899 Sanborn map (sheet 13) shows the project site within a coal and iron yard. Therefore, based on the Sanborn maps, there appears to be limited disturbance to the project site during the late 19<sup>th</sup> century. The current building has a basement but it is likely that any 1850s maritime resources would be beneath the existing basement level and would be impacted by proposed project activities. Furthermore, although there are no known or suspected prehistoric resources in the vicinity and there were no fresh water sources in the near vicinity, this historical shoreline location may be sensitive for prehistoric resources that, if present, could be affected by the proposed project.

Excavating, grading, pile drilling and moving heavy construction equipment could expose and damage unknown archeological resources, which would result a significant impact. This impact would be reduced to a less-than-significant level with the implementation of **Mitigation Measure M-CR-3, Archeological Testing**, which is described in detail below.

### **Mitigation Measure M-CR-3: Archeological Testing**

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<sup>18</sup> San Francisco Planning Department, *Environmental Planning Preliminary Archeological Review: 940 Battery Street, San Francisco, California*, August 10, 2017.

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

*Consultation with Descendant Communities:* On discovery of an archeological site<sup>19</sup> associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group, an appropriate representative<sup>20</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

*Archeological Testing Program.* The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could

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<sup>19</sup> The term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

<sup>20</sup> An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.

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

- A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

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

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO



has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;

- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving or deep foundation activities (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving or deep foundation activities may affect an archeological resource, the pile driving or deep foundation activities shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.
- Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

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

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.

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

*Human Remains, 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, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The ERO shall also be immediately notified upon discovery of human remains. The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days after the discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO. If no agreement is reached State regulations shall be followed including the reinternment of the human remains and associated burial objects with appropriate dignity on the property in a location not subject to further subsurface disturbance (Pub. Res. Code Sec. 5097.98).

*Final Archeological Resources Report.* The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

**Impact CR-4: The project may disturb human remains, including those interred outside of formal cemeteries. (Less than Significant with Mitigation)**

In the unlikely event that human remains are encountered during construction, any inadvertent damage to human remains would be considered a significant impact. Accordingly, in order to reduce this potential impact to a less-than-significant level, the project sponsor has agreed to comply with **Mitigation Measure M-CR-3, Archeological Testing**, which includes the required procedures for the treatment of human remains. With implementation of **Mitigation Measure M-CR-3, Archeological Testing**, as described above, the proposed project would have a less-than-significant impact on previously unknown human remains.

**Impact CR-5: The proposed project may cause a substantial adverse change in the significance of a tribal cultural resource. (Less than Significant with Mitigation)**

Tribal cultural resources are those resources that meet the definitions in Public Resources Code Section 21074. Tribal cultural resources are defined as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either (a) included or determined to be eligible for inclusion in the California Register of Historical Resources or (b) included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). Based on discussions with Native American tribal representatives, in San Francisco, prehistoric archeological resources are presumed to be potential tribal cultural resources. A tribal cultural resource is adversely affected when a project impacts its significance.

Pursuant to Assembly Bill 52, effective July 1, 2015, within 14 days of a determination that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency is required to contact the Native American tribes that are culturally or traditionally affiliated with the geographic area in which the project is located. Notified tribes have 30 days to request consultation with the lead agency to discuss potential impacts on tribal cultural resources and measures for addressing those impacts.

On December 7, 2017, the Planning Department mailed a “Tribal Notification Regarding Tribal Cultural Resources and CEQA” to the appropriate Native American tribal representatives who have requested notification. During the 30-day comment period, no Native American tribal representatives contacted the Planning Department to request consultation.

As noted under Impact CR-3, the proposed project would result in a significant impact to archeological resources. In the event that prehistoric archeological resources are damaged, the proposed project would have a significant impact on tribal cultural resources. However, with implementation of **Mitigation Measure M-CR-3, Archeological Testing**, as described above, the proposed project would have a less than significant effect on tribal cultural resource. For these reasons, the proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource, and this impact would be less than significant.

**Impact C-CR-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in cumulative impacts on cultural resources. (Less than Significant)**

As discussed above, the proposed project and each of the reasonably foreseeable projects identified in Table 2 and Figure 2 of section B, Project Setting, that are also located within the Northeast Waterfront Landmark District, would require approval of a certificate of appropriateness from the Historic Preservation Commission. The certificate of appropriateness would ensure that each project would have a less-than-significant impact on historic architectural resources. Furthermore, the proposed project and cumulative projects are scattered throughout the Northeast Waterfront Landmark District, and thus there is visual separation between all of the projects. Therefore, the proposed project would not contribute substantially to any significant cumulative impacts on such resources.

As previously noted, the proposed project would be required to implement **Mitigation Measure M-CR-3, Archeological Testing**. This mitigation measure would ensure that project-related impacts to archeological resources would be less than significant. Since cumulative impacts on archeological resources and human remains are site-specific and generally limited to the immediate construction area, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable impact on archeological resources, tribal cultural resources, and human remains.

| <u>Topics:</u>  | <u>Potentially<br/>Significant<br/>Impact</u> | <u>Less Than<br/>Significant<br/>with<br/>Mitigation<br/>Incorporated</u> | <u>Less Than<br/>Significant<br/>Impact</u> | <u>No<br/>Impact</u>     | <u>Not<br/>Applicable</u>           |
|---|---|---|---|--------------------------|-------------------------------------|
| <b>4. TRANSPORTATION AND CIRCULATION—<br/>Would the project:</b>  |   |   |   |                          |                                     |
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> | <input type="checkbox"/>            |
| b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> | <input type="checkbox"/>            |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/>                    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> | <input type="checkbox"/>            |
| e) Result in inadequate emergency access?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> | <input type="checkbox"/>            |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?  | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> | <input type="checkbox"/>            |

The proposed project would not interfere with air traffic patterns because the project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, topic 4c is not applicable.

As described above, the project site consists of a 7,242-square-foot rectangular lot located on the east side of Battery Street in the block bound by Battery, Green, Front and Vallejo streets in the North Beach neighborhood of San Francisco. The site includes approximately 53 feet of frontage on Battery Street and is occupied by an approximately 21,720-square-foot commercial building. Two metered on-street parking spaces and a 12-foot-wide curb cut currently front the existing building.

The proposed project, which includes a vertical addition and interior and exterior alterations, would develop an approximately 35,955-square-foot building with institutional (museum), retail (event space) and office uses. No off-street vehicle parking is proposed; however, 12 class 1 bicycle spaces would be provided in a bicycle storage room in the basement and 12 class 2 bicycle

parking spaces would be located on the Battery Street sidewalk opposite the project site. The existing 12-foot-wide curb cut on Battery Street would be removed and three new street trees would be planted along the property's frontage. The proposed project would also seek approval of a passenger/commercial loading zone on Battery Street in front of the project site.

According to the General Plan, Battery, Green, Front and Vallejo streets are considered *secondary transit* streets.<sup>21</sup> Battery Street is a one-way southbound street with two travel lanes, two bicycle routes<sup>22</sup> and two metered parallel parking lanes. Green and Vallejo streets are two-way, east-west streets that include two travel lanes and two metered parallel parking lanes. Front Street is a two-way, north-south street that includes two travel lanes, two bicycle lanes and two metered parallel parking lanes; Front Street terminates one block north of the project site block where it intersects The Embarcadero. Pedestrian curb ramps, crosswalks, and stop signs are provided at the Battery/Green and Battery/Vallejo street intersections (the closest intersections to the project site) to facilitate pedestrian crossing. Battery, Green, Front and Vallejo streets are not located on the Vision Zero High Injury Network.<sup>23,24</sup> The Embarcadero is a *transit important* street located approximately one block east of the project site;<sup>25</sup> within the project vicinity, The Embarcadero consists of four travel lanes (two northbound and two southbound), two bicycle lanes (one northbound and one southbound) and one metered parallel parking lane (southbound side). The Embarcadero has been identified as a high injury corridor in the Vision Zero High Injury Network.<sup>26</sup>

The following Muni transit lines operate within one-quarter mile of the project site: 10-Townsend, 12-Folsom/Pacific, 30X-Marina Express, 39-Coit, 82X-Levi Plaza Express, E-Embarcadero and F-Market & Wharves. The closest transit stops, located at the Battery/Green,

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<sup>21</sup> According to the Transportation Element of the San Francisco General Plan (Table 4: Transit Preferential Street Classification System), a *secondary transit street* meets one of three criteria: medium transit ridership and low-to-medium frequency of service, or; medium frequency of service and low-to-medium transit ridership, or; connects two or more major destinations.

<sup>22</sup> A bicycle route is a street segment where bicycles and cars share the roadway. A bicycle lane is a designated lane for bicycles on a street segment.

<sup>23</sup> San Francisco Department of Public Health, Vision Zero High Injury Network: 2017, <http://sfgov.maps.arcgis.com/apps/webappviewer/index.html?id=fa37f1274b4446f1bddd7bdf9e708ff>, accessed January 22, 2018.

<sup>24</sup> The 2017 Vision Zero High Injury Network dataset was created by the San Francisco Department of Public Health (SFDPH) to update the original 2015 Vision Zero High Injury Network dataset. It identifies street segments in San Francisco that have a high number of fatalities and severe injuries. It uses a combination of severe and fatal injury data from Zuckerberg San Francisco General, San Francisco Police Department/Crossroads Software Traffic Collision Database, Emergency Medical Services and the Office of the Medical Examiner.

<sup>25</sup> According to the Transportation Element of the San Francisco General Plan (Table 4: Transit Preferential Street Classification System), a *transit important* street meets one of three criteria: high transit ridership, or; high frequency of service, or; surface rail.

<sup>26</sup> San Francisco Department of Public Health, Vision Zero High Injury Network: 2017, <http://sfgov.maps.arcgis.com/apps/webappviewer/index.html?id=fa37f1274b4446f1bddd7bdf9e708ff>, accessed January 22, 2018.

Battery/Broadway, Sansome/Vallejo and The Embarcadero/Green street intersections, are within two blocks of the project site.

### *Vehicle Miles Traveled in San Francisco and Bay Area*

Many factors affect travel behavior. These factors include density, diversity of land uses, design of the transportation network, access to regional destinations, distance to high-quality transit, development scale, demographics, and transportation demand management. Typically, low-density development at great distance from other land uses, located in areas with poor access to non-private vehicular modes of travel, generate more automobile travel compared to development located in urban areas, where a higher density, mix of land uses, and travel options other than private vehicles are available.

Given these travel behavior factors, San Francisco has a lower vehicle miles traveled (VMT) ratio than the nine-county San Francisco Bay Area region. In addition, some areas of the City have lower VMT ratios than other areas of the City. These areas of the City can be expressed geographically through transportation analysis zones. Transportation analysis zones are used in transportation planning models for transportation analysis and other planning purposes. The zones vary in size from single city blocks in the downtown core, multiple blocks in outer neighborhoods, to even larger zones in historically industrial areas like the Hunters Point Shipyard.

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010-2012, Census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area's actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from a project. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.<sup>27,28</sup> For office development, existing regional

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<sup>27</sup> To state another way: a tour-based assessment of VMT at a retail site would consider the VMT for all trips in the tour, for any tour with a stop at the retail site. If a single tour stops at two retail locations, for example, a coffee shop on the way to work and a restaurant on the way back home, both retail locations would be allotted the total tour VMT. A trip-based approach allows us to apportion all retail-related VMT to retail sites without double-counting.

<sup>28</sup> San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016

average daily work-related VMT per employee is 19.1. For retail development, existing regional average daily work-related VMT per employee is 14.8.

San Francisco 2040 cumulative conditions were projected using a SF-CHAMP model run, applying the same methodology as outlined above for existing conditions, but also incorporated residential and job growth estimates and reasonably foreseeable transportation investments through 2040. For office development, the projected 2040 regional average daily VMT per employee is 17.1. For retail development, the projected 2040 regional average daily VMT per employee is 14.6. Table 4, Daily Vehicle Miles Traveled, summarizes existing and cumulative VMT for the region and for the transportation analysis zone (TAZ) in which the project site is located, TAZ 826.

Table 4: Daily Vehicle Miles Traveled

| Land Use            | Existing                  |   |         |                       | Cumulative 2040           |   |         |                       |
|---------------------|---------------------------|---|---------|-----------------------|---------------------------|---|---------|-----------------------|
|                     | Bay Area Regional Average | Bay Area Regional Average minus 15% (threshold) | TAZ 826 | Percent +/- threshold | Bay Area Regional Average | Bay Area Regional Average minus 15% (threshold) | TAZ 826 | Percent +/- threshold |
| Employment (Office) | 19.1                      | 16.2  | 8.1     | -50                   | 17.1                      | 14.5  | 6.4     | -56                   |
| Employment (Retail) | 14.8                      | 12.6  | 10.2    | -19                   | 14.6                      | 12.4  | 9.4     | -24                   |

Source: San Francisco Planning Department

## VEHICLE MILES TRAVELED IMPACT ANALYSIS METHODOLOGY

### *Vehicle Miles Traveled Analysis*

Land use projects may cause substantial additional VMT. The following discussion identifies thresholds of significance and screening criteria used to determine if a land use project would result in significant impacts under the VMT metric.

#### *Office and Retail Projects*

For office and retail projects,<sup>29</sup> a project would generate substantial additional VMT if it exceeds regional VMT per (office or retail) employee minus 15 percent.<sup>30</sup> As documented in the California State Office of Planning and Research (OPR) *Revised Proposal on Updates to the CEQA Guidelines on*

<sup>29</sup> The proposed 19,450 square feet of museum space qualifies as a retail use for the purpose of VMT analysis as defined under the “other land use projects” described in Appendix A of the *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 940 Battery Street*.

<sup>30</sup> Office of Planning and Research, *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*, <http://www.opr.ca.gov/ceqa/updates/sb-743/>, accessed December 19, 2017. See page III: 20.



*Evaluating Transportation Impacts in CEQA* (“Proposed Transportation Impact Guidelines”), a 15 percent threshold below existing development is “both reasonably ambitious and generally achievable.”<sup>31</sup> This approach is consistent with CEQA Section 21099 and the thresholds of significance for other land uses recommended in OPR’s Proposed Transportation Impact Guidelines. For mixed-use projects, each proposed land use is evaluated independently, per the significance criteria described above.

OPR’s Proposed Transportation Impact Guidelines provides screening criteria to identify types, characteristics, or locations of land use projects that would not exceed these VMT thresholds of significance. OPR recommends that if a project or land use proposed as part of the project meets any of the screening criteria, then VMT impacts are presumed to be less than significant for that land use and a detailed VMT analysis is not required. The screening criteria applicable to the proposed project and their implementation in San Francisco are described below:

- **Map-Based Screening for Office and Retail Projects.** OPR recommends mapping areas where VMT falls below the applicable land use threshold. Accordingly, the Transportation Authority has developed maps depicting existing VMT levels in San Francisco for office and retail land uses based on the SF-CHAMP 2012 base-year model run. The Planning Department uses these maps and associated data to determine whether a proposed project is located in an area of the City that is below the applicable VMT threshold(s).
- **Proximity to Transit Stations.** OPR recommends that residential, retail, and office projects, as well projects that are a mix of these uses, proposed within one half-mile of an existing major transit stop (as defined by CEQA Section 21064.3) or an existing stop along a high-quality transit corridor (as defined by CEQA 21155) would not result in a substantial increase in VMT. However, this presumption would not apply if the project would: (1) have a floor area ratio of less than 0.75; (2) include more parking for use by residents, customers, or employees of the project than required or allowed, without a conditional use authorization; or (3) be inconsistent with the applicable Sustainable Communities Strategy.<sup>32</sup>
- **Small Projects Screening Criterion.** OPR recommends that lead agencies may generally assume that a project would not have significant VMT impacts if the project would either: (1) generate fewer trips than the level for studying consistency with the applicable congestion management program or (2) where the applicable congestion management program does not provide such a level, fewer than 100 vehicle trips per day. The Transportation Authority’s Congestion Management Program, December 2015, does not include a trip threshold for studying consistency. Therefore, the Planning Department

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<sup>31</sup> *Ibid.*

<sup>32</sup> A project is considered to be inconsistent with the Sustainable Communities Strategy if development is located outside of areas contemplated for development in the Sustainable Communities Strategy.

uses a screening criterion of 100 vehicle trips per day, whereby a project that would generate vehicle trips equal to or below this threshold would not generate a substantial increase in VMT.

### *Induced Automobile Travel Analysis*

Transportation projects may substantially induce additional automobile travel. The following identifies thresholds of significance and screening criteria used to determine if transportation projects would result in significant impacts by inducing substantial additional automobile travel.

Pursuant to OPR's Proposed Transportation Impact Guidelines, a transportation project would substantially induce automobile travel if it would generate more than 2,075,220 VMT per year. This threshold is based on the fair share VMT allocated to transportation projects required to achieve California's long-term greenhouse gas emissions reduction goal of 40 percent below 1990 levels by 2030.

OPR's Proposed Transportation Impact Guidelines includes a list of transportation project types that would not likely lead to a substantial or measureable increase in VMT. If a project fits within the general types of projects (including combinations of types) described in the Transportation Impact Guidelines, then it is presumed that VMT impacts would be less than significant and a detailed VMT analysis is not required. The following types of transportation projects included in the Transportation Impact Guidelines are applicable to the subject project's proposed modifications to the Battery Street sidewalk, which include removal of a 12-foot-wide curb cut, introduction of three new street trees and 12 class 2 bicycle parking spaces, and if approved, a passenger/commercial loading zone located on Battery Street, in front of the site:

- Active Transportation, Rightsizing (aka Road Diet), and Transit Projects:
  - Infrastructure projects, including safety and accessibility improvements, for people walking or bicycling
- Other Minor Transportation Projects:
  - Adoption, removal, or modification of on-street parking or loading restrictions (including meters, time limits, accessible spaces, and preferential/reserved parking permit programs)

### **TRAVEL DEMAND**

Localized trip generation of the proposed project was calculated using a trip-based analysis and information included in the 2002 *Transportation Impact Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.<sup>33,34</sup> The proposed project would generate an estimated 4,968 person trips (inbound and outbound) on a weekday daily basis, consisting of 1,781 person trips by auto (753 vehicle trips accounting for vehicle occupancy

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<sup>33</sup> San Francisco Planning Department, *Transportation Calculations for 940 Battery Street*, January 18, 2018.

<sup>34</sup> Trip calculations are conservative (overestimates) because they do not subtract trips associated with existing uses from proposed new construction and changes in uses.

data for this census tract), 853 transit trips, 1,723 walk trips and 611 trips by other modes, which include bicycle, taxi, and motorcycle trips. During the p.m. peak hour, the proposed project would generate an estimated 447 daily person trips, consisting of 160 person trips by auto (68 vehicle trips accounting for vehicle occupancy data), 77 transit trips, 154 walk trips and 55 trips by other modes.

**Impact TR-1: The proposed project would not cause substantial additional VMT or substantially induce automobile travel. (Less than Significant)**

*Vehicle Miles Traveled Analysis*

As shown in Table 4, the existing average daily VMT per office employee is 8.1 for TAZ 826, which is 50 percent below the applicable screening criterion (existing regional average VMT per office employee minus 15 percent) of 16.2. In addition, the existing average daily VMT per retail employee, at 10.2 for TAZ 826, is 19 percent below the applicable screening criterion (existing regional average VMT per retail employee minus 15 percent) of 12.6. Therefore, the proposed project would meet the Map-Based Screening criteria for office and retail uses. The project site also meets the Proximity to Transit Stations screening criterion.<sup>35</sup> Since the proposed project would meet one or more of the screening criteria it would not result in a substantial increase in VMT and as a result, its impacts would be less than significant.

*Induced Automobile Travel Analysis*

A project would have a significant effect on the environment if it would substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow lanes) or by adding new roadways to the network. OPR's Proposed Transportation Impact Guidelines includes a list of transportation project types that would not likely lead to a substantial or measureable increase in VMT. If a project fits within the general types of projects (including combinations of types), then it is presumed that VMT impacts would be less than significant and a detailed VMT analysis is not required.

The proposed project is not a transportation project. However, the proposed project would include features that would alter the transportation network. Specifically, the proposed project would remove an existing 12-foot-wide curb cut and introduce three new street trees and 12 class 2 bicycle spaces on the Battery Street frontage. The proposed project would also seek approval of a passenger/commercial loading zone on Battery Street in front of the project site. However, these minor alterations to the transportation network fit within the general types of projects that would not substantially induce automobile travel.<sup>36</sup> Thus, the proposed project would not result in a significant impact with respect to induced automobile travel.

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<sup>35</sup> San Francisco Planning Department, *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 940 Battery Street*, January 23, 2018.

<sup>36</sup> *Ibid.*

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

The proposed project, which consists of a vertical addition and interior and exterior alterations, would be built within the existing building envelope. Therefore it would not include any design features that would substantially increase traffic-related hazards (e.g., a new sharp curve or dangerous intersections) or include any incompatible uses, as discussed under Topic E.1, Land Use and Land Use Planning. Additionally, the proposed project would add three new street trees and remove a 12-foot-wide curb cut on Battery Street, which would likely increase pedestrian safety by providing additional barriers between pedestrians and traffic. The proposed project may also introduce a passenger/commercial loading zone on Battery Street in front of the project site, which could improve traffic circulation. Therefore, traffic hazard impacts due to a design feature or incompatible uses from the proposed project would be less than significant.

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

Emergency vehicle access is currently provided along Battery Street, which fronts the project site. Emergency access would remain unchanged from existing conditions. In addition, the proposed project would not close off any existing streets or entrances to public uses. Therefore, the proposed project would have a less-than-significant impact on emergency access.

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

*Transit Facilities*

The project site is well served by public transit. Within one-quarter mile of the project site, Muni operates the following local transit lines: 10-Townsend, 12-Folsom/Pacific, 30X-Marina Express, 39-Coit, 82X-Levi Plaza Express, E-Embarcadero and F-Market & Wharves. Based on Northeast Muni Screenline data, the existing peak hour capacity utilization of these lines is approximately 66 and 67 percent during the a.m. and p.m. peak hours, respectively.<sup>37,38</sup>

As described above, the proposed project would generate 853 daily transit trips, including 77 during the p.m. peak hour. These transit trips would be distributed among the multiple transit lines serving the project vicinity and would be accommodated by their existing capacity (66-67

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<sup>37</sup> San Francisco Planning Department, *Memorandum: Transit Data for Transportation Impact Studies*, May 15, 2015.

<sup>38</sup> Typically, the Planning Department assesses transit impacts through a screenline analysis. A screenline analysis assumes that there are identifiable corridors or directions of travel which are served by a grouping of transit lines. Therefore, an individual line would be combined with other transit lines in a corridor and corridors combined into a screenline in determining significance. The project site, 940 Battery Street, is served by transit lines included within the Northeast Muni Screenline.

per cent), which is well below the SFMTA capacity utilization performance standard of 85 percent.<sup>39</sup> For these reasons, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result. Thus, the proposed project's impact on transit service would be less than significant.

### *Bicycle Facilities*

The proposed project would add approximately 611 person-trips by "other" modes, which includes trips made by bicycle. However, the project vicinity is served by existing bicycle routes and lanes located along Battery and Front streets and along Broadway and The Embarcadero; the bicycle routes and lanes along Battery and Front streets were observed to be underutilized during a field visit to the site.<sup>40</sup> Implementation of the proposed project would not alter the existing street grid or result in other physical changes that would affect these bicycle routes and lanes. In addition, the proposed project would include 12 class 1 bicycle parking spaces in a bicycle storage room located in the basement of the proposed building and 12 class 2 bicycle parking spaces located on the Battery Street sidewalk in front of the project site. For these reasons, project-generated bicycle trips would not have a significant impact on existing bicycle facilities.

The proposed project would also generate 753 daily and 68 p.m. peak-hour vehicle trips. While the project would increase the amount of vehicle traffic along Battery Street and other streets in the project vicinity, the expected magnitude of this increase on any one street would not be substantial enough to result in conflicts with cyclists or affect overall bicycle circulation or the operations of bicycle facilities. Therefore, impacts related to bicycle travel would be less than significant.

### *Pedestrian Facilities*

Trips generated by the proposed project would include walk trips to and from the proposed office and retail uses, plus walk trips to and from transit stops. The proposed project would generate about 1,723 daily pedestrian trips to and from the project site, including 154 pedestrian trips during the weekday p.m. peak hour. The sidewalks along Battery, Green, Front and Vallejo streets are at least 12 feet wide and, based on a field observation, appear to be underutilized.<sup>41</sup> In addition, there are pedestrian curb ramps, crosswalks, and stop signs provided at the nearest

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<sup>39</sup> The SFMTA uses a capacity utilization performance standard of 85 percent for transit vehicle loads. In other words, SFMTA local transit lines should operate at or below 85 percent capacity utilization. The Planning Department, in preparing and reviewing transportation impact studies, has similarly utilized the 85 percent capacity utilization standard as a threshold of significance for determining peak period transit demand impacts to the SFMTA lines. By contrast, regional transit agencies use a 100 percent capacity utilization standard, and therefore the Planning Department uses 100 percent capacity utilization as a threshold of significance for determining peak period transit demand impacts to regional transit.

<sup>40</sup> Field observations were made at the subject property, 940 Battery Street, and the project vicinity on January 17, 2018, between 8:15 a.m. and 9:15 a.m.

<sup>41</sup> *Ibid.*

intersections (Battery Street/Green Street and Battery Street/Vallejo Street) to facilitate pedestrian crossing. As a result, the existing sidewalks at the site and within the project vicinity would be able to accommodate the additional project-generated pedestrian trips without becoming substantially overcrowded or unsafe.

In addition, the proposed project would remove an existing 12-foot-wide curb cut and install three new street trees along the Battery Street frontage. These streetscape improvements would enhance pedestrian safety at the project site by providing a barrier between pedestrians and vehicles traveling along Battery Street. Furthermore, project-generated vehicle traffic (753 daily and 68 p.m. peak hour vehicle-trips) would be dispersed among multiple streets within the project vicinity and therefore, would not be expected to result in substantial conflicts with pedestrians on Battery Street or other streets in the project vicinity. As a result, project-related impacts on pedestrian facilities would be less than significant.

### *Construction Activities*

Construction of the proposed project would take approximately 12 months. Construction staging would occur primarily on Battery Street. During the construction period, there would be a flow of construction-related trucks to and from the project site, which could result in a temporary reduction in the capacities of local streets. In addition, construction activities would generate construction worker trips to and from the project site and temporary demand for parking and public transit. However, the temporary demand for public transit would not be expected to exceed the capacity of local or regional transit service. Temporary traffic lane closures would also be coordinated with the City to minimize the impacts on local traffic. In general, lane and sidewalk closures are subject to review and approval by San Francisco Public Works (Public Works) and the City's Transportation Advisory Staff Committee (TASC), which consists of representatives from the City's fire, police, public works and public health departments as well as the San Francisco Municipal Transportation Agency and Port of San Francisco.

Due to the temporary nature of the construction activities and required street and sidewalk coordination with City departments and agencies, the construction-related impacts on transportation and circulation would be less than significant.

**Impact C-TR-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a considerable contribution to cumulative regional VMT. (Less than Significant)**

VMT by its nature is a cumulative impact. The amount of driving induced by past, present and future projects contributes to cumulative environmental impacts associated with VMT. While no single project would be sufficient in size to prevent the region or state from meeting its VMT reduction goals, a project's individual VMT would contribute to cumulative VMT impacts. Project-level VMT and induced automobile travel screening thresholds are based on levels at

which new projects are not anticipated to conflict with state and regional long-term greenhouse gas emission reduction targets and statewide VMT per capita reduction targets set for 2020.

The proposed project would not exceed the project-level thresholds for VMT and induced automobile travel (Impact TR-1). In addition, the proposed project would not exceed the project-level projected 2040 thresholds for VMT. For TAZ 826, projected 2040 average daily VMT per office employee is 6.4 and projected average daily VMT per retail employee is 9.4 (Table 4). These values are approximately 56 and 24 percent below the projected 2040 screening thresholds (regional average daily VMT per employee less 15 percent) of 14.5 and 12.4 for office and retail uses, respectively.

Therefore, the proposed project in combination with past, present, and reasonably foreseeable future projects, would not result in a significant impact on cumulative regional VMT.

**Impact C-TR-2: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not have a cumulative impact on transportation. (Less than Significant)**

There are currently eleven active development projects within the project vicinity (see Table 2 and Figure 2, section B, Project Setting) in addition to the proposed project at 940 Battery Street. Of these projects, seven involve new construction, expansions or changes in use that would increase the demand for transit within the project vicinity. However, the proposed project in combination with these projects would be unlikely to cause the peak hour capacity utilization of the Muni bus and light rail lines operating within the project vicinity to exceed 85 percent. The cumulative peak hour (a.m. and p.m) capacity utilization of the Northeast Muni Screenline is projected to reach 72 per cent by the year 2040.<sup>42</sup> Since the projected 2040 capacity utilization for each screenline incorporates all reasonably foreseeable development, the proposed project, in combination with past, present and reasonably foreseeable cumulative projects, would have less-than-significant cumulative transit impacts.

The cumulative projects would also increase automobile traffic in the area, which could result in an increase in the potential for automobile-bicycle and automobile-pedestrian conflicts at intersections and driveways in the project vicinity. While there would be a general increase in vehicle, bicycle, and pedestrian traffic in the project vicinity, the proposed project would not create potentially hazardous conditions for bicycles or pedestrians, or otherwise interfere with bicycle or pedestrian accessibility to the project site and adjoining areas. Therefore, the proposed project, in combination with past, present and reasonably foreseeable development in the project vicinity, would have a less-than-significant cumulative impact on bicycle and pedestrian conditions.

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<sup>42</sup> San Francisco Planning Department, *Memorandum: Transit Data for Transportation Impact Studies*, May 15, 2015.

Construction of the proposed project could overlap with construction activities associated with the cumulative development projects described in Table 2. However, the combined construction-related traffic would be temporary and localized, and therefore would not result in permanent impacts related to transportation and circulation. In addition, all construction-related temporary traffic lane closures would be coordinated with the City to minimize the impacts on local traffic. As stated above, lane and sidewalk closures are subject to review and approval by San Francisco Public Works (Public Works) and the City’s Transportation Advisory Staff Committee (TASC), which consists of representatives from the City’s fire, police, public works and public health departments as well as the San Francisco Municipal Transportation Agency and Port of San Francisco. The cumulative addition of construction worker-related vehicle or transit trips would also not substantially affect transportation conditions, due to their temporary and limited nature. Therefore, the proposed project would have less-than-significant cumulative construction impacts.

For these reasons, the proposed project in combination with past, present, or reasonably foreseeable future projects in the project vicinity would result in less-than-significant cumulative transportation impacts.

| <i>Topics:</i>   | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         | <i>Not Applicable</i>               |
|--|---------------------------------------|---|-------------------------------------|--------------------------|-------------------------------------|
| <b>5. NOISE -- Would the project result in:</b>  |                                       |   |                                     |                          |                                     |
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |



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

The project site is not located within an airport land use plan area or in the vicinity of a private airstrip. Therefore, topics 5e and 5f are not applicable to the proposed project.

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

Ambient noise levels in the project vicinity are typical of noise levels found in San Francisco, which are dominated by vehicular traffic, including cars, Muni buses, and emergency vehicles. The existing traffic noise levels on Battery Street, which the proposed project would front, exceed 70 dBA (Ldn).<sup>43,44,45</sup> Additionally, the project site is located approximately two blocks west of The Embarcadero, which exceeds traffic noise levels of 75 dBA (Ldn).

The proposed project would add new institutional (museum), retail (event) and office uses within this noise environment. The Environmental Protection Element of the San Francisco General Plan contains Land Use Compatibility Guidelines for Community Noise.<sup>46</sup> These guidelines, which are similar to state guidelines promulgated by the Governor’s Office of Planning and Research, indicate maximum acceptable noise levels for various newly developed land uses. These guidelines present a range of noise levels that are considered compatible or incompatible with various land uses. Specifically, the maximum “satisfactory, with no special noise insulation” exterior noise level is 60 dBA (Ldn) for residential and hotel uses, 65 dBA (Ldn) for schools classrooms, libraries, churches and hospitals, 70 dBA (Ldn) for playgrounds, parks, office buildings, retail commercial uses and noise-sensitive manufacturing/communications uses, and 77 dBA (Ldn) for other commercial uses such as wholesale, some retail, industrial/manufacturing, transportation, communications, and utilities. Therefore, the proposed institutional, retail and office uses, which are already common uses in the neighborhood, would be compatible with existing noise guidelines.

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<sup>43</sup> San Francisco General Plan, Environmental Protection Element, Map 1, Background Noise Levels – 2009, [http://generalplan.sfplanning.org/images/16.environmental/ENV\\_Map1\\_Background\\_Noise%20Levels.pdf](http://generalplan.sfplanning.org/images/16.environmental/ENV_Map1_Background_Noise%20Levels.pdf), accessed on December 11, 2017.

<sup>44</sup> The dBA, or A-weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sounds of different frequencies. On this scale, the normal range of human hearing extends from about 0 dBA to about 140 dBA. A 10-dBA increase in the level of a continuous noise represents a perceived doubling of loudness.

<sup>45</sup> The DNL or Ldn is the Leq, or Energy Equivalent Level, of the A-weighted noise level over a 24-hour period with a 10 dB penalty applied to noise levels between 10:00 p.m. to 7:00 a.m. Leq is the level of a steady noise which would have the same energy as the fluctuating noise level integrated over the time period of interest.

<sup>46</sup> San Francisco General Plan, Environmental Protection Element, Policy 11.1, [http://generalplan.sfplanning.org/16\\_Environmental\\_Protection.htm#ENV\\_TRA\\_11\\_1](http://generalplan.sfplanning.org/16_Environmental_Protection.htm#ENV_TRA_11_1), accessed December 20, 2017.

In addition, the operation of the proposed uses would not generate groundborne vibration or noise that could result in a substantial permanent, temporary or periodic increase in ambient noise levels. Vehicular traffic makes the largest contribution to ambient noise levels throughout most of San Francisco. Generally, traffic would have to double in volume to produce a noticeable 3 dBA increase in the ambient noise level in the project vicinity.<sup>47</sup> The proposed project would generate approximately 753 daily vehicle trips, 68 of which would occur during the p.m. peak hour. The most recent traffic counts taken at the closest intersection (Battery Street and Vallejo Street) to the project site totaled 7,926 vehicles per day, 752 of which occurred during the p.m. peak hour.<sup>48</sup> Therefore, project-generated vehicle trips would not cause traffic volumes to double on nearby streets and as a result, project-generated traffic noise would not have a noticeable effect on ambient noise levels in the project site vicinity.

Mechanical building equipment, such as elevators and heating, ventilation and air conditioning (HVAC) systems, as well as music- or other entertainment-producing devices that could be associated with the proposed event spaces would also create operational noise. However, these noise sources would be subject to the San Francisco Noise Ordinance (Article 29 of the Police Code). Specifically, section 2909(b) prohibits any machine or device located on a commercial property from producing music or entertainment-related noise levels in excess of 8 dBA above ambient noise levels. In addition, section 2909(d) establishes maximum noise levels for fixed noise sources (e.g., mechanical equipment) of 55 dBA (from 7:00 a.m. to 10:00 p.m.) and 45 dBA (from 10:00 p.m. to 7:00 a.m.) inside any sleeping or living room in any dwelling unit located on residential property to prevent sleep disturbance. The proposed project's mechanical and HVAC systems as well as any noise-generating devices that may be associated with the use of event spaces would be required to meet these noise standards.

Given that the proposed project's vehicle trips would not cause a doubling of traffic volumes on nearby streets and that proposed mechanical equipment and other noise-generating devices would be required to comply with the Noise Ordinance, operational noise from the proposed project would not result in a noticeable increase in ambient noise levels. Therefore, the proposed project would not result in exposure of any existing noise sensitive uses (e.g., nearby residential uses, schools, etc.) to noise levels in excess of established standards or result in a substantial permanent increase in ambient noise levels.

**Impact NO-2: The proposed project would not result in construction activities that could expose persons to temporary increases in noise or vibration levels substantially in excess of ambient levels. (Less than Significant)**

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<sup>47</sup> United States Department of Transportation, Federal Highway Administration, *Highway Traffic Noise: Analysis and Abatement Guidance*, December 2011, p. 9. Available online at [http://www.fhwa.dot.gov/environment/noise/regulations\\_and\\_guidance/analysis\\_and\\_abatement\\_guidance/revguidance.pdf](http://www.fhwa.dot.gov/environment/noise/regulations_and_guidance/analysis_and_abatement_guidance/revguidance.pdf), accessed June 24, 2016.

<sup>48</sup> San Francisco Municipal Transportation Agency, SFMTA Traffic Count Data 1995-2015, <https://www.sfmta.com/reports/sfmta-traffic-count-data-1995-2015>, accessed January 22, 2018.

The construction period for the proposed project would last approximately 12 months. Construction equipment and activities would generate noise and possibly vibrations that could be considered an annoyance by occupants of nearby properties. Construction noise levels would fluctuate depending on construction phase, equipment type and duration of use, distance between noise source and affected receptor, and the presence (or absence) of barriers. Impacts would generally be limited to periods during which excavation occurs, new foundations are installed and exterior structural and facade elements are altered. Interior construction noise would be substantially reduced by exterior walls.

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the Police Code). The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. For reference, Table 5 provides typical noise levels produced by various types of construction equipment. Impact tools (e.g., jackhammers, hoe rams, impact wrenches) must have manufacturer-recommended and City-approved mufflers for both intake and exhaust. Section 2908 of the Noise Ordinance prohibits construction work between 8:00 p.m. and 7:00 a.m., if noise would exceed the ambient noise level by 5 dBA at the project property line, unless a special permit is authorized by the Director of the Department of Public Works or the Director of Building Inspection. The project would be required to comply with regulations set forth in the Noise Ordinance.

**Table 5: Typical Noise Levels from Construction Equipment**

| Construction Equipment                     | Noise Level (dBA, 50 feet from source) | Noise Level (dBA, 100 feet from source) |
|--|--|---|
| Jackhammer (Pavement Breaker) <sup>1</sup> | 89                                     | 83                                      |
| Pile Driver (Impact or Vibratory)          | 101                                    | 95                                      |
| Auger Drill Rig                            | 84                                     | 78                                      |
| Loader                                     | 79                                     | 73                                      |
| Dozer                                      | 82                                     | 76                                      |
| Excavator                                  | 81                                     | 75                                      |
| Grader                                     | 85                                     | 79                                      |
| Dump Truck                                 | 76                                     | 70                                      |
| Flatbed Truck                              | 74                                     | 68                                      |
| Concrete Truck                             | 81                                     | 75                                      |
| Man Lift                                   | 75                                     | 69                                      |
| Generator                                  | 81                                     | 75                                      |
| Compressor                                 | 78                                     | 72                                      |
| San Francisco Noise Ordinance Limit        | 86                                     | 80                                      |

Source: United States Department of Transportation, Federal Highway Administration, Construction Noise Handbook, Chapter 9, Table 9.1, [https://www.fhwa.dot.gov/ENVIRONMENT/noise/construction\\_noise/handbook/handbook09.cfm](https://www.fhwa.dot.gov/ENVIRONMENT/noise/construction_noise/handbook/handbook09.cfm), accessed April 26, 2018.

<sup>1</sup>Exempt from the ordinance noise limit of 86 dBA at 50 feet or 80 dBA at 100 feet.

Construction of the proposed project would require excavation and removal of approximately 120 cubic yards of soil. According to a geotechnical investigation report prepared for the proposed project,<sup>49</sup> the proposed alterations and vertical addition would require installation of a deep foundation system consisting of micropiles backfilled with grout and reinforced with rebar. The micropiles would be installed using hollow-stem augers; other deep foundation systems, such as driven or torque-down piles, would be infeasible due to the presence of the existing building at the site. Pile drivers (impact or vibratory) generate noise levels of about 101 dBA at a distance of 50 feet from the source whereas auger drill rigs generate noise levels of approximately 84 dBA at 50 feet from the source (Table 5).<sup>50</sup> Noise levels generated by small localized sources (i.e., construction equipment), attenuate at a rate of 6 dBA per each doubling of distance from the source;<sup>51</sup> therefore, an auger drill rig would generate a noise level of about 78 dBA at 100 feet from the source, which complies with the 80 dBA limit set by the noise ordinance. Moreover, since the proposed project would retain the existing building walls and the proposed drilling would occur within the basement of the existing structure, off-site receptors would be further shielded from any drilling-related noise-level increases. Therefore, the proposed project would not cause temporary increases in noise or vibration levels substantially greater than ambient levels, which currently exceed 70 dBA along Battery Street

The nearest sensitive uses to the project site include a six- to eight-story mixed-use building complex (810-820 Battery Street) with 87 dwelling units and a preschool center and retail units on the ground floor and John Yehall Chin Elementary School (350 Broadway Street). These uses are located approximately 350 feet south and 725 feet southwest, respectively, of the project site. The residences at 810-820 Battery Street could experience temporary and intermittent noise associated with construction activities as well as the passage of construction trucks to and from the project site. John Yehall Chin Elementary School, given its greater distance from the project site, would not likely experience any construction-related noise disturbance. In addition, local businesses surrounding the site could also experience adverse noise effects; however, as previously discussed, these effects would be temporary, intermittent and restricted to occur during daytime hours by the Noise Ordinance.

Older buildings, particularly masonry buildings, can be damaged by excessive vibration associated with construction activities. However, as described in section E.3, Cultural Resources, construction of the proposed project would not generate excessive vibration that could damage any potential masonry or other sensitive buildings in the vicinity, including the subject building at 940 Battery Street. In addition, the Department of Building Inspection is responsible for reviewing the building

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<sup>49</sup> Geotecnia, *Geotechnical Reconnaissance Letter Report: Proposed Improvements to Existing Building at 940 Battery Street, San Francisco, California*, May 31, 2016.

<sup>50</sup> United States Department of Transportation, Federal Highway Administration, *Construction Noise Handbook*, [https://www.fhwa.dot.gov/ENVIRONMENT/noise/construction\\_noise/handbook/handbook09.cfm](https://www.fhwa.dot.gov/ENVIRONMENT/noise/construction_noise/handbook/handbook09.cfm), accessed April 26, 2018.

<sup>51</sup> California Department of Transportation (Caltrans), *Technical Noise Supplement to the Traffic Noise Analysis Protocol*, September 2013, <http://www.dot.ca.gov/env/noise/>, accessed May 21, 2018.

permit application to ensure that proposed construction activities, including shoring and underpinning, comply with all applicable procedures and requirements and would not materially impair adjacent or nearby buildings.

Therefore, project-related construction activities would not expose individuals to temporary increases in noise or vibration levels substantially greater than ambient levels.

**Impact C-NO-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would result in less-than-significant cumulative impacts related to noise and vibration. (Less than Significant)**

As described above, project-generated operational and construction noise would not substantially increase ambient noise levels within the project vicinity. Of the eleven cumulative development projects described in Table 2, Section B, Project Setting, the closest developments to the project site are located at 1088 Sansome Street (205 feet west), 850 Battery Street (230 feet south) and 900 Front Street (345 feet east). However, these projects involve minor alterations to existing structures and therefore, would contribute only marginally to ambient noise levels in the area, both during construction and operation. The largest cumulative development projects in the vicinity are located at 88 Broadway (415 feet southeast) and Seawall Lots 323-324 (710 feet southeast). While these projects are sufficiently large to temporarily increase ambient noise levels in the vicinity during construction and operation, the proposed 940 Battery Street project would be too small in scale and too far away from these developments to contribute noticeably to these noise impacts. The remaining six cumulative projects are dispersed through the project area and are too small in scale and/or too distant from the project site to substantially increase ambient noise levels in the project vicinity.

In addition, the proposed project, in combination with the cumulative projects, would not result in a doubling of existing traffic volumes in the vicinity. The proposed project would add approximately 68 vehicle trips during the p.m. peak period. The largest nearby cumulative development projects, located at 88 Broadway and Seawall Lots 323-324, respectively, would add approximately 372 vehicle trips during the p.m. peak period: 234 vehicle trips associated with 88 Broadway and 138 vehicle trips associated with Seawall Lots 323-324.<sup>52,53</sup> The remaining cumulative development projects in the vicinity, being of smaller scale, would not increase this value substantially. Therefore, in total, cumulative development within the project vicinity would add approximately 440 new vehicle trips during the p.m. peak period. As previously stated, the most recent traffic counts taken at the closest intersection (Battery Street and Vallejo Street) to the project site totaled 752 vehicle trips during the p.m. peak hour. Therefore, the proposed project in combination with cumulative development in the vicinity would not double existing traffic volumes. Furthermore, these additional vehicle trips would be distributed along the local street

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<sup>52</sup> AECOM, *88 Broadway Transportation Impact Study, San Francisco, CA*, June 20, 2017, Table 9.

<sup>53</sup> San Francisco Planning Department, *Transportation Calculations for Seawall Lots 323 and 324*, March 8, 2018.

network, not concentrated at the Battery Street and Vallejo Street intersection. Therefore, in combination with reasonably foreseeable cumulative projects, the project would not result in significant cumulative traffic noise impacts.

Moreover, the proposed project’s mechanical equipment and mechanical equipment from reasonably foreseeable cumulative projects would be required to comply with the Noise Ordinance. Construction noise associated with the proposed project and cumulative development projects in the vicinity would also be subject to the Noise Ordinance and would be temporary in duration. Therefore, cumulative construction-related noise impacts would be less than significant.

Finally, as discussed in section E.3, Cultural Resources, the proposed project would not generate excessive construction-related groundborne vibrations, and therefore, it would not contribute substantially to cumulative vibration impacts.

For these reasons, the proposed project in combination with reasonably foreseeable projects would result in less-than-significant cumulative impacts related to noise.

| <i>Topics:</i>   | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         | <i>Not Applicable</i>    |
|--|---------------------------------------|---|-------------------------------------|--------------------------|--------------------------|
| <b>6. AIR QUALITY.—Would the project:</b>  |                                       |   |                                     |                          |                          |
| a) Conflict with or obstruct implementation of the applicable air quality plan?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

The Bay Area Air Quality Management District (air district) is the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (air basin), which includes San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, and Napa counties and

portions of Sonoma and Solano counties. The air district is responsible for attaining and maintaining federal and state air quality standards in the air basin, as established by the federal Clean Air Act and the California Clean Air Act, respectively. Specifically, the air district has the responsibility to monitor ambient air pollutant levels throughout the air basin and to develop and implement strategies to attain the applicable federal and state standards. The federal and state clean air acts require plans to be developed for areas that do not meet air quality standards. On April 19, 2017, the air district adopted the 2017 Clean Air Plan, its most recent air quality plan.<sup>54</sup> The 2017 Clean Air Plan updates the most recent Bay Area ozone plan, the 2010 Clean Air Plan, in accordance with the requirements of the state Clean Air Act to implement all feasible measures to reduce ozone; provide a control strategy to reduce particulate matter, air toxics, and greenhouse gases in a single, integrated plan; and establish emission control measures to be adopted or implemented. The 2017 Clean Air Plan contains the following primary goals:

- Protect air quality and health at the regional and local scale: attain all state and national air quality standards, and eliminate disparities among Bay Area communities in cancer health risk from toxic air contaminants; and
- Protect the climate: reduce Bay Area greenhouse gas emissions to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050.

The 2017 Clean Air Plan is the most current applicable air quality plan for the air basin. Consistency with this plan is the basis for determining whether the proposed project would conflict with or obstruct implementation of an air quality plan.

### ***Criteria Air Pollutants***

In accordance with the state and federal clean air acts, air pollutant standards are identified for the following six *criteria air pollutants*: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. In general, the air basin experiences low concentrations of most pollutants when compared with federal or state standards. Specifically, the air basin is designated as either in attainment<sup>55</sup> or unclassified for most criteria air pollutants with the exception of ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>, for which it is in non-attainment with respect to either state or federal standards.

By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project's

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<sup>54</sup> Bay Area Air Quality Management District, 2017 Clean Air Plan: Spare the Air, Cool the Climate, April 2017, <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/plans-under-development>, accessed December 11, 2017.

<sup>55</sup> "Attainment" status refers to those regions that are meeting federal and/or state standards for a specified criteria pollutant. "Non-attainment" refers to regions that do not meet federal and/or state standards for a specified criteria pollutant. "Unclassified" refers to regions where there is not enough data to determine the region's attainment status for a specified criteria air pollutant.

individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts would be considerable, then the project's impact on air quality would be considered significant.<sup>56</sup> Land use projects may contribute to regional criteria air pollutants during the construction and operational phases of a project. Table 6 identifies air quality significance thresholds followed by a discussion of each threshold. Projects that would result in criteria air pollutant emissions below these significance thresholds would not violate an air quality standard, contribute substantially to an air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants within the air basin.

Table 6: Criteria Air Pollutant Significance Thresholds

| Pollutant         | Construction Thresholds  | Operational Thresholds            |                                      |
|-------------------|--|-----------------------------------|--------------------------------------|
|                   | Average Daily Emissions (lbs/day)                              | Average Daily Emissions (lbs/day) | Maximum Annual Emissions (tons/year) |
| ROG               | 54   | 54                                | 10                                   |
| NO <sub>x</sub>   | 54   | 54                                | 10                                   |
| PM <sub>10</sub>  | 82 (exhaust)   | 82                                | 15                                   |
| PM <sub>2.5</sub> | 54 (exhaust)   | 54                                | 10                                   |
| Fugitive Dust     | Construction Dust Ordinance or other Best Management Practices | Not Applicable                    |                                      |

Source: Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2017, page 2-2.

**Ozone Precursors.** As discussed previously, the air basin is currently designated as non-attainment for ozone and particulate matter. Ozone is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG) and nitrogen oxides (NO<sub>x</sub>). The potential for a project to result in a cumulatively considerable net increase in criteria air pollutants, which may contribute to an existing or projected air quality violation, are based on the state and federal clean air acts emissions limits for stationary sources. To ensure that new stationary sources do not cause or contribute to a violation of an air quality standard, air district regulation 2, rule 2, requires that any new source that emits criteria air pollutants above a specified emissions limit must offset those emissions. For ozone precursors ROG and NO<sub>x</sub>, the offset emissions level is an annual average of 10 tons per year (or 54 pounds per day).<sup>57</sup> These levels represent emissions below which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants.

Although this regulation applies to new or modified stationary sources, land use development projects result in ROG and NO<sub>x</sub> emissions as a result of increases in vehicle trips, architectural coatings, and construction activities. Therefore, the above thresholds can be applied to the

<sup>56</sup> Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2017, page 2-2.

<sup>57</sup> Bay Area Air Quality Management District, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 17.



construction and operational phases of land use projects and those projects that result in emissions below these thresholds would not be considered to contribute to an existing or projected air quality violation or result in a considerable net increase in ROG and NO<sub>x</sub> emissions. Due to the temporary nature of construction activities, only the average daily thresholds are applicable to construction phase emissions.

**Particulate Matter (PM<sub>10</sub> and PM<sub>2.5</sub>).**<sup>58</sup> The air district has not established an offset limit for PM<sub>2.5</sub>. However, the emissions limit established in the federal New Source Review<sup>59</sup> for stationary sources in nonattainment areas is an appropriate significance threshold. For PM<sub>10</sub> and PM<sub>2.5</sub>, the New Source Review emissions limits are 15 tons per year (82 pounds per day) and 10 tons per year (54 pounds per day), respectively. These emissions limits represent levels below which a source is not expected to have an impact on air quality.<sup>60</sup> Similar to the ozone precursor thresholds identified above, land use development projects typically result in particulate matter emissions as a result of increases in vehicle trips, space heating and natural gas combustion, landscape maintenance, and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of a land use project. Again, because construction activities are temporary in nature, only the average daily thresholds are applicable to construction-phase emissions.

**Fugitive Dust.** Fugitive dust emissions are typically generated during construction phases. Studies have shown that the application of best management practices at construction sites significantly controls fugitive dust;<sup>61</sup> individual measures have been shown to reduce fugitive dust by anywhere from 30 to 90 percent.<sup>62</sup> The air district has identified a number of best management practices to control fugitive dust emissions from construction activities.<sup>63</sup> The City's Construction Dust Control Ordinance (ordinance 176-08, effective July 30, 2008) requires a number of measures to control fugitive dust. Best management practices employed in compliance with the ordinance are an effective strategy for controlling construction-related fugitive dust.

**Other Criteria Pollutants.** Regional concentrations of CO in the Bay Area have not exceeded the state standards in the past 11 years and SO<sub>2</sub> concentrations have never exceeded the standards. The primary source of CO emissions from development projects is vehicle traffic. Construction-related SO<sub>2</sub> emissions represent a negligible portion of the total basin-wide emissions and construction-related CO emissions represent less than five percent of the Bay Area total basin-

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<sup>58</sup> PM<sub>10</sub> is often termed "coarse" particulate matter and is made of particulates that are 10 microns in diameter or smaller. PM<sub>2.5</sub>, termed "fine" particulate matter, is composed of particles that are 2.5 microns or less in diameter.

<sup>59</sup> Code of Federal Regulations (CFR), PSD (40 CFR 52.21, 40 CFR 51.166, 40 CFR 51.165 (b)) and Non-attainment NSR (40 CFR 52.24, 40 CFR 51.165, 40 CFR part 51, Appendix S)

<sup>60</sup> BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 16.

<sup>61</sup> Western Regional Air Partnership. 2006. *WRAP Fugitive Dust Handbook*. September 7, 2006. This document is available online at [http://www.wrapair.org/forums/dejff/dh/content/FDHandbook\\_Rev\\_06.pdf](http://www.wrapair.org/forums/dejff/dh/content/FDHandbook_Rev_06.pdf), accessed December 18, 2017.

<sup>62</sup> Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2017, page D-47.

<sup>63</sup> *Ibid.*

wide CO emissions. As discussed previously, the Bay Area is in attainment for both CO and SO<sub>2</sub>. Furthermore, the air district has demonstrated, based on modeling, that to exceed the California ambient air quality standard of 9.0 parts per million (8-hour average) or 20.0 parts per million (1-hour average) for CO, project traffic in addition to existing traffic would need to exceed 44,000 vehicles per hour at affected intersections (or 24,000 vehicles per hour where vertical and/or horizontal mixing is limited). Therefore, given the Bay Area's attainment status and the limited CO and SO<sub>2</sub> emissions that could result from development projects in the project vicinity, the development projects would not result in a cumulatively considerable net increase in CO or SO<sub>2</sub> emissions, and quantitative analysis is not required.

### ***Local Health Risks and Hazards***

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

Unlike criteria air pollutants, TACs do not have ambient air quality standards but are regulated by the air district using a risk-based approach to determine which sources and pollutants to control as well as the degree of control. A *health risk assessment* is an analysis in which human health exposure to toxic substances is estimated, and considered together with information regarding the toxic potency of the substances, to provide quantitative estimates of health risks.<sup>64</sup>

Air pollution does not affect every individual in the population in the same way, and some groups are more sensitive to adverse health effects than others. Land uses such as residences, schools, children's day care centers, hospitals, and nursing and convalescent homes are considered to be the most sensitive to poor air quality because the population groups associated with these uses have increased susceptibility to respiratory distress or, as in the case of residential receptors, their exposure time is greater than that for other land uses. Therefore, these groups are referred to as sensitive receptors. Exposure assessment guidance typically assumes that residences would be exposed to air pollution 24 hours per day, seven days a week, for 30 years.<sup>65</sup> Therefore, assessments of air pollutant exposure to residents typically result in the greatest adverse health outcomes of all population groups.

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<sup>64</sup> In general, a health risk assessment is required if the air district concludes that projected emissions of a specific air toxic compound from a proposed new or modified source suggest a potential public health risk. In such a case, the project sponsor would be subject to a health risk assessment for the source in question. Generally, the assessment would evaluate chronic, long-term effects by estimating the increased risk of cancer as a result of exposure to one or more TACs.

<sup>65</sup> California Office of Environmental Health Hazard Assessment, Air Toxics Hot Spots Program Risk Assessment Guidelines, February 2015, 4-44 and 8-6, <https://oehha.ca.gov/media/downloads/crrr/2015guidancemanual.pdf>, accessed March 8, 2018.

Exposures to fine particulate matter (PM<sub>2.5</sub>) are strongly associated with mortality, respiratory diseases, and lung development impacts in children, and other endpoints such as hospitalization for cardiopulmonary disease.<sup>66</sup> In addition to PM<sub>2.5</sub>, diesel particulate matter (DPM) is also of concern. The California Air Resources Board (California air board) identified DPM as a TAC in 1998, primarily based on evidence demonstrating cancer effects in humans.<sup>67</sup> The estimated cancer risk from exposure to diesel exhaust is much higher than the risk associated with any other TAC routinely measured in the region.

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the air district to conduct a citywide health risk assessment based on an inventory and assessment of air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed the “Air Pollutant Exposure Zone” (APEZ), were identified based on health-protective criteria that consider estimated cancer risk, exposure to fine particulate matter, proximity to freeways, and locations with particularly vulnerable populations. Each of the APEZ criteria is discussed below.

**Excess Cancer Risk.** The Air Pollutant Exposure Zone includes areas where modeled cancer risk exceeds 100 incidents per million persons exposed. This criterion is based on United States Environmental Protection Agency (EPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and community-scale level.<sup>68</sup> As described by the air district, the EPA considers a cancer risk of 100 per million to be within the “acceptable” range of cancer risk. Furthermore, in the 1989 preamble to the benzene National Emissions Standards for Hazardous Air Pollutants rulemaking,<sup>69</sup> the EPA states that it “...strives to provide maximum feasible protection against risks to health from hazardous air pollutants by (1) protecting the greatest number of persons possible to an individual lifetime risk level no higher than approximately one in one million and (2) limiting to no higher than approximately one in ten thousand [100 in one million] the estimated risk that a person living near a plant would have if he or she were exposed to the maximum pollutant concentrations for 70 years.” The 100 per one million excess cancer cases is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on air district regional modeling.<sup>70</sup>

**Fine Particulate Matter.** EPA staff’s 2011 review of the federal PM<sub>2.5</sub> standard concluded that the then current federal annual PM<sub>2.5</sub> standard of 15 µg/m<sup>3</sup> (micrograms per cubic meter) should be

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<sup>66</sup> San Francisco Department of Public Health, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 2008.

<sup>67</sup> California Air Resources Board (ARB), *Fact Sheet: The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines*, October 1998.

<sup>68</sup> Bay Area Air Quality Management District, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, 67.

<sup>69</sup> 54 Federal Register 38044, September 14, 1989.

<sup>70</sup> Bay Area Air Quality Management District, 2017 Clean Air Plan: Spare the Air, Cool the Climate, April 2017, <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/plans-under-development>, accessed December 11, 2017.

revised to a level within the range of 13 to 11  $\mu\text{g}/\text{m}^3$ , with evidence strongly supporting a standard within the range of 12 to 11  $\mu\text{g}/\text{m}^3$ .<sup>71</sup> The Air Pollutant Exposure Zone for San Francisco is based on the health protective  $\text{PM}_{2.5}$  standard of 11  $\mu\text{g}/\text{m}^3$ , as supported by the EPA's assessment, although lowered to 10  $\mu\text{g}/\text{m}^3$  to account for uncertainty in accurately predicting air pollutant concentrations using emissions modeling programs.

**Proximity to Freeways.** According to the California air board, studies have shown an association between the proximity of sensitive land uses to freeways and a variety of respiratory symptoms, asthma exacerbations, and decreases in lung function in children. Siting sensitive uses in close proximity to freeways increases both exposure to air pollution and the potential for adverse health effects. As evidence shows that sensitive uses in an area within a 500-foot buffer of any freeway are at an increased health risk from air pollution,<sup>72</sup> parcels that are within 500 feet of freeways are included in the Air Pollutant Exposure Zone.

**Health Vulnerable Locations.** Based on the air district's evaluation of health vulnerability in the Bay Area, those zip codes (94102, 94103, 94105, 94124, and 94130) in the worst quintile of Bay Area health vulnerability scores as a result of air pollution-related causes were afforded additional protection by lowering the standards for identifying parcels in the Air Pollutant Exposure Zone to: (1) an excess cancer risk greater than 90 per one million persons exposed, and/or (2)  $\text{PM}_{2.5}$  concentrations in excess of 9  $\mu\text{g}/\text{m}^3$ .<sup>73</sup>

The above citywide health risk modeling was also used as the basis for approving amendments to the San Francisco Building and Health codes, referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, or Health Code, article 38 (ordinance 224-14, effective December 8, 2014). The purpose of article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. In addition, projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would add a substantial amount of emissions to areas already adversely affected by poor air quality.

### ***Construction Air Quality Impacts***

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

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<sup>71</sup> U.S. EPA, Policy Assessment for the Review of the Particulate Matter National Ambient Air Quality Standards, April 2011, <https://www3.epa.gov/ttn/naaqs/standards/pm/data/20110419pmpafinal.pdf>, accessed December 11, 2017.

<sup>72</sup> California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective*, April 2005, <http://www.arb.ca.gov/ch/landuse.htm>, accessed December 11, 2017.

<sup>73</sup> San Francisco Planning Department and San Francisco Department of Public Health, *2014 Air Pollutant Exposure Zone Map (Memo and Map)*, April 9, 2014. These documents are part of San Francisco Board of Supervisors File No. 14806, Ordinance No. 224-14; Amendment to Health Code Article 38.

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

Construction activities (short-term) typically result in emissions of ozone precursors and PM in the form of dust (fugitive dust) and exhaust (e.g., vehicle tailpipe emissions). Emissions of ozone precursors and PM result primarily from the combustion of fuel from on-road and off-road vehicles. However, ROG's are also emitted as a result of activities involving painting, application of other types of architectural coatings, or asphalt paving. The proposed project would vertically expand and alter the exterior and interior of the existing building. During the project's approximately 12-month construction period, construction activities would have the potential to result in emissions of ozone precursors and PM, as discussed below.

**Fugitive Dust**

Project-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. Although there are federal standards for air pollutants and implementation of state and regional air quality control plans, air pollutants continue to have impacts on human health throughout the country. California has found that particulate matter exposure can cause health effects at lower levels than national standards. The current health burden of particulate matter demands that, where possible, public agencies take feasible available actions to reduce sources of particulate matter exposure. According to the California Air Resources Board, reducing PM<sub>2.5</sub> concentrations to state and federal standards of 12 µg/m<sup>3</sup> in the San Francisco Bay Area would prevent between 200 and 1,300 premature deaths.<sup>74</sup>

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

In response, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred to as the Construction Dust Control Ordinance (Ordinance No. 176-08, effective August 29, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and avoid orders to stop work by the Department of Building Inspection (DBI).

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<sup>74</sup> California Air Resources Board, *Methodology for Estimating Premature Deaths Associated with Long-term Exposure to Fine Airborne Particulate Matter in California*, Staff Report, Table 4c, October 24, 2008.

The Construction Dust Control Ordinance requires that all site preparation work, demolition, or other construction activities within San Francisco that have the potential to create dust or to expose or disturb more than 10 cubic yards or 500 square feet of soil comply with specified dust control measures whether or not the activity requires a permit from DBI. The Director of DBI may waive this requirement for activities on sites less than one-half-acre that are unlikely to result in any visible wind-blown dust.

In compliance with the Construction Dust Control Ordinance, the project sponsor and the contractor responsible for project site construction activities would be required to use the following practices to control construction dust at the site (or other practices deemed acceptable by the DBI director that would result in equivalent dust control). All active construction areas shall be watered sufficiently to prevent dust from becoming airborne; increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. During excavation and dirt-moving activities, contractors shall wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress, at the end of the workday. Inactive stockpiles (where no disturbance occurs for more than seven days) greater than 10 cubic yards or 500 square feet of excavated material, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10-millimeter (0.01-inch) polyethylene plastic (or equivalent) tarp, braced down, or contained using other equivalent soil stabilization techniques. San Francisco ordinance 175-91 restricts the use of potable water for soil compaction and dust control activities undertaken in conjunction with any construction or demolition project occurring within the boundaries of San Francisco, unless permission is obtained from the San Francisco Public Utilities Commission. Non-potable water must be used for soil compaction and dust control activities during project construction and demolition. The San Francisco Public Utilities Commission operates a recycled water truck-fill station at the Southeast Water Pollution Control Plant that provides recycled water for these activities at no charge.

Compliance with the regulations and procedures set forth by the Dust Control Ordinance would ensure that the proposed project's potential dust-related air quality impacts would be reduced to a less-than-significant level.

### **Criteria Air Pollutants**

As discussed above, construction activities would result in emissions of criteria air pollutants from the use of off- and on-road vehicles and equipment. The air district has developed screening criteria to assist lead agencies in determining whether short-term construction-related air pollutant emissions require further analysis to assess whether the project may exceed the criteria air pollutant significance thresholds shown in Table 6.<sup>75,76</sup> If a proposed project meets the

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<sup>75</sup> Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2017, page 3-2.

<sup>76</sup> The screening criteria are generally representative of new development on greenfield sites without any form of mitigation measures taken into consideration; a greenfield site refers to agricultural or forest land or an undeveloped

screening criteria, then construction of the project would result in less-than-significant criteria air pollutant impacts. A project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds.

The proposed vertical expansion and alteration of the existing building at 940 Battery Street would produce an approximately 35,955-square-foot commercial building with museum, retail and office uses. The proposed project is well below the construction screening criteria (277,000 square feet) for the closest applicable commercial uses (e.g., free-standing discount store, quality restaurant and general office). In addition, the proposed project would excavate and remove less than 10,000 cubic yards of soil and therefore would not require extensive material transport via haul truck.<sup>77</sup> Thus, quantification of construction-related criteria air pollutant emissions is not required, and the proposed project's construction activities would result in a less-than-significant criteria air pollutant impact.

**Impact AQ-2: The proposed project's construction activities would generate toxic air contaminants, including diesel particulate matter, which would expose sensitive receptors to substantial pollutant concentrations. (Less than Significant)**

Existing sensitive land uses in the project vicinity include residential and school uses. The nearest residential use to the site, a six- to eight-story mixed-use building complex with 87-dwelling-units and retail uses and a preschool center on the ground floor, is located at 810-820 Battery Street (approximately 350 feet south of the project site). The closest school is John Yehall Chin Elementary School located approximately 725 feet southwest of the project site.

Off-road equipment (which includes construction-related equipment) is a large contributor to diesel particulate matter emissions in California, although since 2007, the California air board has found the emissions to be substantially lower than previously expected.<sup>78</sup> Newer and more refined emission inventories have substantially lowered the estimates of DPM emissions from off-road equipment such that off-road equipment is now considered the sixth largest source of diesel particulate matter emissions in California.<sup>79</sup> For example, revised PM emission estimates for the year 2010, of which DPM is a major component of total PM, have decreased by 83 percent

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site earmarked for commercial, residential, or industrial projects. In addition, the screening criteria do not account for project design features, attributes, or local development requirements that could result in lower emissions.

<sup>77</sup> Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2017, page 3-5.

<sup>78</sup> Air Resources Board (ARB), *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, pages 1 and 13 (Figure 4), October 2010.

<sup>79</sup> ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.

from previous 2010 emissions estimates for the air basin.<sup>80</sup> Approximately half of the reduction in emissions can be attributed to the economic recession and half to updated methodologies used to better assess construction emissions.<sup>81</sup>

Additionally, a number of federal and state regulations are requiring cleaner off-road equipment. Specifically, both the EPA and California air board have set emissions standards for new off-road equipment engines, ranging from Tier 1 to Tier 4. Tier 1 emission standards were phased in between 1996 and 2000 and Tier 4 Interim and Final emission standards for all new engines were phased in between 2008 and 2015. To meet the Tier 4 emission standards, engine manufacturers are required to produce new engines with advanced emission-control technologies. Although the full benefits of these regulations will not be realized for several years, the EPA estimates that by implementing the federal Tier 4 standards, NO<sub>x</sub> and PM emissions will be reduced by more than 90 percent.<sup>82</sup>

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

“Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet (ARB 2005). In addition, current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 40, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. This results in difficulties with producing accurate estimates of health risk.”<sup>83</sup>

Therefore, project-level analyses of construction activities have a tendency to produce overestimated assessments of long-term health risks.

The project site is not located within an Air Pollutant Exposure Zone, as mapped and defined by Health Code article 38. Therefore, the use of on-road heavy-duty diesel vehicles and off-road equipment during the 12-month construction of the proposed project would result in temporary and variable emissions that would not be expected to expose sensitive receptors to substantial air pollutants. Furthermore, the proposed project would be subject to California regulations limiting

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<sup>80</sup> ARB, In-Use Off-Road Equipment, 2011 Inventory Model, [http://www.arb.ca.gov/msei/categories.htm#inuse\\_or\\_category](http://www.arb.ca.gov/msei/categories.htm#inuse_or_category), accessed April 2, 2012.

<sup>81</sup> ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.

<sup>82</sup> USEPA, *Clean Air Nonroad Diesel Rule: Fact Sheet*, May 2004.

<sup>83</sup> Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2017, page 8-7.



vehicle idling to no more than five minutes,<sup>84</sup> which would further reduce nearby sensitive receptor exposure to temporary and variable project-related DPM emissions.

For these reasons, TAC emissions would result in a less-than-significant impact on sensitive receptors and no mitigation measures are necessary.

### *Operational Air Quality Impacts*

Land use projects result in the emission of criteria air pollutants and TACs, primarily from an increase in motor vehicle trips, but also from the combustion of natural gas, landscape maintenance activities and the use of consumer products and architectural coatings. The following discussion addresses air quality impacts resulting from operation of the proposed project.

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

As discussed above under Impact AQ-1, the air district has developed screening criteria to determine whether a project requires an analysis of project-generated criteria air pollutants.<sup>85</sup> If all of the screening criteria are met by a proposed project, then the lead agency or applicant is not required to perform a detailed air quality assessment.

The proposed project, which involves interior and exterior alterations and a vertical expansion, would produce an approximately 35,955-square-foot commercial building with about 19,450 square feet of institutional (museum) space including 855 square feet of accessory retail, 12,995 square feet of retail space (event rentals) and 3,510 square feet of office space. The proposed project is below the air district's operational screening criteria for the closest equivalent land-use types: free-standing discount store (76,000 square feet); warehouse (864,000 square feet); general office building (346,000 square feet); quality restaurant (47,000 square feet). Therefore, the proposed project would not exceed any of the significance thresholds for criteria air pollutants, and quantification of the proposed project's operational criteria air pollutant emissions is not required. For these reasons, the proposed project's operation would result in a less-than-significant impact related to criteria air pollutants.

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

The nearest residential use to the project site, a six- to eight-story mixed-use building complex with 87-dwelling-units and retail uses and a preschool center on the ground floor, is located at

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<sup>84</sup> California Code of Regulations, Title 13, Division 3, section 2485 (on-road) and section 2449(d)(2) (off-road).

<sup>85</sup> Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2017, page 3-2.

810-820 Battery Street (approximately 350 feet south of the project site). The closest school is John Yehall Chin Elementary School located approximately 725 feet southwest of the project site.

As discussed above, the project site is not located within an Air Pollutant Exposure Zone. In addition, the proposed institutional, retail and office uses would not require the use of a back-up diesel generator or generate substantial on-site quantities of TACs from other sources. The proposed project would increase the number of vehicle trips in the project vicinity, which would increase TAC emissions in the area. However, the air district considers roads with less than 10,000 vehicles per day “minor, low-impact” sources that do not pose a significant health impact, even in combination with other nearby sources, and recommends that these sources be excluded from the environmental analysis.

The proposed project would generate 753 daily vehicle trips. As stated previously, the most recent traffic counts taken at the closest intersection (Battery Street and Vallejo Street) to the project site totaled 7,926 vehicles per day. Together, these values fall below the 10,000 vehicle per day threshold. Furthermore, the 753 additional project-related vehicle trips would be distributed among the local roadway network, not concentrated along Battery or Vallejo streets. Therefore, since the proposed project is not located within an Air Pollutant Exposure Zone and would not generate a substantial amount of TAC emissions from vehicles, its emissions exposure impacts on nearby sensitive receptors would be less than significant.

**Impact AQ-5: The proposed project would not conflict with, or obstruct implementation of, the 2017 Clean Air Plan. (Less than Significant)**

The most recently adopted air quality plan for the air basin, the 2017 Clean Air Plan, is a road map that demonstrates how the San Francisco Bay Area will achieve compliance with the state ozone standards as expeditiously as practicable and how the region will reduce the transport of ozone and ozone precursors to neighboring air basins. In determining consistency with the plan, this analysis considers whether the project would: (1) support the primary goals of the plan, (2) include applicable control measures from the plan, and (3) avoid disrupting or hindering implementation of control measures identified in the plan.

The primary goals of the plan are to: (1) Protect air quality and health at the regional and local scale; (2) eliminate disparities among Bay Area communities in cancer health risk from toxic air contaminants; and (3) protect the climate by reducing greenhouse gas emissions. To meet the primary goals, the plan recommends specific control measures and actions. These control measures are grouped into various categories and include stationary and area source measures, mobile source measures, transportation control measures, land use measures, and energy and climate measures. The plan recognizes that to a great extent, community design dictates individual travel mode, and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics, and greenhouse gases from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand, and people

have a range of viable transportation options. To this end, the plan includes 85 control measures aimed at reducing air pollution in the air basin.

The measures most applicable to the proposed project are transportation control measures and energy and climate control measures. The proposed project's impact with respect to greenhouse gases are discussed in Section E.7, Greenhouse Gas Emissions, which demonstrates that the proposed project would comply with the applicable provisions of the city's Greenhouse Gas Reduction Strategy.

The compact development of the proposed project and high availability of viable transportation options ensure that employees and visitors could bicycle, walk, and ride transit to and from the project site instead of taking trips via private automobile. These features ensure that the project would avoid substantial growth in automobile trips and vehicle miles traveled. The proposed project's anticipated 753 new vehicle trips would result in a negligible increase in air pollutant emissions. Furthermore, the proposed project would be generally consistent with the San Francisco General Plan. Transportation control measures that are identified in the 2017 Clean Air Plan are implemented by the San Francisco General Plan and the San Francisco Planning Code, for example, through the city's Transit First Policy, bicycle parking requirements, and transit impact development fees. Compliance with these requirements would ensure that the project includes relevant transportation control measures specified in the 2017 Clean Air Plan. Therefore, the proposed project would include applicable control measures identified in the 2017 Clean Air Plan to meet the 2017 Clean Air Plan's primary goals.

Examples of a project that could cause the disruption or delay of 2017 Clean Air Plan control measures are projects that would preclude the extension of a transit line or bike path, or projects that propose excessive parking beyond parking requirements. The proposed project would add 35,955 square feet of institutional and commercial uses to a dense, walkable urban area near a concentration of regional and local transit service. Furthermore, the proposed project would not include any off-street parking or preclude the extension of a transit line or a bike path or any other transit improvement, and thus would not disrupt or hinder implementation of control measures identified in the 2017 Clean Air Plan.

For the reasons described above, the proposed project would not conflict with or obstruct implementation of the 2017 Clean Air Plan, and therefore, would have a less than significant impact.

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

Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not

persist upon project completion. A field observation indicates that the project site is not substantially affected by sources of odors.<sup>86</sup> Additionally, the proposed project, which includes institutional (museum) and commercial (office and retail) uses, would not create substantial sources of new, objectionable odors. Therefore, odor impacts would be less than significant.

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

As discussed above, regional air pollution is by its nature largely a cumulative impact. The San Francisco Bay Area air basin, as governed by the air district, composes the geographic context for an evaluation of cumulative air quality impacts. Emissions from past, present, and future projects contribute to the region’s adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project’s individual emissions contribute to existing cumulative adverse air quality impacts.<sup>87</sup> The project-level thresholds for criteria air pollutants are based on levels below which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project’s construction and operational emissions (Impacts AQ-1 and AQ-3, respectively) would not exceed the project-level thresholds for criteria air pollutants, the proposed project would not result in a cumulatively considerable contribution to regional air quality impacts.

Although the proposed project would add new sources of TACs, in the form of 753 additional daily vehicle trips, the project site is not located within an Air Pollutant Exposure Zone. Therefore, the project’s incremental increase in localized TAC emissions would be minor and would not contribute substantially to cumulative TAC emissions that could affect nearby sensitive land uses.

| <i>Topics:</i>   | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         | <i>Not Applicable</i>    |
|--|---------------------------------------|---|-------------------------------------|--------------------------|--------------------------|
| <b>7. GREENHOUSE GAS EMISSIONS.—<br/>Would the project:</b>  |                                       |   |                                     |                          |                          |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?        | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

<sup>86</sup> Field observation on January 17, 2018, between 8:15 a.m. and 9:15 a.m.

<sup>87</sup> Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2017.

Greenhouse gas (GHG) emissions and global climate change represent cumulative impacts. GHG emissions cumulatively contribute to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature; instead, the combination of GHG emissions from past, present, and future projects have contributed and will continue to contribute to global climate change and its associated environmental impacts.

The Bay Area Air Quality Management District (BAAQMD) has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5, which address the analysis and determination of significant impacts from a proposed project's GHG emissions. CEQA Guidelines Section 15064.4 allows lead agencies to rely on a qualitative analysis to describe GHG emissions resulting from a project. CEQA Guidelines Section 15183.5 allows for public agencies to analyze and mitigate GHG emissions as part of a larger plan for the reduction of GHGs and describes the required contents of such a plan. Accordingly, San Francisco has prepared *Strategies to Address Greenhouse Gas Emissions*,<sup>88</sup> which presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's qualified GHG reduction strategy in compliance with the CEQA guidelines. These GHG reduction actions have resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,<sup>89</sup> exceeding the year 2020 reduction goals outlined in the BAAQMD's *Bay Area 2010 Clean Air Plan*, Executive Order (EO) S-3-05, and Assembly Bill (AB) 32 (also known as the Global Warming Solutions Act).<sup>90</sup>

Given that the City' has met the State and region's 2020 GHG reduction targets and San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under EO S-3-05<sup>91</sup>, EO B-30-15,<sup>92,93</sup> and Senate Bill (SB) 32<sup>94,95</sup> the City's GHG

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<sup>88</sup> San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2010, <http://sf-planning.org/greenhouse-gas-reduction-strategies>, accessed March 12, 2018.

<sup>89</sup> ICF International, *Technical Review of the 2012 Community-wide GHG Inventory for the City and County of San Francisco*, January 21, 2015, [http://sfenvironment.org/sites/default/files/fliers/files/icf\\_verificationmemo\\_2012sfecommunityinventory\\_2015-01-21.pdf](http://sfenvironment.org/sites/default/files/fliers/files/icf_verificationmemo_2012sfecommunityinventory_2015-01-21.pdf), accessed March 12, 2018.

<sup>90</sup> Executive Order S-3-05, Assembly Bill 32, and the *Bay Area 2010 Clean Air Plan* set a target of reducing GHG emissions to below 1990 levels by year 2020.

<sup>91</sup> Office of the Governor, Executive Order S-3-05, June 1, 2005, <http://www.pcl.org/projects/2008symposium/proceedings/Coatsworth12.pdf>, accessed March 12, 2018. Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million metric tons of carbon dioxide equivalents (MTCO<sub>2</sub>E)); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO<sub>2</sub>E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO<sub>2</sub>E). 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.

reduction goals are consistent with EO S-3-05, EO B-30-15, AB 32, SB 32 and the *Bay Area 2010 Clean Air Plan*. Therefore, proposed projects that are consistent with the City's GHG reduction strategy would be consistent with the aforementioned GHG reduction goals, would not conflict with these plans or result in significant GHG emissions, and would therefore not exceed San Francisco's applicable GHG threshold of significance.

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

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

Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with waste removal, disposal, and landfill operations.

The proposed project would increase the activity onsite by altering and expanding an existing 21,720-square-foot commercial building, currently used as a warehouse, to produce a 35,955-square-foot commercial building containing 19,450 square feet of museum space (including 855 square feet of accessory retail), 12,995 square feet of retail space (event rentals) and 3,510 square feet of office space. Therefore, the proposed project would contribute to annual long-term increases in GHGs related to increased vehicle trips (mobile sources) and commercial operations (increases in energy use, water use, wastewater treatment, and solid waste disposal). Construction activities would also result in temporary increases in GHG emissions.

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<sup>92</sup> Office of the Governor, *Executive Order B-30-15*, April 29, 2015, <https://www.gov.ca.gov/news.php?id=18938>, accessed March 12, 2018. Executive Order B-30-15, issued on April 29, 2015, sets forth a target of reducing GHG emissions to 40 percent below 1990 levels by 2030 (estimated at 2.9 million MTCO<sub>2</sub>E).

<sup>93</sup> San Francisco's GHG reduction goals are codified in Section 902 of the Environment Code and include: (i) by 2008, determine City GHG emissions for year 1990; (ii) by 2017, reduce GHG emissions by 25 percent below 1990 levels; (iii) by 2025, reduce GHG emissions by 40 percent below 1990 levels; and by 2050, reduce GHG emissions by 80 percent below 1990 levels.

<sup>94</sup> Senate Bill 32 amends California Health and Safety Code Division 25.5 (also known as the California Global Warming Solutions Act of 2006) by adding Section 38566, which directs that statewide greenhouse gas emissions to be reduced by 40 percent below 1990 levels by 2030.

<sup>95</sup> Senate Bill 32 was paired with Assembly Bill 197, which would modify the structure of the State Air Resources Board; institute requirements for the disclosure of greenhouse gas emissions criteria pollutants, and toxic air contaminants; and establish requirements for the review and adoption of rules, regulations, and measures for the reduction of greenhouse gas emissions.

The proposed project would be subject to regulations adopted to reduce GHG emissions as identified in the GHG reduction strategy. As discussed below, compliance with the applicable regulations would reduce the project's GHG emissions related to transportation, energy use, waste disposal, wood burning, and use of refrigerants.

Compliance with the City's Commuter Benefits Program, Transportation Sustainability Fee, and bicycle parking requirements, would reduce the proposed project's transportation-related emissions. These regulations reduce GHG emissions from single-occupancy vehicles by promoting the use of alternative transportation modes with zero or lower GHG emissions on a per capita basis.

The proposed project would be required to comply with the energy efficiency requirements of the City's Green Building Code, Building Code, Stormwater Management Ordinance, Water Conservation and Irrigation ordinances, Energy Conservation Ordinance and Environment Code, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.<sup>96</sup>

The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Compositing Ordinance and the Construction and Demolition Debris Recovery Ordinance. These regulations reduce the amount of materials sent to a landfill, thus reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy<sup>97</sup> and reducing the energy required to produce new materials.

Compliance with other regulations, including those limiting refrigerant emissions and the Wood Burning Fireplace Ordinance would reduce emissions of GHGs and black carbon, respectively. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).<sup>98</sup> Thus, the proposed project has been determined to be consistent with San Francisco's GHG reduction strategy.<sup>99</sup>

The project sponsor is required to comply with these regulations, which have proven effective as San Francisco's GHG emissions have measurably decreased when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the *Bay Area 2010 Clean Air Plan* GHG reduction goals for the year 2020. Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project's contribution to climate change. In addition, San Francisco's local GHG reduction targets are consistent with the long-

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<sup>96</sup> Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

<sup>97</sup> Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

<sup>98</sup> While not a GHG, VOCs are precursor pollutants that form ground level ozone. Increased ground level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.

<sup>99</sup> San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist: 940 Battery Street*, March 12, 2018.

term GHG reduction goals of EO S-3-05, EO B-30-15, AB 32, SB 32 and the *Bay Area 2010 Clean Air Plan*. Therefore, because the proposed projects is consistent with the City’s GHG reduction strategy, it is also consistent with the GHG reduction goals of EO S-3-05, EO B-30-15, AB 32, SB 32 and the *Bay Area 2010 Clean Air Plan*, would not conflict with these plans, and would therefore not exceed San Francisco’s applicable GHG threshold of significance. As such, the proposed project would result in a less-than-significant impact with respect to GHG emissions. No mitigation measures are necessary.

| <i>Topics:</i>   | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         | <i>Not Applicable</i>    |
|--|---------------------------------------|---|-------------------------------------|--------------------------|--------------------------|
| <b>8. WIND AND SHADOW.—Would the project:</b>  |                                       |   |                                     |                          |                          |
| a) Alter wind in a manner that substantially affects public areas?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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

A proposed project’s wind impacts are directly related to its height, orientation, design, location, and surrounding development context. Based on wind analyses for other development projects in San Francisco, a building that does not exceed a height of 85 feet generally has little potential to cause substantial changes to ground-level wind conditions. The proposed vertical addition would increase the existing building’s height to 63 feet. At this height, the proposed building would be one to three stories taller than the existing adjacent two- to four-story buildings to the south, east and west of the project site, but similar in height to the existing five-story buildings to the north and northwest of the site. Existing development in the project vicinity ranges from two- to eight-story buildings. Therefore, given its height and surrounding development context, the proposed 63-foot-tall building has little potential to cause substantial changes to ground-level wind conditions adjacent to and near the project site. For these reasons, the proposed project would not alter wind in a manner that substantially affects public areas, and this impact would be less than significant.

**Impact C-WS-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative wind impact. (Less than Significant)**

As discussed above, buildings shorter than 85 feet have little potential to cause substantial changes to ground-level wind conditions. Given that the height limit in the project vicinity is 65 feet, none of the nearby cumulative development projects would be tall enough to alter wind in a manner that substantially affects public areas. For these reasons, the proposed project would not



combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative wind impact.

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

In 1984, San Francisco voters approved an initiative known as “Proposition K, The Sunlight Ordinance,” which was codified as Planning Code Section 295 in 1985. Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Public open spaces that are not under the jurisdiction of the Recreation and Park Commission as well as private open spaces are not subject to Planning Code Section 295.

The proposed vertical addition would increase the height of the existing building to 63 feet. The Planning Department prepared a preliminary shadow fan analysis to determine whether the proposed project would have the potential to cast new shadow on nearby parks or open spaces. The shadow fan analysis prepared by the Planning Department determined that the project, as proposed, would not cast shadow on any nearby parks or open spaces.<sup>100</sup>

The proposed project would shade portions of streets, sidewalks, and private properties in the project vicinity at various times of the day throughout the year. Shadows on streets and sidewalks would not exceed levels commonly expected in urban areas and would be considered a less-than-significant effect under CEQA. Although occupants of nearby properties may regard the increase in shadow as undesirable, the limited increase in shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA.

For these reasons, the proposed project would not create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas, and this impact would be less than significant.

**Impact C-WS-2: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative shadow impact. (Less than Significant)**

As discussed above, the proposed project would not shadow any nearby parks or open spaces. Therefore, the proposed project would not contribute to any potential cumulative shadow impact on parks and open spaces.

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<sup>100</sup> San Francisco Planning Department, *Shadow Fan Analysis: 940 Battery Street*, June 29, 2017.

The sidewalks in the project vicinity are already shaded for periods of the day by densely developed, multi-story buildings. Although implementation of the proposed project and nearby cumulative development projects would add net new shadow to the sidewalks in the project vicinity, these shadows would be transitory in nature, would not substantially affect the use of the sidewalks, and would not increase shadows above levels that are common and generally expected in a densely developed urban environment.

For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative shadow impact.

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| <i>Topics:</i>   | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         | <i>Not Applicable</i>    |
|--|---------------------------------------|---|-------------------------------------|--------------------------|--------------------------|
| <b>9. RECREATION.</b>  |                                       |   |                                     |                          |                          |
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?                           | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact RE-1: The proposed project would not result in substantial increase in the use of existing parks and recreational facilities, the deterioration of such facilities, include recreation facilities, or require the expansion of recreational facilities. (Less than Significant)**

There are numerous parks and open spaces located within a few blocks of the project site. These include Telegraph Hill/Pioneer Park (five blocks northwest), Levi Plaza (two blocks north), Sydney G. Walton Square (four blocks south) and Sue Bierman Park (seven blocks southeast). In addition, the scenic shoreline promenade known as Herb Caen Way is located one block east of the project site, across The Embarcadero.

Although the proposed project would add approximately 106 employees to the project site, this increase would not be large enough to substantially increase demand for, or use of, neighborhood parks or recreational facilities such that substantial physical deterioration would be expected. In addition, the on-site daytime population growth that would result from the proposed commercial use would be modest and thus would not require the construction of new recreational facilities or the expansion of existing facilities. Furthermore, project-related

construction activities would occur within the boundaries of the project site, which does not include any existing recreational resources.

For these reasons, the proposed project would have a less-than-significant impact on recreational facilities and resources.

**Impact C-RE-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact on recreational facilities or resources. (Less than Significant)**

Cumulative development in the project vicinity would result in an intensification of land uses and a cumulative increase in the demand for recreational facilities and resources. The City has accounted for such growth as part of the Recreation and Open Space Element of the *General Plan*.<sup>101</sup> In addition, San Francisco voters passed two bond measures, in 2008 and 2012, to fund the acquisition, planning, and renovation of the City’s network of recreational resources. As discussed above, there are numerous parks and open spaces located within several blocks of the project site. It is expected that these existing recreational facilities would be able to accommodate the increase in demand for recreational resources generated by nearby cumulative development projects. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact on recreational facilities or resources.

| <i>Topics:</i>   | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         | <i>Not Applicable</i>    |
|--|---------------------------------------|---|-------------------------------------|--------------------------|--------------------------|
| <b>10. UTILITIES AND SERVICE SYSTEMS.</b>  |                                       |   |                                     |                          |                          |
| <b>Would the project:</b>  |                                       |   |                                     |                          |                          |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?          | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

<sup>101</sup> San Francisco Planning Department, *San Francisco General Plan*, Recreation and Open Space Element, April 2014, pp. 20-36. Available online at [http://www.sfplanning.org/ftp/General\\_Plan/Recreation\\_OpenSpace\\_Element\\_ADOPTED.pdf](http://www.sfplanning.org/ftp/General_Plan/Recreation_OpenSpace_Element_ADOPTED.pdf), accessed May 20, 2016.

| <i>Topics:</i>  | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         | <i>Not Applicable</i>    |
|---|---------------------------------------|---|-------------------------------------|--------------------------|--------------------------|
| d) Have sufficient water supply available to serve the project from existing entitlements and resources, or are new expanded entitlements needed?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

The project site is within an urban area that is served by utility service systems, including water, wastewater and storm water collection and treatment, and solid waste collection and disposal. The proposed project would add new daytime and nighttime population to the site that would increase the demand for utilities and service systems on the site. However, as discussed under section E.2, Population and Housing, the growth associated with the proposed project would not be in excess of growth planned for the city.

**Impact UT-1: Implementation of the proposed project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, would not exceed the capacity of the wastewater treatment provider that would serve the project, and would not require the construction of new, or expansion of existing, wastewater treatment or stormwater drainage facilities. (Less than Significant)**

The project site is served by San Francisco's combined sewer system, which handles both sewage and stormwater runoff. The Southeast Water Pollution Control Plant provides wastewater and stormwater treatment and management for the east side of the city, including the project site. The proposed project would add approximately 106 employees, which would marginally increase the amount of wastewater generated at the project site. In addition, the proposed project would incorporate water-efficient fixtures, as required by Title 24 of the California Code of Regulations, the San Francisco Building Code and the San Francisco Green Building Ordinance. Compliance with these regulations would reduce wastewater flows and the amount of potable water used for building functions. The incorporation of water-efficient fixtures into new development is also accounted for by the San Francisco Public Utilities Commission (SFPUC) in their projections of water demand (i.e., 2015 Urban Water Management Plan), because widespread adoption can lead to more efficient use of existing capacity.

The proposed project would also meet the wastewater pre-treatment requirements of the SFPUC, as required by the San Francisco Industrial Waste Ordinance in order to meet Regional Water Quality Control Board requirements.<sup>102</sup> Although the proposed project would add new employees to the project site, this additional population is not beyond the growth projections included in long range plans for the city's wastewater system. Therefore, the incremental increase in the demand for wastewater would not require construction of new wastewater treatment facilities or expansion of existing facilities.

The 7,242-square-foot project site is currently 100-percent covered by impervious surfaces. The proposed project, which would add a fifth floor penthouse and alter the interior and façade of the existing building, would not create any additional impervious surfaces. Therefore, the proposed project would not result in an increase in stormwater runoff. Compliance with the City's Stormwater Management Ordinance, adopted in 2010 and amended in 2016, and the 2016 Stormwater Management Requirements and Design Guidelines would require the proposed project to reduce or eliminate the existing volume and rate of stormwater runoff discharged from the project site. Since the proposed project (1) is located on a site with more than 50 percent existing impervious surface, (2) would replace more than 5,000 square feet of impervious surface, and (3) the project site is served by the combined sewer system, the proposed project must reduce the existing runoff flow rate and volume by 25 percent for a 2-year, 24-hour design storm. The Stormwater Management Requirements set forth a hierarchy of best management practices to meet the stormwater runoff requirements. First priority best management practices involve reduction in stormwater runoff through approaches such as rainwater harvesting and reuse (e.g., for toilets and urinals and/or irrigation); infiltration through a rain garden, swale, trench, or basin; or through the use of permeable pavement or a green roof. Second priority best management practices include biotreatment approaches such as the use of flow-through planters or, for large sites, constructed wetlands. Third priority best management practices, only permitted under special circumstances, involve use of a filter to treat stormwater.

To achieve compliance with the Stormwater Management Requirements, the proposed project would implement and install appropriate stormwater management systems, such as Low Impact Design approaches, rainwater reuse, cistern, and green roofs that would manage stormwater on-site and limit demand on both the collection system and wastewater facilities resulting from stormwater discharges. A Stormwater Control Plan would be designed for review and approval by the SFPUC. The Stormwater Control Plan would also include a maintenance agreement that must be signed by the project sponsor to ensure proper care of the necessary stormwater controls. Therefore, through compliance with these requirements, the proposed project would not substantially increase the amount of stormwater runoff to the extent that existing facilities would

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<sup>102</sup> City and County of San Francisco, Ordinance No. 19-92, *San Francisco Municipal Code* (Public Works), Part II, Chapter X, Article 4.1 (amended), January 13, 1992.

need to be expanded or new facilities would need to be constructed; as such, the impact to the stormwater system would be less than significant.

Overall, while the proposed project would add to sewage flows in the area, it would not cause collection treatment capacity of the sewer system in the city to be exceeded. The proposed project also would not exceed wastewater treatment requirements of the regional board, and would not require the construction of new wastewater/stormwater treatment facilities or expansion of existing ones. Therefore, since the proposed project would not require the construction of new or expanded wastewater or stormwater collection, conveyance or treatment facilities that could have a significant impact on the environment, the impact would be less than significant. No mitigation measures are necessary.

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

The proposed project's 35,955 square feet of institutional (museum), retail (event rental) and office uses would add approximately 106 employees to the project site, which would increase water demand, but not in excess of amounts provided and planned for in the project area. The SFPUC provides water to both retail and wholesale customers. Approximately two-thirds of the SFPUC's water supply is delivered to wholesale customers; the remaining one-third is delivered to retail customers. Retail customers include the residents, businesses, and industries located within city limits, referred to as the in-city retail service area. Wholesale customers include other municipalities in California.

On June 14, 2016, the SFPUC adopted the 2015 Urban Water Management Plan (UWMP) for the City and County of San Francisco.<sup>103</sup> The 2015 UWMP presents water demand and supply projections through 2040, water supplies available to meet existing and future demands under a range of conditions, water shortage contingency plans, and demand management measures to reduce long-term water demand.

The 2015 UWMP estimates that current and projected water supplies will be sufficient to meet future retail demand through 2035 under normal year, single dry year and multiple dry years conditions; however, if a multiple dry year event occurs, the SFPUC would experience a shortfall of 1.1 mgd of water (1.2 per cent of demand) in 2040 for the City and County of San Francisco during the second and third year of a multiple dry year. Under a shortfall scenario, the SFPUC would respond by implementing water use and supply reductions via a drought response plan and a corresponding retail water shortage allocation plan.

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<sup>103</sup> San Francisco Public Utilities Commission, 2015 Urban Water Management Plan for the City and County of San Francisco, June 2016, <https://sfwater.org/modules/showdocument.aspx?documentid=9300>, accessed March 14, 2018.

Retail demand projections presented in the 2015 UWMP are based on demographic data and growth forecasts prepared by the California Department of Finance, the Association of Bay Area Governments (ABAG), and the San Francisco Planning Department for the in-City retail service area. Through these projections, the 2015 UWMP has accounted for the increase in water demand that would be generated by the proposed project. In addition, the proposed project would incorporate water-efficient fixtures as required by Title 24 of the California Code of Regulations and the City's Green Building Ordinance.

Since the additional project-generated water demand could be accommodated by existing and planned water supplies anticipated under the 2015 UWMP, the proposed project would not result in a substantial increase in water use, would be served from existing water supply entitlements and resources and would not require the expansion or construction of new water supply or treatment facilities. Therefore, this impact would be less than significant.

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

In September 2015, the City approved an Agreement with Recology, Inc. for the transport and disposal of the City's municipal solid waste at the Recology Hay Road Landfill in Solano County. The City began disposing its municipal solid waste at Recology Hay Road Landfill in January 2016, and that practice is anticipated to continue for approximately nine years, with an option to renew the agreement thereafter for an additional six years. San Francisco set a goal of 75 percent solid waste diversion by 2010, which it exceeded at 80 percent diversion, and currently has a goal of 100 percent solid waste diversion or "zero waste" to landfill or incineration by 2020. San Francisco Ordinance No. 27-06 requires mixed construction and demolition debris to be transported by a Registered Transporter and taken to a Registered Facility that must recover for reuse or recycling and divert from landfill at least 65 percent of all received construction and demolition debris. San Francisco's Mandatory Recycling and Composting Ordinance No. 100-09 requires all properties and persons in the City to separate their recyclables, compostables, and landfill trash.

The proposed project would incrementally increase total City waste generation; however, the proposed project would be required to comply with San Francisco Ordinance Nos. 27-06 and 100-09. Due to the existing and anticipated increase of solid waste recycling in the City and the agreement with Recology for diversion of solid waste to the Hay Road Landfill, any increase in solid waste resulting from the proposed project would be accommodated by the existing landfill. Thus, the proposed project would have less-than-significant impacts related to solid waste.

**Impact C-UT-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact on utilities and service systems. (*Less than Significant*)**

The proposed project would not substantially affect utility supply or service. Nearby development would not contribute to a cumulatively substantial effect on the utility infrastructure of the North Beach neighborhood. Furthermore, existing service management plans address anticipated growth in the surrounding area and the region. Therefore, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, have been accounted for in these plans and would not result in a cumulative utilities and service systems impact.

| <i>Topics:</i>  | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         | <i>Not Applicable</i>    |
|---|---------------------------------------|---|-------------------------------------|--------------------------|--------------------------|
| <b>11. PUBLIC SERVICES.</b>   |                                       |   |                                     |                          |                          |
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services such as fire protection, police protection, schools, parks, or other public facilities? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

For a discussion of impacts on parks, refer to Section E.9, Recreation.

**Impact PS-1: The proposed project would increase demand for police protection, fire protection, and other government services, but not to an extent that would require new or physically altered governmental facilities, the construction of which could cause significant environmental impacts. (Less than Significant)**

The project site receives fire protection and emergency medical services from the San Francisco Fire Department’s Fire Station No. 13 at 530 Sansome Street, approximately 0.3 mile southwest of the project site.<sup>104</sup> The project site receives police protection services from the San Francisco Police Department’s Central Station at 766 Vallejo Street, approximately 0.5 mile west of the project site.<sup>105</sup> Implementation of the proposed project would add about 106 employees to the project site, which would incrementally increase the demand for fire protection, emergency medical, and police protection services. However, this increase in demand would not be substantial given the overall demand for such services on a citywide basis. Fire protection, emergency medical, and

<sup>104</sup> San Francisco Fire Department, Fire Station Locations, <http://sf-fire.org/FIRE-STATION-LOCATIONS#divisions>, accessed March 13, 2018.

<sup>105</sup> San Francisco Police Department, Police District Maps, <http://sanfranciscopolice.org/police-district-maps?page=796>, accessed March 13, 2018.



police protection resources are regularly redeployed based on need in order to maintain acceptable service ratios. Moreover, the proximity of the project site to Fire Station No. 13 and the Central Police Station would help minimize Fire Department and Police Department response times should incidents occur at the project site. The proposed project would also incrementally increase the demand for other governmental services and facilities, such as libraries. The San Francisco Public Library operates 27 branches throughout San Francisco;<sup>106</sup> the North Beach and Chinatown/Him Mark Lai branches, located approximately 0.7 mile northwest and southwest, respectively, of the project site, would accommodate the minor increase in demand for library services generated by the proposed project. Therefore, impacts on police, fire, and other governmental services would be less than significant.

**Impact PS-2: The proposed project would not substantially increase the population of school-aged children and would not require new or physically altered school facilities. (Less than Significant)**

Implementation of the proposed project would result in the construction of 35,955 square feet of institutional (museum), retail (events) and office space, which would increase the local daytime population by about 106 employees. These employees would be working-aged individuals that would likely currently live in San Francisco or in other nearby Bay Area communities. Therefore, the proposed project would not substantially increase the population of school-aged children in the project vicinity or require the construction of new, or alteration of existing school facilities. For these reasons, the impact would be less than significant.

**Impact C-PS-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact on public services. (Less than Significant)**

Cumulative development in the project vicinity would result in an intensification of land uses and a cumulative increase in the demand for fire protection, police protection, school services, and other public services. The Fire Department, the Police Department, the San Francisco United School District, and other City agencies have accounted for such growth in providing public services to the residents of San Francisco. In addition, some of the nearby cumulative development projects would be subject to development impact fees, which serve to offset the effects of new development on public services, infrastructure and facilities. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact on public services.

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<sup>106</sup> San Francisco Public Library, Libraries, <https://sfpl.org/index.php?pg=0000000501>, accessed March 13, 2018.

| <u>Topics:</u>   | <u>Potentially Significant Impact</u> | <u>Less Than Significant with Mitigation Incorporated</u> | <u>Less Than Significant Impact</u> | <u>No Impact</u>         | <u>Not Applicable</u>               |
|--|---------------------------------------|---|-------------------------------------|--------------------------|-------------------------------------|
| <b>12. BIOLOGICAL RESOURCES:—<br/>Would the project:</b>   |                                       |   |                                     |                          |                                     |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The project site is not located within an adopted Habitat Conservation Plan, a Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans. The project site is not located within a federally protected wetland, as defined by Section 404 of the Clean Water Act, and does not contain riparian habitat or other sensitive natural communities. Therefore, topics 12b, 12c, and 12f are not applicable to the proposed project.

**Impact BI-1: The proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any special-status species. (Less than Significant)**

The project site and surrounding area are in an urban environment with high levels of human activity; therefore, only common bird species are likely to nest in the vicinity. Furthermore, the

project site and adjacent sites are currently developed and thus, any special-status species have been previously extirpated from the area. The project site, which is fully covered by impervious surfaces, also does not provide habitat for any rare or endangered plant or wildlife species. Therefore, the proposed project would have a less-than-significant impact on special-status species.

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

San Francisco is within the Pacific Flyway, a major north-south route of travel for migratory birds along the western portion of the Americas. Nesting birds, their nests, and eggs are fully protected by the California Fish and Game Code (Sections 3503, 3503.5). For the purposes of CEQA, a project that has the potential to substantially reduce the habitat, restrict the range, or cause a population of a native bird species to drop below self-sustaining levels could be considered to have a potentially significant biological resource impact requiring mitigation.<sup>107</sup> The proposed project would not remove any trees from the project site and therefore, would not have an adverse impact on nesting birds.

The location, height, and material of buildings, particularly transparent or reflective glass, may present risks for birds as they travel along their migratory paths. The City has adopted guidelines to address this issue and provided regulations for bird-safe design within San Francisco. Planning Code, section 139, Standards for Bird-Safe Buildings, establishes building design standards to reduce avian mortality rates associated with bird strikes.<sup>108</sup> The project site is not located in an Urban Bird Refuge, so the standards concerning location-related hazards are not applicable to the proposed project.<sup>109</sup> The proposed project would comply, as necessary, with the building feature-related hazard standards of Section 139 by using bird-safe glazing treatment on 100 percent of any building feature-related hazard.

Overall, the proposed project would be subject to and would be required comply with City-adopted regulations for bird-safe buildings and federal and State migratory bird regulations. For these reasons, the proposed project would not interfere with the movement of any native resident or wildlife species or with established native resident or migratory wildlife corridors. Therefore, the proposed project would result in a less-than-significant impact on native resident or migratory species movement.

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<sup>107</sup> California Fish and Game Code Section 3503; Section 681, Title 14, California Code of Regulations.

<sup>108</sup> San Francisco Planning Department, *Standards for Bird-Safe Buildings*, July 14, 2001.

<sup>109</sup> San Francisco Planning Department, Urban Bird Refuge Map, [http://maps.sfpplanning.org/Urban\\_Bird\\_Refuge\\_Poster.pdf](http://maps.sfpplanning.org/Urban_Bird_Refuge_Poster.pdf), accessed March 13, 2018.

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

The City's Urban Forestry Ordinance, Public Works Code, sections 801 *et seq.*, requires a permit from Public Works to remove any protected trees. Protected trees include landmark trees, significant trees, or street trees located on private or public property anywhere within the territorial limits of the City and County of San Francisco.

The proposed project would not remove any trees from the project site. Therefore, the proposed project would not conflict with the City's local tree ordinance and impacts would be less than significant.

**Impact C-BI-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact related to biological resources. (Less than Significant)**

The project vicinity does not currently support any candidate, sensitive, or special-status species, any riparian habitat, or any other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service. As with the proposed project, nearby cumulative development projects would also be subject to the California Fish and Game Code; and the bird-safe building and urban forestry ordinances. As with the proposed project, compliance with these ordinances would reduce the effects of development projects on native or migratory birds to less-than-significant levels.

The proposed project would not modify any natural habitat and would have no impact on any candidate, sensitive, or special-status species, any riparian habitat, or other sensitive natural community; and/or would not conflict with any local policy or ordinance protecting biological resources or an approved conservation plan. For these reasons, the proposed project would not have the potential to combine with past, present, and reasonably foreseeable future projects in the project vicinity to result in a significant cumulative impact related to biological resources. Therefore, cumulative impacts to biological resources would be less than significant.

| <u>Topics:</u>   | <u>Potentially Significant Impact</u> | <u>Less Than Significant with Mitigation Incorporated</u> | <u>Less Than Significant Impact</u> | <u>No Impact</u>                    | <u>Not Applicable</u>               |
|--|---------------------------------------|---|-------------------------------------|-------------------------------------|-------------------------------------|
| <b>13. GEOLOGY AND SOILS.—</b>   |                                       |   |                                     |                                     |                                     |
| <b>Would the project:</b>  |                                       |   |                                     |                                     |                                     |
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:   |                                       |   |                                     |                                     |                                     |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| ii) Strong seismic ground shaking?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iii) Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| iv) Landslides?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| b) Result in substantial soil erosion or the loss of topsoil?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Change substantially the topography or any unique geologic or physical features of the site?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| g) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |

As previously described, the proposed project would realign the third floor of the existing building to create a new fourth floor within the current building envelope and add a new fifth-floor penthouse at the existing roof level. The expansion and alteration of the existing building would require excavation to a maximum depth of 5.5 feet bgs (measured from the basement floor) and the removal of about 120 cubic yards of soil.

The proposed project would remain connected to the combined sewer system, which is the wastewater conveyance system for San Francisco, and would not use septic tanks or other on-site land disposal systems for sanitary sewage. Therefore, topic 13e is not applicable to the proposed project.

CEQA does not require lead agencies to consider how existing hazards or conditions might impact a project's users or residents, except for specified projects or where the project would significantly exacerbate an existing environmental hazard.<sup>110</sup> Accordingly, hazards resulting from a project that places development in an existing or future seismic hazard area or an area with unstable soils are not considered impacts under CEQA unless the project would significantly exacerbate the seismic hazard or unstable soil conditions. Thus, the analysis below evaluates whether the proposed project would exacerbate future seismic hazards or unstable soils at the project site and result in a substantial risk of loss, injury, or death. The impact is considered significant if the proposed project would exacerbate existing or future seismic hazards or unstable soils by increasing the severity of these hazards that would occur or be present without the project.

This section describes the geology, soils, and seismicity characteristics of the project area as they relate to the proposed project. Responses in this section rely on the information and findings provided in a geotechnical investigation that was conducted for the project site and proposed project.<sup>111</sup> The geotechnical investigation included a site visit, a review of available geologic and geotechnical data for the site vicinity, an engineering analysis of the proposed project in the context of geologic and geotechnical site conditions and preparation of a report with project-specific design and construction recommendations. The findings and recommendations presented in the geotechnical report are discussed below.

The project site is located within a reclaimed portion of the San Francisco Bay, lying east of the historic shoreline that used to run along the west side of Battery Street. Most of the subject building, with the possible exception of its west end, is underlain by artificial fill that was placed over compressible Bay Mud over bedrock. Based on data from the site vicinity, the fill materials are anticipated to be highly heterogeneous and consist of a mixture of sand, rocks, bricks, glass, metal, wood, Bay Mud, and other debris. The combined thickness of artificial fill and Bay Mud is anticipated to range from less than two feet below the west end of the building to about 20 feet below the southeast corner of the building. Therefore, substantial variability in subsurface conditions is anticipated in an east-west direction across the building. The groundwater surface is anticipated at a depth of about eight to 10 feet below the existing sidewalk, near the bottom of the

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<sup>110</sup> *California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478, <http://www.courts.ca.gov>, accessed March 19, 2018.

<sup>111</sup> Geotecnia, *Geotechnical Reconnaissance Letter Report, Proposed Improvements to Existing Building at 940 Battery Street, San Francisco, California*, May 31, 2016.

existing basement level. Therefore, dewatering would be required if excavation activities extend below the groundwater surface.

The existing building is thought to be supported on wood piles driven through the artificial fill and Bay Mud; however, the geotechnical investigation did not determine the size, depth, or diameter of the existing pile foundations. Therefore, any new loads, such as those from the proposed new floors or from seismic upgrades (e.g., shear walls or moment frames), must be supported on new foundations. Based on the anticipated subsurface conditions discussed above, a deep foundation system consisting of micropiles structurally connected at the tops by reinforced concrete grade beams is recommended to support the proposed new loads at the site. The micropiles must be at least 12 inches in diameter and at least nine feet long or penetrate at least 5 feet into the underlying bedrock, whichever is deeper. Bedrock is anticipated to occur just below the basement level along the west end of the building and at depths of 15 to 20 feet below the basement level along the east end of the building. However, the actual depth of the micropiles would be determined in the field by the geotechnical engineer during micropile installation. As described below, the project sponsor would be required to comply with the San Francisco Building Code, which includes the incorporation of geotechnical investigation recommendations for the proposed project that have been reviewed and approved by the Department of Building Inspection.

**Impact GE-1: The proposed project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslides, and would not be located on unstable soil that could result in lateral spreading, subsidence, liquefaction, or collapse. (Less than Significant)**

#### **Fault Rupture**

There are no known active faults intersecting the project site and the site is not within an Earthquake Fault Special Zone. Therefore, the potential of surface rupture occurring at the site is very low. As such, the proposed project would not exacerbate the potential for surface rupture and therefore, would have no impact on fault ruptures.

#### **Strong Seismic Ground Shaking**

The project site is located 8.8 miles southwest of the San Andreas Fault. According to the U.S. Geological Survey, the overall probability of a magnitude 6.7 or greater earthquake to occur in the San Francisco Bay Region during the next thirty years is 63 percent. Therefore, it is possible that a strong to very strong earthquake would affect the proposed project during its lifetime. The severity of the event would depend on a number of conditions including distance to the epicenter, depth of movement, length of shaking, and the properties of underlying materials. However, the proposed project would be required to comply with the California Building Code

(state building code, California Code of Regulations, Title 24) and the San Francisco Building Code, which ensure the safety of all new construction in the State and City, respectively. Therefore, the proposed project would not have the potential to exacerbate seismic related ground shaking, and as a result, would have no impact on strong seismic ground shaking.

### **Liquefaction and Lateral Spreading**

Liquefaction and lateral spreading of soils can occur when ground shaking causes saturated soils to lose strength due to an increase in pore pressure. According to the California Geological Survey (CGS), the project site is within a designated liquefaction hazard zone.<sup>112</sup> As a result, site design and construction must comply with the Seismic Hazards Mapping Act (seismic hazard act),<sup>113</sup> its implementing regulations, and the California Department of Conservation's guidelines for evaluating and mitigating seismic hazards. The seismic hazard act, enacted in 1990, protects public safety from the effects of strong ground shaking, liquefaction, landslides, or other ground failures or hazards caused by earthquakes. In addition to the seismic hazard act, adequate investigation and mitigation of failure-prone soils is also required by the mandatory provisions of the California Building Code. The San Francisco Building Code has adopted the state building code with certain local amendments. The regulations implementing the seismic hazard act include criteria for approval of projects within seismic hazard zones that require that a project be approved only when the nature and severity of the seismic hazards at the site have been evaluated in a geotechnical report and appropriate mitigation measures have been proposed and incorporated into the project, as applicable.

The proposed project is required to conform to the local building code, which ensures the safety of all new construction in the City. In particular, Chapter 18 of state building code, Soils and Foundations, provides the parameters for geotechnical investigations and structural considerations in the selection, design and installation of foundation systems to support the loads from the structure above. Section 1803 sets forth the basis and scope of geotechnical investigations conducted. Section 1804 specifies considerations for excavation, grading and fill to protect adjacent structures and prevent destabilization of slopes due to erosion and/or drainage. In particular, Section 1804.1, which addresses excavation near foundations, requires that adjacent foundations be protected against a reduction in lateral support as a result of project excavation. This is typically accomplished by underpinning or protecting said adjacent foundations from detrimental lateral or vertical movement, or both. Section 1807 specifies requirements for foundation walls, retaining walls, and embedded posts and poles to ensure stability against overturning, sliding, and excessive pressure, and water lift including seismic considerations. Sections 1808 (foundations) and 1810 (deep foundations) specify requirements for foundation systems such that the allowable bearing capacity of the soil is not exceeded and differential

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<sup>112</sup> California Geological Survey, *State of California Seismic Hazard Zones, City and County of San Francisco*, (map scale 1:24,000), November 17, 2000.

<sup>113</sup> The Seismic Hazards Mapping Act is found in Public Resources Code 2690, *et seq.*



settlement is minimized based on the most unfavorable loads specified in Chapter 16, Structural, for the structure's seismic design category and soil classification at the project site.

The Department of Building Inspection (DBI) will review the project-specific geotechnical report during its review of the building permit for the project. In addition, DBI may require additional site specific soils report(s) through the building permit application process, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code, local implementing procedures, and state laws, regulations and guidelines would ensure that the proposed project would not exacerbate the potential for seismic-related ground failure. Therefore, impacts would be less than significant.

### **Landslides**

According to the California Geological Survey, the project site is not within a designated earthquake-induced landslide hazard zone.<sup>114</sup> Nonetheless, as previously discussed, the proposed project would be required to comply with the California Building Code and the San Francisco Building Code, which would ensure that the proposed project would not exacerbate the potential for landslide hazards. Therefore, this impact is less than significant.

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

The project site is relatively flat and occupied by a commercial building that covers the entire site. The proposed project would require excavation of an 850-square-foot area to a maximum depth of 5.5 feet below ground surface (measured from the basement floor) and remove approximately 120 cubic yards of soil. The proposed alterations and vertical addition would also require installation of a deep foundation system consisting of micropiles that would penetrate at least five feet into the underlying bedrock, which is anticipated to reside just below the basement level along the west end of the building and at a depth of 15 to 20 feet below ground surface (measured from the basement floor) along the east end of the building. Since excavation and foundation work would occur at the basement level within the building envelope, the potential for windborne and waterborne soil erosion is low.

Nevertheless, the proposed project would be required to comply with the Construction Site Runoff Ordinance, which was adopted by the City in 2013. The San Francisco Public Utilities Commission (SFPUC) currently manages the Construction Site Runoff Control Program, which ensures that all construction sites implement Best Management Practices (BMPs) to control construction site runoff.<sup>115</sup> The program also requires that projects disturbing 5,000 square feet or

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<sup>114</sup> *Ibid.*

<sup>115</sup> San Francisco Public Utilities Commission, 2017, Construction Site Runoff Control Program, <http://sfwater.org/index.aspx?page=235>, accessed March 19, 2018.

more of ground surface submit an Erosion and Sediment Control Plan (ESCP) prior to commencing construction related activities.

These regulatory safeguards would ensure that the impacts of the proposed project, as they relate to substantial soil erosion and the loss of topsoil, would be less than significant.

**Impact GE-3: The proposed project site would not be located on a geologic unit or soil that is unstable, or that could become unstable as a result of the project. (Less than Significant)**

The project site and adjacent sites do not include hills or cut slopes that are likely to be subject to landslide. However, as previously discussed under Impact GE-1, the project site is within a state designated liquefaction hazard zone and, as a result, the proposed project would be required to comply with the Seismic Hazards Mapping Act as well as the mandatory provisions of the California Building Code and San Francisco Building Code. Adherence to these requirements would ensure that the project sponsor adequately addresses any potential impacts related to unstable soils as part of the design-level geotechnical investigation prepared for the proposed project. Therefore, any potential impacts related to unstable soils would be less than significant.

**Impact GE-4: The proposed project would not create substantial risks to life or property as a result of being located on expansive soil. (Less than Significant)**

Expansive soils expand and contract in response to changes in soil moisture, most notably when nearby surface soils change from saturated to a low-moisture content condition and back again. The expansion potential of the project site soil, as measured by its plasticity index, has not yet been determined. Nonetheless, the San Francisco Building Code would require an analysis of the project site's potential for soil expansion impacts and, if applicable, implementation of measures to address them as part of the design-level geotechnical investigation prepared for the proposed project. Therefore, potential impacts related to expansive soils would be less than significant.

**Impact GE-5: The proposed project would not substantially change the topography or any unique geologic or physical features of the site. (No impact)**

The project site is relatively flat and currently developed with a commercial building that covers the entire site; there are no unique geologic or physical features at the project site. Therefore, the proposed vertical expansion and interior and exterior alterations of the existing building would have no impact on the general topography or any unique geologic or physical features of the site.

**Impact GE-6: The proposed project would not directly or indirectly destroy a unique paleontological resource or site. (No Impact)**

Paleontological resources include fossilized remains or traces of mammals, plants, and invertebrates, as well as their imprints. Such fossil remains as well as the geological formations that contain them are also considered a paleontological resource. Together, they represent a

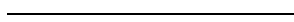
limited, non-renewable scientific and educational resource. The potential to affect fossils varies with the depth of disturbance, construction activities and previous disturbance.

The proposed project would include excavation of an 850-square-foot area to a maximum depth of 5.5 feet below ground surface (measured from the basement floor) and remove approximately 120 cubic yards of soil. It would also require installation of a deep foundation system consisting of micropiles. The micropiles would be required to penetrate at least five feet into the underlying bedrock, which is anticipated to reside just below the basement level along the west end of the building and at a depth of 15 to 20 feet below ground surface (measured from the basement floor) along the east end of the building. All excavation would occur at the basement level within the existing building envelope.

The bedrock that underlies the project site may be fossiliferous. However, the proposed project does not include substantial ground disturbance at these levels. Accordingly impacts to paleontological resources during ground-disturbing activities would be less than significant.

**Impact C-GE-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact related to geology and soils. (Less than Significant)**

Geology and soils impacts are generally site-specific and localized. Past, present, and foreseeable cumulative projects could require various levels of excavation or cut-and-fill, which could affect local geologic conditions. As noted above, the San Francisco Building Code regulates construction in the City and County of San Francisco, and all development projects would be required to comply with its requirements to ensure maximum feasible seismic safety and minimize geologic impacts. Site-specific mitigation measures would also be implemented, as site conditions warrant, to reduce any potential impacts from unstable soils, ground shaking, liquefaction, or lateral spreading. The cumulative development projects located within an approximate quarter-mile radius of the project site (refer to Table 2 and Figure 2, Section B, Project Setting) would be subject to the same seismic safety standards and design review procedures applicable to the proposed project. Compliance with the seismic safety standards and design review procedures would ensure that the effects from nearby cumulative projects would not be significant. Therefore, the proposed project would not combine with cumulative development projects to create or contribute to a cumulative impact related to geology and soils and cumulative impacts would be less than significant.



| <u>Topics:</u>  | <u>Potentially<br/>Significant<br/>Impact</u> | <u>Less Than<br/>Significant<br/>with<br/>Mitigation<br/>Incorporated</u> | <u>Less Than<br/>Significant<br/>Impact</u> | <u>No<br/>Impact</u>     | <u>Not<br/>Applicable</u>           |
|---|---|---|---|--------------------------|-------------------------------------|
| <b>14. HYDROLOGY AND WATER QUALITY.—<br/>Would the project:</b>   |   |   |   |                          |                                     |
| a) Violate any water quality standards or waste discharge requirements?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> | <input type="checkbox"/>            |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> | <input type="checkbox"/>            |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> | <input type="checkbox"/>            |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?  | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> | <input type="checkbox"/>            |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> | <input type="checkbox"/>            |
| f) Otherwise substantially degrade water quality?   | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input checked="" type="checkbox"/>         | <input type="checkbox"/> | <input type="checkbox"/>            |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?  | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/>                    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?  | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/>                    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?  | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/>                    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?  | <input type="checkbox"/>                      | <input type="checkbox"/>  | <input type="checkbox"/>                    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The project site is not located within a 100-year Flood Hazard Zone,<sup>116</sup> a dam failure area,<sup>117</sup> or a tsunami hazard area.<sup>118</sup> No mudslide hazards exist on the proposed project site because it is not located close enough to any landslide-prone areas.<sup>119</sup> A seiche is an oscillation of a waterbody, such as a bay, that may cause local flooding. A seiche could occur in the San Francisco Bay due to seismic or atmospheric activity. However, the proposed project site is located approximately 0.3 miles from San Francisco Bay, and thus, would not be subject to a seiche. Therefore, topics 14g, 14h, 14i, and 14j are not applicable to the proposed project.

**Impact HY-1: The proposed project would not violate any water quality standards or waste discharge requirements. (Less than Significant)**

The project site is located within the area of the city served by a combined stormwater and sewer system. With implementation of the proposed project, stormwater and wastewater from the site would continue to be discharged to an underground piping network, which conveys the waters to the Southeast Water Pollution Control Plant (SEWPCP) for treatment. The City currently holds a National Pollutant Discharge Elimination System (NPDES) Permit (regional board Order No. R2-2013-0029) that covers the SEWPCP, the North Point Wet Weather Facility, and all of the Bayside wet-weather facilities, including combined sewer discharge (CSD) structures located along the bayside waterfront from Marina Green to Candlestick Park. Captured wastewater and stormwater flows in the combined sewer system are directed first to the SEWPCP and North Point Wet Weather Facility for primary or secondary treatment and disinfection. Flows in excess of the capacity of these facilities are diverted to CSDs constructed throughout the city and receive the equivalent of primary treatment prior to discharge into San Francisco Bay.

The proposed project would be required to comply with Article 4.2 of the San Francisco Public Works Code, sections 146 (Construction Site Runoff Control) and 147 (Stormwater Management). The purpose of the City's construction site runoff control program is to protect water quality by controlling the discharge of sediment or other pollutants from construction sites and preventing erosion and sedimentation due to construction activities. The intent of the City's stormwater management program is to reduce the volume of stormwater entering the City's combined and separate sewer systems and to protect and enhance the water quality of receiving waters, pursuant to, and consistent with federal and state laws, lawful standards and orders applicable to stormwater and urban runoff control, and the City's authority to manage and operate its drainage systems.

As described in section E.13, Geology and Soils, the proposed project would be required to implement Best Management Practices (BMPs) to control construction site runoff. As detailed in

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<sup>116</sup> Federal Emergency Management Agency (FEMA), Preliminary Flood Insurance Rate Map, 06029801117A, November 12, 2015, <https://hazards.fema.gov/femaportal/prelimdownload/>, accessed on March 19, 2018.

<sup>117</sup> San Francisco Planning Department, San Francisco General Plan, Community Safety Element, Map 6, October 2012, <http://generalplan.sfplanning.org/index.htm>, accessed March 19, 2018.

<sup>118</sup> *Ibid*, Map 5.

<sup>119</sup> *Ibid*, Map 4.

section E.10, Utilities and Service Systems, the proposed project would be required to reduce the project site's existing runoff flow rate and volume by 25 percent for a two-year 24-hour design storm. In addition, the proposed project would be required to comply with the Maher Ordinance (Article 22A of the San Francisco Health Code), which requires further site management and reporting requirements for potential hazardous soils (see impact HZ-2, page 100, for a discussion of the Maher Ordinance). Therefore, the proposed project would not substantially degrade water quality and water quality standards or waste discharge requirements would not be violated. Thus, the proposed project would have a less than significant impact on water quality.

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

The entire project site is covered with impervious surfaces, which greatly limits the amount of surface water that could infiltrate the site to recharge the groundwater. The proposed project would not result in an increase in impervious surface. Therefore, the proposed project would not interfere with groundwater recharge.

As discussed in section E.13, Geology and Soils, groundwater is anticipated at a depth of approximately eight to 10 feet below the existing sidewalk, near the bottom of the existing basement level. Since construction of the proposed project would require excavation to a depth of 5.5 feet below ground surface (measured from the basement level) and require the installation of micropiles, some of which could extend to depths of 20 to 25 feet below ground surface (measured from the basement level), dewatering will likely be required. If construction dewatering is required, the proposed project would be required to obtain a Batch Wastewater Discharge Permit (BWDP) from the SFPUC prior to any dewatering activities. As previously noted, the proposed project would be subject to the Maher Ordinance, which would ensure that extracted water during construction dewatering meets the water quality standards for discharge to the combined sewer system. Groundwater encountered during pile drilling activities would be subject to the requirements of Article 4.1 of the Public Works Code, Industrial Waste, which requires that groundwater meet specified water quality standards before it may be discharged into the sewer system. The BWDP would contain appropriate discharge standards and may also require the installation of meters to measure the volume of discharge. These measures would ensure protection of water quality during construction of the proposed project.

Although construction dewatering could result in a temporary and limited impact on the shallow groundwater aquifer, this aquifer is not used for potable water supply. In addition, the proposed project does not propose to extract any underlying groundwater supplies. The SFPUC does not currently extract groundwater for potable water use and San Francisco water customers are supplied with surface water from the regional water system (RWS). As described under Topic 10, Utilities and Service Systems, the 2015 Urban Water Management Plan indicates that there will be

sufficient water to meet the demand of existing and future customers during normal, single-dry, and multiple-dry years through the year 2040.

For these reasons, the proposed project would not substantially deplete groundwater resources or substantially interfere with groundwater recharge. Thus, the impacts to groundwater from development of the proposed project would be less than significant.

**Impact HY-3: The proposed project would not result in alterations to the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on-site or off-site, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on site or off site. (Less than Significant)**

The project site is currently covered with impervious surfaces (i.e., a three-story building) and does not contain any streams or water courses. Therefore, the proposed project would not alter the course of a stream or river or substantially alter the existing drainage pattern of the project site or area. Construction activities would have the potential to result in erosion and transportation of soil particles off site through excavation, pile drilling and grading activities. However, as discussed previously under Impact HY-1, the project sponsor would be required to implement Best Management Practices (BMPs) to control construction site runoff and reduce the project site's existing runoff flow rate and volume by 25 percent for a two-year 24-hour design storm. Therefore, the proposed project would not result in substantial erosion or siltation on site or off site, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on site or off site, and impacts would be less than significant.

**Impact HY-4: The proposed project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. (Less than Significant)**

During construction and operation of the proposed project, all wastewater and stormwater runoff from the project site would be treated at the Southeast Water Pollution Control Plant. As noted above under Impact HY-1, treatment would be provided pursuant to the effluent discharge standards contained in the City's NPDES permit for the plant. In addition, during construction and operation, the proposed project would be required to comply with all local wastewater discharge, stormwater runoff, and water quality requirements. Compliance with these requirements would ensure that the proposed project would not exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, this impact would be less than significant.

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

The proposed project would result in no impact with respect to 100-year flood zones, failure of dams or levees, and/or seiche, tsunami, or mudflow hazards. Therefore, the project would not have the potential to contribute to cumulative impacts related to these topics. As stated above, the proposed project would result in less-than-significant impacts related to water quality, groundwater levels, alteration of drainage patterns, and the capacity of the drainage infrastructure. The proposed project and all future projects within San Francisco would be required to comply with the water quality and drainage control requirements that apply to all land use development projects within San Francisco. Since all development projects would be required to follow the same regulations as the proposed project, peak stormwater drainage rates and volumes resulting from design storms would gradually decrease over time with the implementation of new, conforming development projects. As a result, no substantial adverse cumulative effects with respect to drainage patterns, water quality, stormwater runoff, or stormwater capacity of the combined sewer system would occur.

Further, San Francisco’s limited current use of groundwater would preclude any significant adverse cumulative effects to groundwater levels, and according to the 2015 Urban Water Management Plan, there will be sufficient water supplies to meet the demand of existing and future projects through the year 2040. Cumulative impacts are not anticipated since all development projects would be required to comply with the same drainage, dewatering and water quality regulations as the proposed project. Thus, the proposed project would not combine with cumulative development projects to create or contribute to a cumulative impact related to hydrology and water quality, and cumulative impacts would be less than significant.

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| <u>Topics:</u>  | <u>Potentially Significant Impact</u> | <u>Less Than Significant with Mitigation Incorporated</u> | <u>Less Than Significant Impact</u> | <u>No Impact</u>         | <u>Not Applicable</u>    |
|---|---------------------------------------|---|-------------------------------------|--------------------------|--------------------------|
| <b>15. HAZARDS AND HAZARDOUS MATERIALS.—</b>  |                                       |   |                                     |                          |                          |
| <b>Would the project:</b>   |                                       |   |                                     |                          |                          |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?                                 | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



| <u>Topics:</u>   | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>                    | <i>Not Applicable</i>               |
|--|---------------------------------------|---|-------------------------------------|-------------------------------------|-------------------------------------|
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?                                   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |

The project site is not located within an airport land use plan area or within the vicinity of a private airstrip. Therefore, topics 15e and 15f are not applicable to the proposed project.

To assess potential adverse environmental effects related to past and present activities at the project site, a *phase I environmental site assessment* (phase I ESA) was prepared.<sup>120</sup> The results are summarized below, as applicable, for each topic.

**Impact HZ-1: The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. (Less than Significant)**

The proposed project would convert an existing warehouse into a mixed institutional (museum) and commercial (retail and office) building. The vertical expansion and interior and exterior alteration of the existing building would require excavation to a maximum depth of 5.5 feet bgs (measured from the basement floor) and the removal of about 120 cubic yards of soil. The proposed new building would also require the installation of a deep foundation system

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<sup>120</sup> Terracon Consultants, Inc., *Phase I Environmental Site Assessment: Museo Italo Americano Annex, 940 Battery Street, San Francisco, California*, October 20, 2016.

consisting of micropiles, some of which could extend to depths of 20 to 25 feet below ground surface (measured from the basement floor) along the east end of the building.

As described under section E.13, Geology and Soils, the project site is likely underlain by artificial fill over Bay Mud over bedrock. Therefore, project-related excavation and foundation work could result in the generation of hazardous soil materials requiring transport off site. However, as discussed in more detail under Impact HZ-2 below, the project sponsor and its contractor would be required to comply with the Maher Ordinance, which would ensure that proper site testing and handling and removal of any hazardous materials would be carried out in accordance with state and federal laws. In addition, the transport of hazardous materials is also regulated by the California Highway Patrol and the California Department of Transportation. Therefore, due to existing regulations requiring the proper disposal of hazardous materials, construction-related transport and disposal of hazardous materials would not result in a significant impact on the environment.

Once constructed, the proposed project would likely result in the use of common types of hazardous materials associated with institutional, retail and office uses, such as cleaning products, disinfectants, and solvents. These products are typically labeled to inform users of their potential risks and to instruct them in appropriate handling and disposal procedures. However, most of these materials are consumed through use, resulting in relatively little waste. In addition, businesses are required by law to ensure employee safety by identifying hazardous materials in the workplace, providing safety information to workers who handle hazardous materials, and adequately training workers. For these reasons, hazardous materials used during project operation would not pose any substantial public health or safety hazards resulting from hazardous materials. In addition, transportation of hazardous materials would be regulated by the California Highway Patrol and the California Department of Transportation. Therefore, potential impacts related to the routine use, transport, and disposal of hazardous materials associated with the operation of the proposed project would be less than significant.

**Impact HZ-2: The proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. (Less than Significant)**

The project site is located in a Maher zone, which is an area that the San Francisco Health Department, as set forth in San Francisco Building Code section 106A.3.2.4, has identified as likely containing hazardous substances in the soil or groundwater. The proposed project would require excavation to a maximum depth of 5.5 feet bgs and remove approximately 120 cubic yards of soil. It would also require the installation of a deep foundation system consisting of micropiles, which would require pile drilling to depths of up to 25 feet bgs.

Therefore, before the project may obtain a building permit, it must comply with the requirements of article 22A of the San Francisco Health Code, which the San Francisco Department of Public

Health (the health department) administers. Under article 22A (commonly called “the Maher program”), the project sponsor must retain the services of a qualified professional to prepare a site history report (commonly referred to as a phase I ESA). The site assessment must determine whether hazardous substances may be present on the site at levels that exceed health risk levels or other applicable standards established by California Environmental Protection Agencies, the Regional Water Quality Control Board, and the Department of Toxic Substances Control (Cal/EPA). If so, the project sponsor is required to conduct soil and/or groundwater sampling and analysis under a work plan approved by the health department.

The sampling analysis must provide an accurate assessment of hazardous substances present at the site that may be disturbed, or may cause a public health or safety hazard, given the intended use of the site. Where such analysis reveals the presence of hazardous substances that exceed Cal/EPA public health risk levels given the intended use, the project sponsor must submit a *site mitigation plan* (SMP) to the health department. The SMP must identify the measures that the project sponsor will take to assure that the intended use will not result in public health or safety hazards in excess of the acceptable public health risk levels established by Cal/EPA or other applicable regulatory standards. The SMP must also identify any soil and/or groundwater sampling and analysis that it recommends the project sponsor conduct following completion of the measures to verify that remediation is complete. If the project sponsor chooses to mitigate public health or safety hazards from hazardous substances through land use or activity restrictions, the project sponsor must record a deed restriction specifying the land use restrictions or other controls that will assure protection of public health or safety from hazardous substances remaining on the site.

To comply with various regulatory requirements, the health department will require the SMP to contain measures to mitigate potential risks to the environment and to protect construction workers, nearby residents, workers, and/or pedestrians from potential exposure to hazardous substances and underground structures during soil excavation and grading activities. The SMP must also contain procedures for initial response to unanticipated conditions such as discovery of underground storage tanks, sumps, or pipelines during excavation activities. Specified construction procedures, at a minimum, must comply with building code section 106A.3.2.6.3 and health code article 22B related to construction dust control; and San Francisco Public Works Code section 146 *et seq.* concerning construction site runoff control. Additional measures would typically include notification, field screening, and worker health and safety measures to comply with Cal/OSHA requirements. The health department would require discovered USTs to be closed pursuant to article 21 of the health code and comply with applicable provisions of chapters 6.7 and 6.75 of the California Health and Safety Code (commencing with section 25280) and its implementing regulations. The closure of any UST must also be conducted in accordance with a permit from the San Francisco Fire Department.

If remediation is required, it would typically be achieved through one of several methods that include off-haul and disposal of contaminated soils,<sup>121</sup> on-site treatment of soil or groundwater, or a vapor barrier installation. Alternatively or in addition, restriction on uses or activities at the project site may be required along with a recorded deed restriction. Compliance with health code article 22A and the related regulations identified above would ensure that project activities that disturb or release hazardous substances that may be present at the project site would not expose users of the site to unacceptable risk levels for the intended project uses.

In compliance with health code article 22A, the project sponsor has enrolled in the Maher program and submitted to the health department a phase I environmental site assessment to assess the potential for site contamination.<sup>122,123</sup> The site assessment determined that the project site and adjoining properties have been developed since about 1887. Specifically, past project site uses have included a fruit-packing company (1887), iron and coal yard (1899), vacant lot with storage shed (1913), portion of a distillery (1948-1950), binder company (1974) and warehouse (1986-1999). Over the same period, the adjoining properties have included similar uses: fruit packing company; coal yard and/or iron yard; blacksmith shop yard; livery; boarding house; wine company; vacant land; wood storage; basket barrel manufacturer; paper warehouse, lithography; coffee roaster; tenements; distillery; warehouse; office and commercial buildings. The site assessment found no *recognized environmental conditions* (RECs)<sup>124</sup> or *controlled recognized environmental conditions* (CRECs)<sup>125</sup> associated with the project site.

The health department reviewed the proposed project's Maher application and supporting documents, including the site assessment, and determined that the proposed project would be required to submit a *phase 2 site characterization* report and work plan to the health department for

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<sup>121</sup> Off-haul and disposal of contaminated materials from the project site would be in accordance with the federal Resource Conservation and Recovery Act (RCRA) and United States Department of Transportation regulations and the California Hazardous Waste Control program (California Health and Safety Code section 21000 *et seq.*

<sup>122</sup> San Francisco Department of Public Health, *Maher Ordinance Application: Museo Italo Americano, 940 Battery Street, San Francisco, CA*, July 20, 2016.

<sup>123</sup> Terracon Consultants, Inc., *Phase I Environmental Site Assessment: Museo Italo Americano Annex, 940 Battery Street, San Francisco, California*, October 20, 2016.

<sup>124</sup> Recognized Environmental Conditions are defined by ASTM E1527-13 as "the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: 1) due to any release to the environment; 2) under conditions indicative of a release to the environment. *De minimis* conditions are not recognized environmental conditions."

<sup>125</sup> A Controlled Recognized Environmental Conditions is defined in ASTM E1527-13 as "a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

review and approval.<sup>126</sup> Contingent upon the submitted documentation and analytical reports, the health department would also require the project sponsor to develop a *site mitigation plan*.

The proposed project would be required to remediate potential soil and/or groundwater contamination described above in accordance with article 22A of the health code. The health department would oversee this process, and various regulations would apply to any disturbance of contaminants in soil or groundwater that would be encountered during construction to assure that no unacceptable exposures to the public would occur. Thus, the proposed project would not result in a significant hazard to the public or environment from the disturbance or release of contaminated soil and/or groundwater and the proposed project would result in a less than significant impact with regard to the release of hazardous materials.

**Impact HZ-3: The proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (Less than Significant)**

There is one school within a quarter-mile of the project site: John Yehall Chin Elementary School, located at 350 Broadway (approximately 725 feet southwest of the project site). As discussed under Impact HZ-1, the proposed project would include the use of common types of hazardous materials (i.e., cleaning products, disinfectants, and solvents) in quantities too small to create a significant hazard to the public or the environment. In addition, the proposed institutional, retail and office uses would not produce hazardous emissions and would not involve the handling of hazardous or acutely hazardous materials, substances, or waste. Therefore, project -related impacts would be less than significant.

**Impact HZ-4: The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. (No Impact)**

The project site is not included on a list of identified hazardous material sites compiled pursuant to Government Code 65962.5, as determined by federal and state/tribal database searches conducted as part of the project-specific phase I ESA.<sup>127</sup> In addition, according to the State Water Resources Control Board's (SWRCB) GeoTracker online database and the Department of Toxic Substances Control's (DTSC) EnviroStor online database, the project site is not associated with any hazardous materials cleanup sites. Sites previously identified as Leaking Underground Storage Tank (LUST) cleanup sites are present in the vicinity, the closest being located at 50 Green Street and at 900 Front Street; however, these sites have since been designated as "completed-case closed" and have been remediated to the satisfaction of the applicable

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<sup>126</sup> Weden, Martita Lee, Senior Environmental Health Inspector, San Francisco Department of Public Health, Environmental Health Branch, Site Assessment and Mitigation (EHB-SAM), letter correspondence with Mark D. Schiavenza, project sponsor, September 12, 2017.

<sup>127</sup> Terracon Consultants, Inc., *Phase I Environmental Site Assessment: Museo Italo Americano Annex, 940 Battery Street, San Francisco, California*, October 20, 2016.

regulatory authority (SWRCB or DTSC or San Francisco Department of Public Health). Therefore, the proposed project would have no impact with respect to this criterion.

**Impact HZ-5: The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires? (Less than Significant)**

San Francisco ensures fire safety through provisions of the Building and Fire Codes. The additional residents, employees, and visitors could contribute to congestion if an emergency evacuation of the greater downtown area were required. Construction of the proposed project would conform to the provisions of the Building Code and Fire Code. Final building plans would be reviewed by the San Francisco Fire Department and the Department of Building Inspection to ensure conformance with the applicable life-safety provisions, including development of an emergency procedure manual and an exit drill plan. Therefore, the proposed project would not obstruct implementation of the City’s Emergency Response Plan, and potential emergency response and fire hazard impacts would be less than significant.

**Impact C-HZ-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact related to hazards and hazardous materials. (Less than Significant)**

Environmental impacts related to hazards and hazardous materials are generally site-specific. Nearby cumulative development projects would be subject to the same fire safety and hazardous materials cleanup ordinances and regulations applicable to the proposed project. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact related to hazards and hazardous materials.

| <i>Topics:</i>  | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         | <i>Not Applicable</i>               |
|---|---------------------------------------|---|-------------------------------------|--------------------------|-------------------------------------|
| <b>16. MINERAL AND ENERGY RESOURCES.—<br/>Would the project:</b>  |                                       |   |                                     |                          |                                     |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

The project site is located within Mineral Resource Zone 4 (MRZ-4) as designated by the California Division of Mines and Geology under the Surface Mining and Reclamation Act of 1975.<sup>128</sup> This designation indicates that there is insufficient information available to assign the site to any other Mineral Resource Zone and that the site contains no significant mineral deposits. Furthermore, according to the San Francisco General Plan, no significant mineral resources exist in all of San Francisco. Therefore, topics 17a and 17b are not applicable to the proposed project.

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

The proposed project would vertically expand and alter an existing warehouse building to accommodate new institutional (museum) and commercial uses (retail and office). The project site is located within the North Beach neighborhood where it is surrounded by existing buildings and infrastructure; therefore, the proposed project would be served by existing utilities. As described in section E.10, Utilities and Service Systems, adequate water supplies exist to serve the proposed project. In addition, the proposed project is located within a developed urban area that is served by multiple transit systems. Use of these transit systems by residents, visitors, and employees would reduce the amount of fuel expended by private automobiles. The proposed project’s energy demand would be typical for a development of this scope and nature, and would comply with current state and local codes concerning energy consumption, including Title 24 of the California Code of Regulations, enforced by the Department of Building Inspection. The proposed project would also be required to comply with the City’s Green Building Ordinance. Therefore, the water and energy demand associated with the proposed project would be less than significant.

**Impact C-ME-1: The proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in significant adverse cumulative mineral and energy impacts. (Less than Significant)**

As described above, the entire City of San Francisco is designated as Mineral Resource Zone 4, which indicates that no known significant mineral resources exist at the project site or within the

<sup>128</sup> California Division of Mines and Geology, Open File Report 96-03 and Special Report 146 Parts I and II, [ftp://ftp.consrv.ca.gov/pub/dmg/pubs/ofr/OFR\\_96-03/OFR\\_96-03\\_Text.pdf](ftp://ftp.consrv.ca.gov/pub/dmg/pubs/ofr/OFR_96-03/OFR_96-03_Text.pdf), [ftp://ftp.conservation.ca.gov/pub/dmg/pubs/sr/SR\\_146-1/SR\\_146-1\\_Text.pdf](ftp://ftp.conservation.ca.gov/pub/dmg/pubs/sr/SR_146-1/SR_146-1_Text.pdf) and [ftp://ftp.conservation.ca.gov/pub/dmg/pubs/sr/SR\\_146-2/SR\\_146-2\\_Text.pdf](ftp://ftp.conservation.ca.gov/pub/dmg/pubs/sr/SR_146-2/SR_146-2_Text.pdf) accessed May 19, 2018.

project vicinity. Therefore, the proposed project would not result in any cumulative impacts related to mineral resources.

All land use development projects in San Francisco, including those listed in Table 2 and Figure 2 of section B, Project Setting, would be required to comply with the City’s Green Building Ordinance and Title 24 of the California Code of Regulations, both of which are enforced by the Department of Building Inspection. These building codes encourage sustainable construction practices related to planning and design, energy efficiency, and water efficiency and conservation. As a result, in the cumulative scenario, a decrease in energy consumption would be expected compared with a scenario where such regulations are not applied (i.e., existing building stock remains unimproved). Furthermore, infill development projects, such those identified in Table 2 and Figure 2 of section B, Project Setting, would be expected to decrease transportation-related energy demands compared with projects located in areas with higher average vehicle miles traveled (VMT). Therefore, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable impact related to mineral and energy resources.

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

**17. AGRICULTURE AND FORESTRY RESOURCES:**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

**—Would the project:**

- |   |                          |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|



| <b>Topics:</b>   | <b>Potentially Significant Impact</b> | <b>Less Than Significant with Mitigation Incorporated</b> | <b>Less Than Significant Impact</b> | <b>No Impact</b>         | <b>Not Applicable</b>               |
|--|---------------------------------------|---|-------------------------------------|--------------------------|-------------------------------------|
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The project site is located within an urban area of San Francisco that does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; forest land; or land under Williamson Act contract. The project site and vicinity is not zoned for any agricultural uses. Therefore, topics 17a, b, c, d, and e are not applicable to the proposed project.

| <b>Topics:</b>  | <b>Potentially Significant Impact</b> | <b>Less Than Significant with Mitigation Incorporated</b> | <b>Less Than Significant Impact</b> | <b>No Impact</b>         | <b>Not Applicable</b>    |
|---|---------------------------------------|---|-------------------------------------|--------------------------|--------------------------|
| <b>18. MANDATORY FINDINGS OF SIGNIFICANCE—</b>  |                                       |   |                                     |                          |                          |
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)  | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |

| <i>Topics:</i>  | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         | <i>Not Applicable</i>    |
|---|---------------------------------------|---|-------------------------------------|--------------------------|--------------------------|
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |

As discussed in sections E.1 through E.17, impacts resulting from the proposed project are anticipated to be less than significant or less than significant with mitigation, in the case of cultural resources. As described in Section E.3, Cultural Resources, the proposed project could result in a substantial adverse change on archeological resources. However, implementation of **Mitigation Measure M-CR-3, Archeological Testing**, would reduce the impact to a less-than-significant level. Therefore, the proposed project would not result in a significant impact through the elimination of important examples of major periods of California history or prehistory.

In summary, both short-term and long-term project-level and cumulative environmental effects, including substantial adverse effects on human beings, associated with the proposed project would be less than significant or less than significant with mitigation, as discussed under each environmental topic.

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## F. MITIGATION MEASURES

The following mitigation measure has been identified to reduce potentially significant environmental impacts resulting from the proposed project to less-than-significant levels.

### **Mitigation Measure M-CR-3: Archeological Testing**

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

*Consultation with Descendant Communities:* On discovery of an archeological site<sup>129</sup> associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative<sup>130</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

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<sup>129</sup> By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

<sup>130</sup> An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archaeologist.

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

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

- A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

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

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;

- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving or deep foundation activities (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving or deep foundation activities may affect an archeological resource, the pile driving or deep foundation activities shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

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

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

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.

- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

*Human Remains, 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, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The ERO shall also be immediately notified upon discovery of human remains. The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days after the discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO. If no agreement is reached State regulations shall be followed including the reinternment of the human remains and associated burial objects with appropriate dignity on the property in a location not subject to further subsurface disturbance (Pub. Res. Code Sec. 5097.98).

*Final Archeological Resources Report.* The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one

unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

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## **G. PUBLIC NOTICE AND COMMENT**

On July 19, 2017, the Planning Department mailed a Notification of Project Receiving Environmental Review to owners of properties within 300 feet of the project site, adjacent occupants, and neighborhood groups. Two comments were received in response to the notification: one nearby business expressed concern that their business activities (sound recording studio) would be disrupted by construction noise and requested that all construction activities be conducted outside of their normal operating hours, 9 a.m. to 5 p.m.; another individual expressed concern that the project site is located in a historic district and that this detail was not included in the notification.

These concerns were incorporated into the environmental review of the proposed project and addressed in section E.3, Cultural Resources, and section E.5, Noise.

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**H. DETERMINATION**

On the basis of this Initial Study:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.

6/20/18

DATE



Lisa Gibson  
Environmental Review Officer  
for  
John Rahaim  
Director of Planning



## I. INITIAL STUDY PREPARERS

### Report Authors

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Environmental Planning Division  
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|                                  |                     |
|----------------------------------|---------------------|
| Environmental Review Officer:    | Lisa Gibson         |
| Principal Environmental Planner: | Rick Cooper         |
| Environmental Planner:           | Jennifer McKellar   |
| Transportation Planner:          | Lana Russell Hurd   |
| Preservation Planner:            | Rebecca Salgado     |
| Archeologist:                    | Allison Vanderslice |
| Current Planner:                 | Rebecca Salgado     |

### Environmental Consultants

#### **Geotecnia**

2422 Providence Court  
Walnut Creek, CA 94596

|            |                                   |
|------------|-----------------------------------|
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|------------|-----------------------------------|

### **Tipping Structural Engineers**

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|            |                       |
|------------|-----------------------|
| Associate: | Gina M. Carlson, S.E. |
|------------|-----------------------|

### **Terracon Consultants, Inc.**

1466 66<sup>th</sup> Street  
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|                                |                 |
|--------------------------------|-----------------|
| Reginal Manager:               | Kent R. Wheeler |
| Field Environmental Scientist: | Tamara K. Woods |

### **RGA Environmental**

1466 66<sup>th</sup> Street  
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|                         |             |
|-------------------------|-------------|
| Senior Project Manager: | Ken Pilgrim |
| Project Manager:        | Mike Bishop |

**Richard Brandi**

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San Francisco, CA 94127

Principal: Richard Brandi

**Project Sponsor**

**The Jerome Cocuzza Italian Center for Art and Culture**

3247 Baker Street  
San Francisco, CA 94123

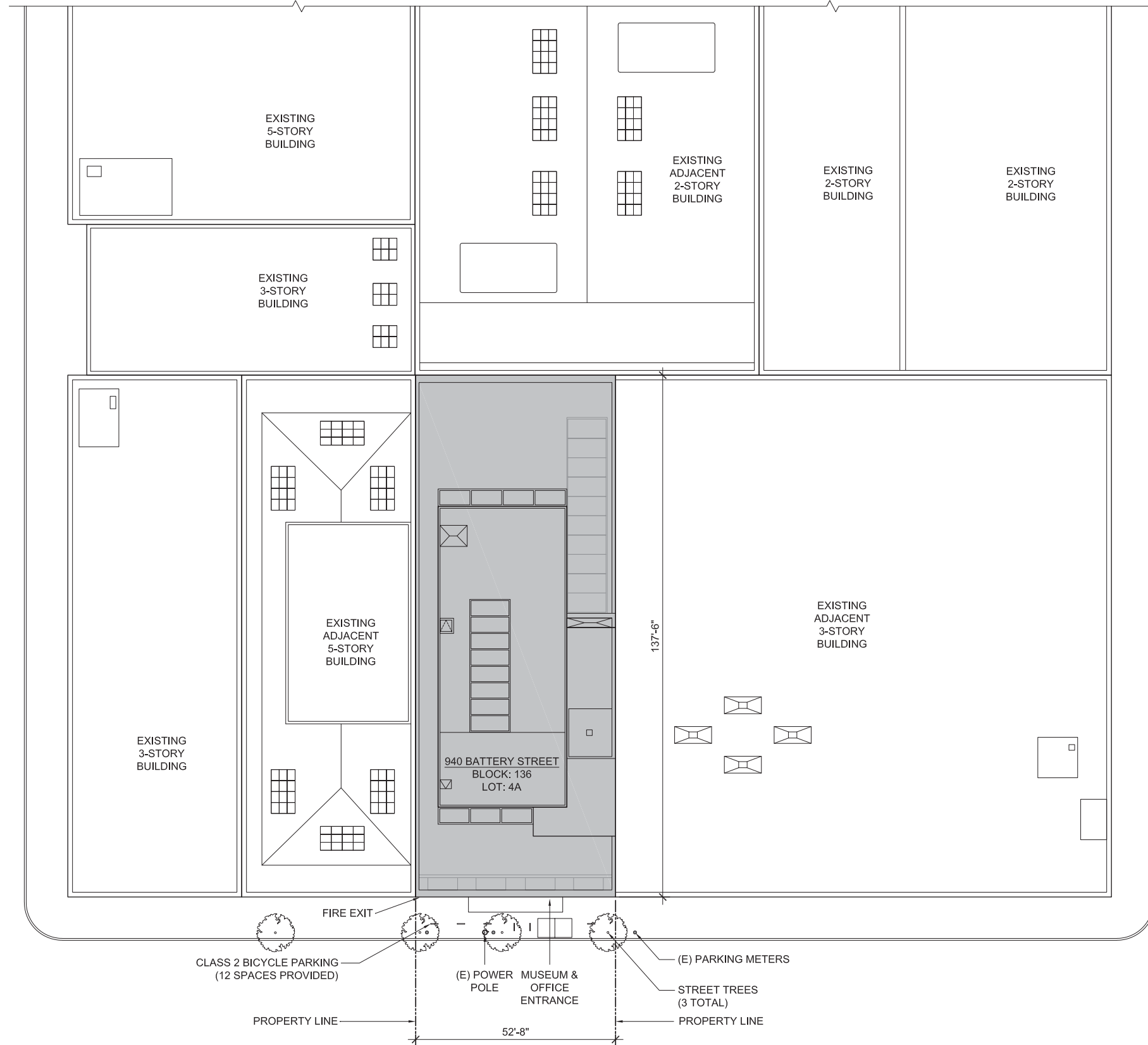
Project Sponsor Representative: Lawrence Badiner, Badiner Urban Planning, Inc.

## J. APPENDIX

|             |                                     |
|-------------|-------------------------------------|
| Sheet A0.2: | Proposed Site Plan                  |
| Sheet A2.0: | Proposed Basement Plan              |
| Sheet A2.1: | Proposed Ground Floor Plan          |
| Sheet A2.2: | Proposed Second Floor Plan          |
| Sheet A2.3: | Proposed Third Floor Plan           |
| Sheet A2.4: | Proposed Fourth Floor Plan          |
| Sheet A2.5: | Proposed Fifth Floor Plan           |
| Sheet A2.6: | Proposed Roof Plan                  |
| Sheet A3.0: | Proposed East/West Building Section |
| Sheet A3.1: | Proposed West Elevation             |
| Sheet A3.3: | Proposed East Elevation             |
| Sheet A3.4: | Proposed South Elevation            |

GREEN STREET

VALLEJO STREET



EXISTING 3-STORY BUILDING

EXISTING 3-STORY BUILDING

EXISTING 5-STORY BUILDING

EXISTING ADJACENT 5-STORY BUILDING

EXISTING 3-STORY BUILDING

EXISTING 5-STORY BUILDING

940 BATTERY STREET  
BLOCK: 136  
LOT: 4A

EXISTING ADJACENT 2-STORY BUILDING

EXISTING ADJACENT 3-STORY BUILDING

EXISTING 2-STORY BUILDING

EXISTING 2-STORY BUILDING

CLASS 2 BICYCLE PARKING  
(12 SPACES PROVIDED)

FIRE EXIT

(E) POWER POLE  
MUSEUM &  
OFFICE  
ENTRANCE

(E) PARKING METERS

STREET TREES  
(3 TOTAL)

PROPERTY LINE

52'-8"

PROPERTY LINE

137'-6"

BATTERY STREET

PROPOSED SITE PLAN

1/16"=1'-0"

1



PROPOSED  
SITE PLAN

1/16" = 1'-0"

A0.2

MUSEO ITALO  
AMERICANO

940 Battery Street

| REV | DATE     | DESCRIPTION              |
|-----|----------|--------------------------|
|     | 05/26/16 | SCHEMATIC DESIGN         |
|     | 03/06/17 | REVISED SCHEMATIC DESIGN |
|     | 10/30/17 | UPDATED SCHEMATIC DESIGN |
|     | 11/15/17 | UPDATED SCHEMATIC DESIGN |
|     | 01/12/18 | UPDATED SCHEMATIC DESIGN |
|     | 02/12/18 | UPDATED SCHEMATIC DESIGN |

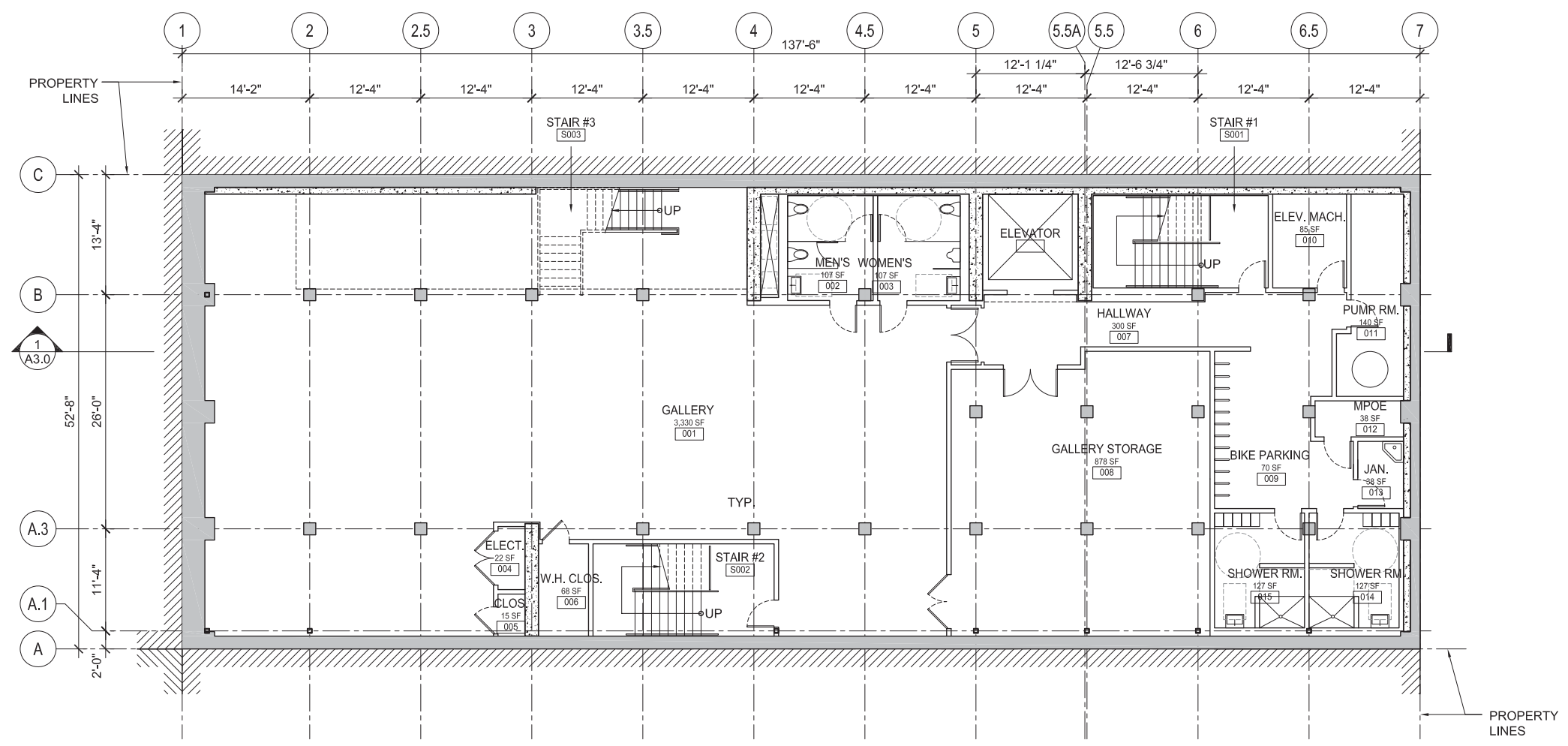


MUSEO  
ITALO AMERICANO

**SHEET LEGEND**

|  |                      |
|--|----------------------|
|  | (E) WALL             |
|  | STUD WALL            |
|  | CONC WALL, S.S.D.    |
|  | (E) COLUMN TO REMAIN |





| REV | DATE     | DESCRIPTION              |
|-----|----------|--------------------------|
|     | 05/26/16 | SCHEMATIC DESIGN         |
|     | 03/06/17 | REVISED SCHEMATIC DESIGN |
|     | 10/30/17 | UPDATED SCHEMATIC DESIGN |
|     | 11/15/17 | UPDATED SCHEMATIC DESIGN |
|     | 01/12/18 | UPDATED SCHEMATIC DESIGN |
|     | 02/12/18 | UPDATED SCHEMATIC DESIGN |



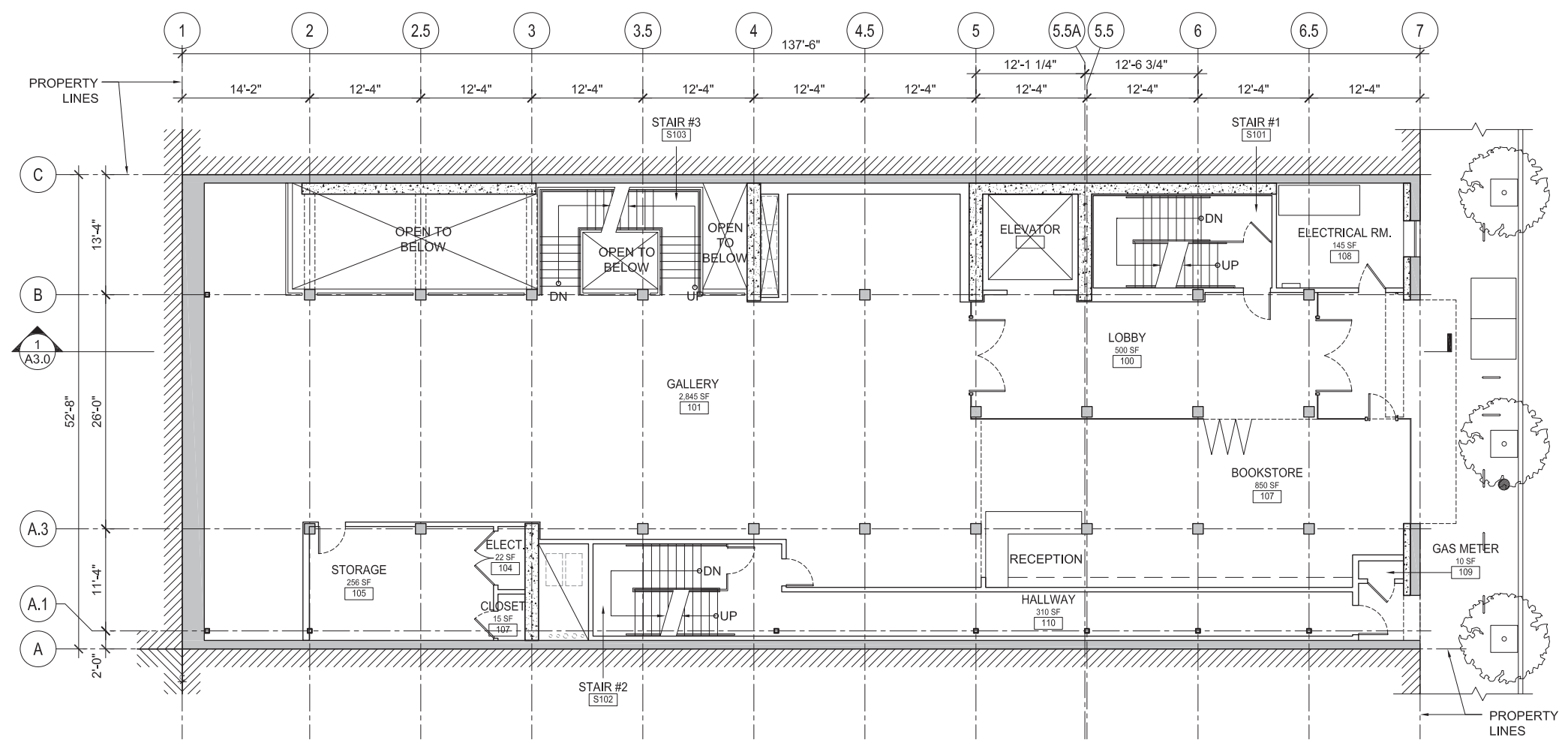
**PROPOSED BASEMENT PLAN** 1  
1/8" = 1'-0"



**SHEET LEGEND**

|   |                      |
|---|----------------------|
|  | (E) WALL             |
|  | STUD WALL            |
|  | CONC WALL, S.S.D.    |
|  | (E) COLUMN TO REMAIN |





| REV | DATE     | DESCRIPTION              |
|-----|----------|--------------------------|
|     | 05/26/16 | SCHEMATIC DESIGN         |
|     | 03/06/17 | REVISED SCHEMATIC DESIGN |
|     | 10/30/17 | UPDATED SCHEMATIC DESIGN |
|     | 11/15/17 | UPDATED SCHEMATIC DESIGN |
|     | 01/12/18 | UPDATED SCHEMATIC DESIGN |
|     | 02/12/18 | UPDATED SCHEMATIC DESIGN |

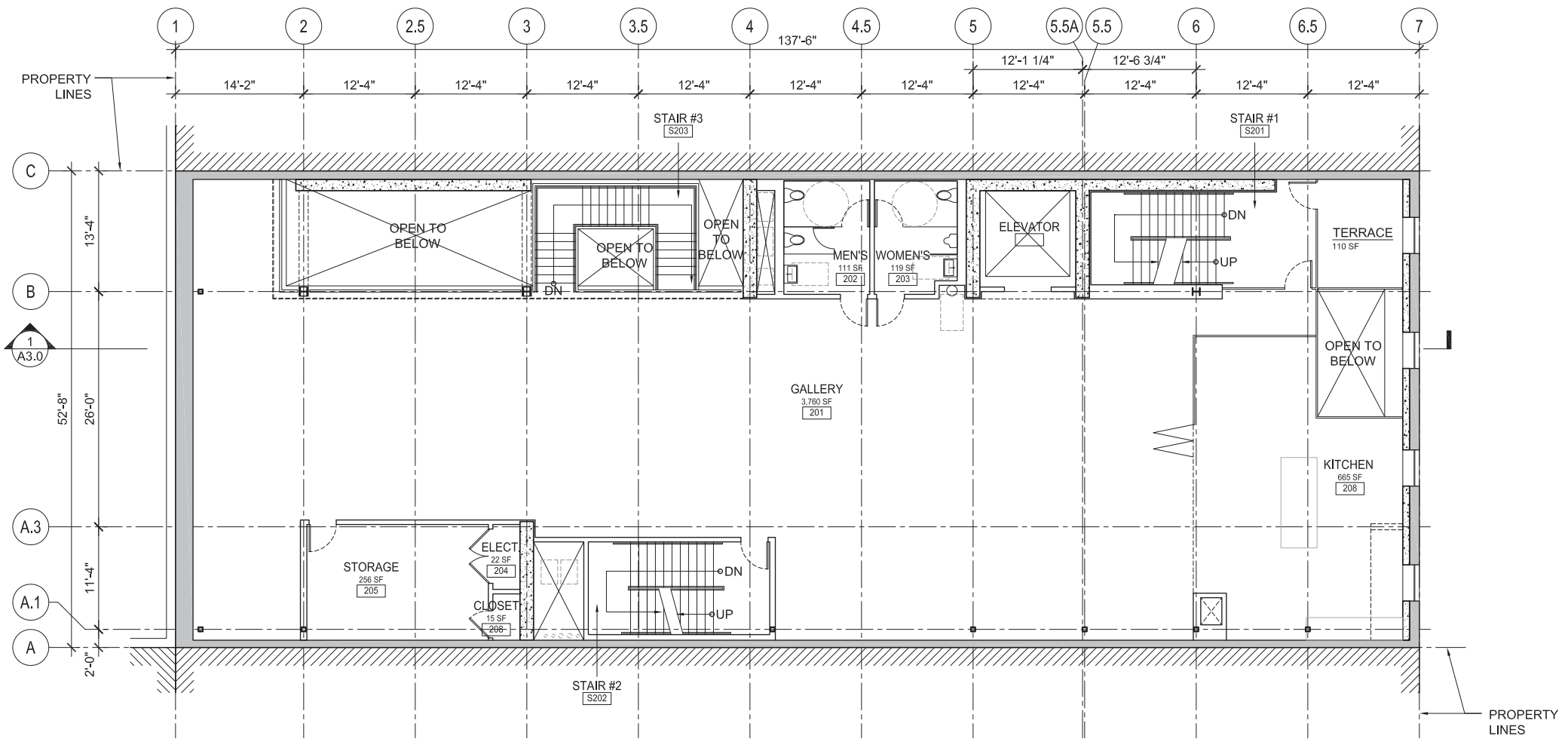


**PROPOSED GROUND FLOOR PLAN** 1  
1/8" = 1'-0"



**SHEET LEGEND**

|   |                      |
|---|----------------------|
|  | (E) WALL             |
|  | STUD WALL            |
|  | CONC WALL, S.S.D.    |
|  | (E) COLUMN TO REMAIN |



PROPOSED SECOND FLOOR PLAN 1  
1/8" = 1'-0"

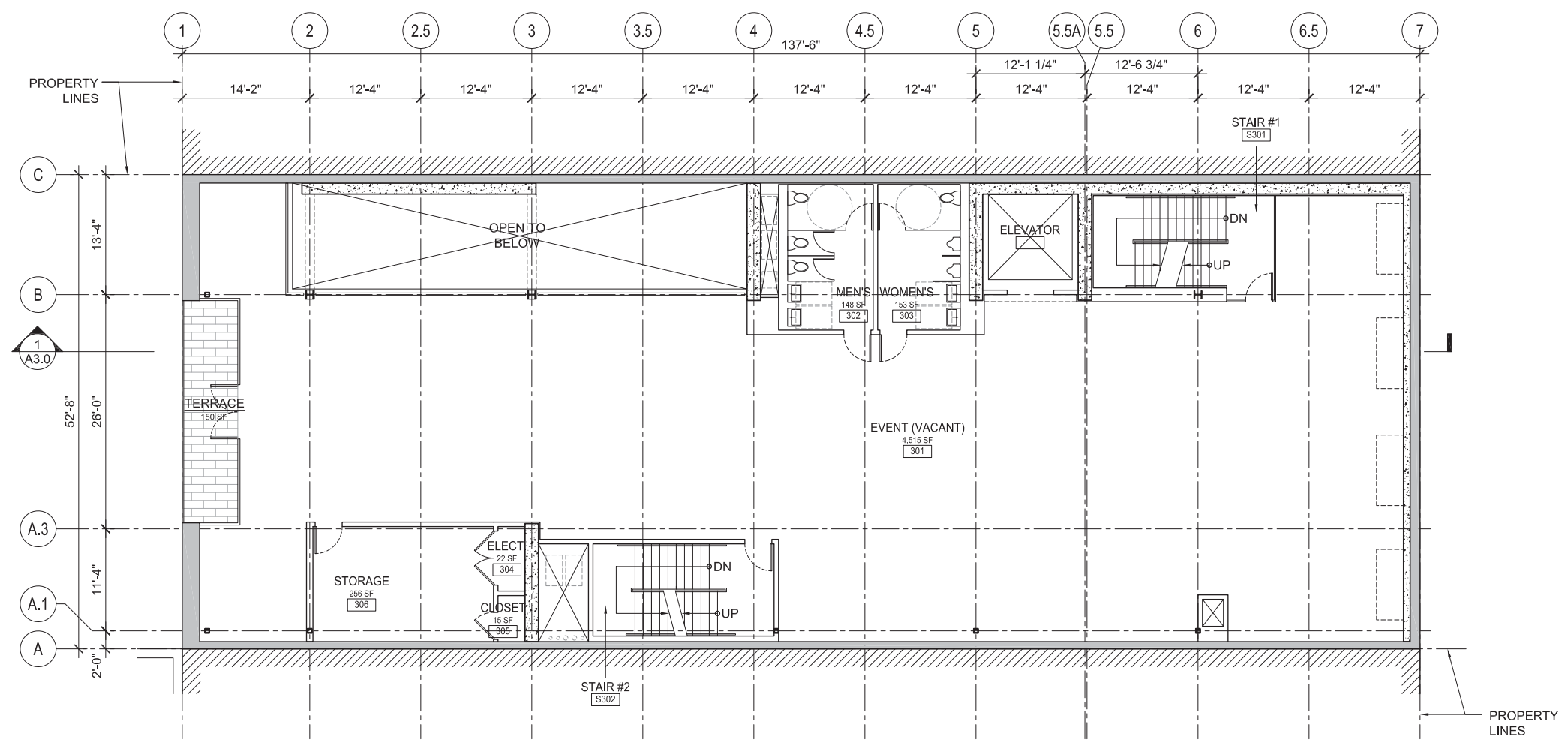


| REV | DATE     | DESCRIPTION              |
|-----|----------|--------------------------|
|     | 05/26/16 | SCHEMATIC DESIGN         |
|     | 03/06/17 | REVISED SCHEMATIC DESIGN |
|     | 10/30/17 | UPDATED SCHEMATIC DESIGN |
|     | 11/15/17 | UPDATED SCHEMATIC DESIGN |
|     | 01/12/18 | UPDATED SCHEMATIC DESIGN |
|     | 02/12/18 | UPDATED SCHEMATIC DESIGN |

**SHEET LEGEND**

|  |                      |
|--|----------------------|
|  | (E) WALL             |
|  | STUD WALL            |
|  | CONC WALL, S.S.D.    |
|  | (E) COLUMN TO REMAIN |

| REV | DATE     | DESCRIPTION              |
|-----|----------|--------------------------|
|     | 05/26/16 | SCHEMATIC DESIGN         |
|     | 03/06/17 | REVISED SCHEMATIC DESIGN |
|     | 10/30/17 | UPDATED SCHEMATIC DESIGN |
|     | 11/15/17 | UPDATED SCHEMATIC DESIGN |
|     | 01/12/18 | UPDATED SCHEMATIC DESIGN |
|     | 02/12/18 | UPDATED SCHEMATIC DESIGN |







**PROPOSED THIRD FLOOR PLAN** 1  
1/8" = 1'-0"

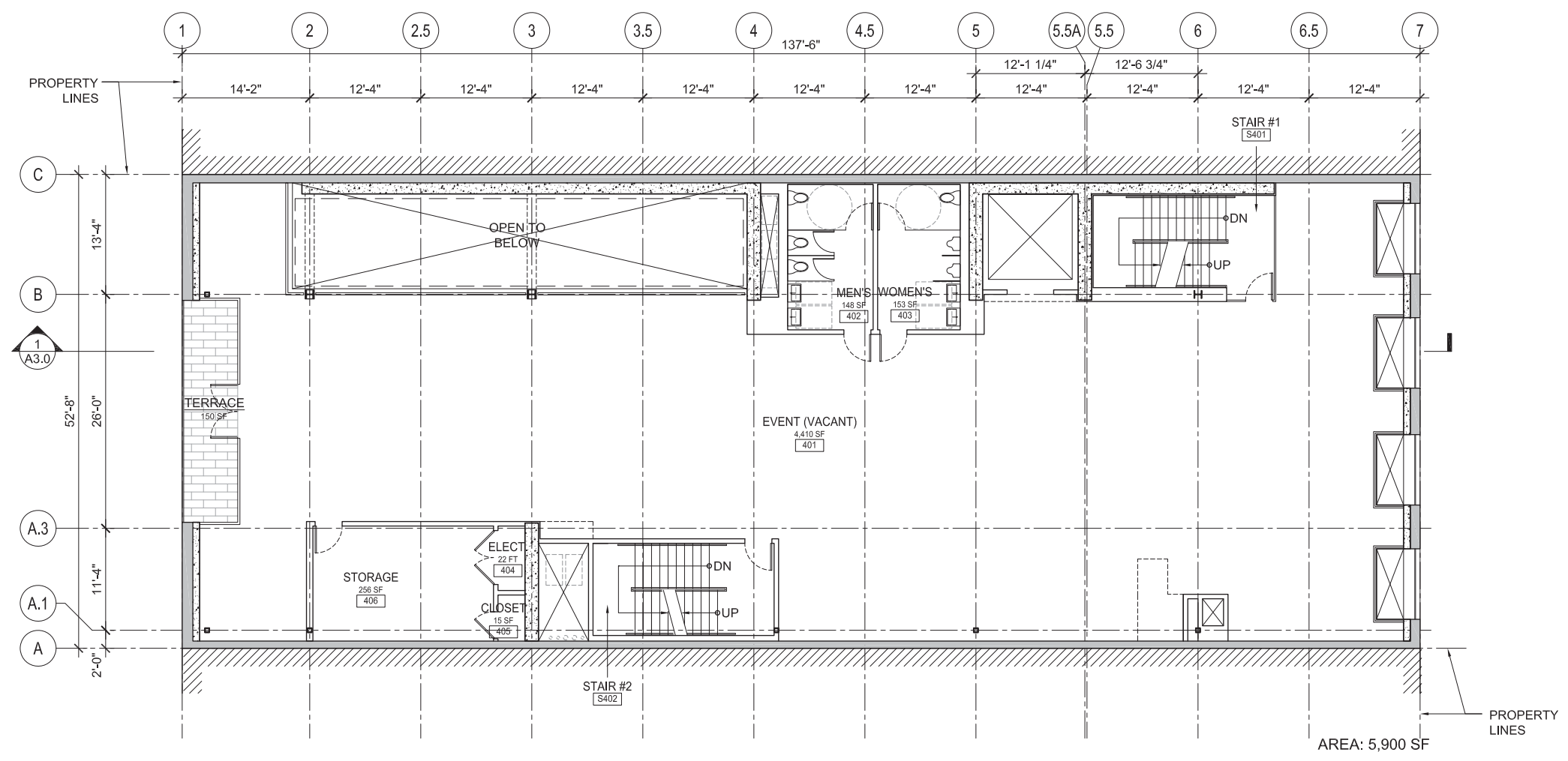




**SHEET LEGEND**

|   |                      |
|---|----------------------|
|  | (E) WALL             |
|  | STUD WALL            |
|  | CONC WALL, S.S.D.    |
|  | (E) COLUMN TO REMAIN |

| REV | DATE     | DESCRIPTION              |
|-----|----------|--------------------------|
|     | 05/26/16 | SCHEMATIC DESIGN         |
|     | 03/06/17 | REVISED SCHEMATIC DESIGN |
|     | 10/30/17 | UPDATED SCHEMATIC DESIGN |
|     | 11/15/17 | UPDATED SCHEMATIC DESIGN |
|     | 01/12/18 | UPDATED SCHEMATIC DESIGN |
|     | 02/12/18 | UPDATED SCHEMATIC DESIGN |



**PROPOSED FOURTH FLOOR PLAN** 1  
1/8" = 1'-0"



| REV | DATE     | DESCRIPTION              |
|-----|----------|--------------------------|
|     | 05/26/16 | SCHEMATIC DESIGN         |
|     | 03/06/17 | REVISED SCHEMATIC DESIGN |
|     | 10/30/17 | UPDATED SCHEMATIC DESIGN |
|     | 11/15/17 | UPDATED SCHEMATIC DESIGN |
|     | 01/12/18 | UPDATED SCHEMATIC DESIGN |
|     | 02/12/18 | UPDATED SCHEMATIC DESIGN |

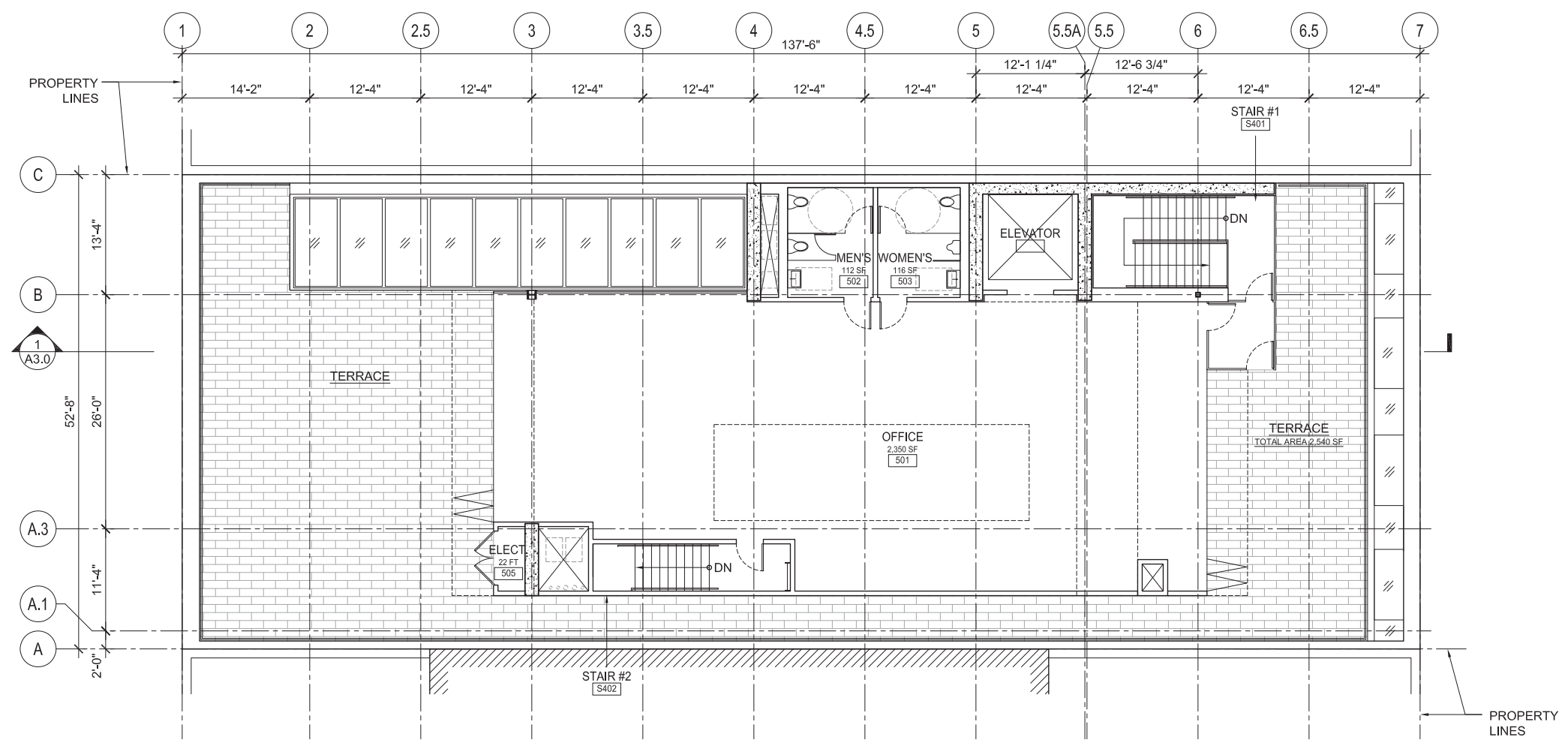
**MUSEO ITALO AMERICANO**  
940 Battery Street

**PROPOSED FIFTH FLOOR PLAN**  
1/8" = 1'-0"

**A2.5**

**SHEET LEGEND**





|  |                      |
|--|----------------------|
|  | (E) WALL             |
|  | STUD WALL            |
|  | CONC WALL, S.S.D.    |
|  | (E) COLUMN TO REMAIN |

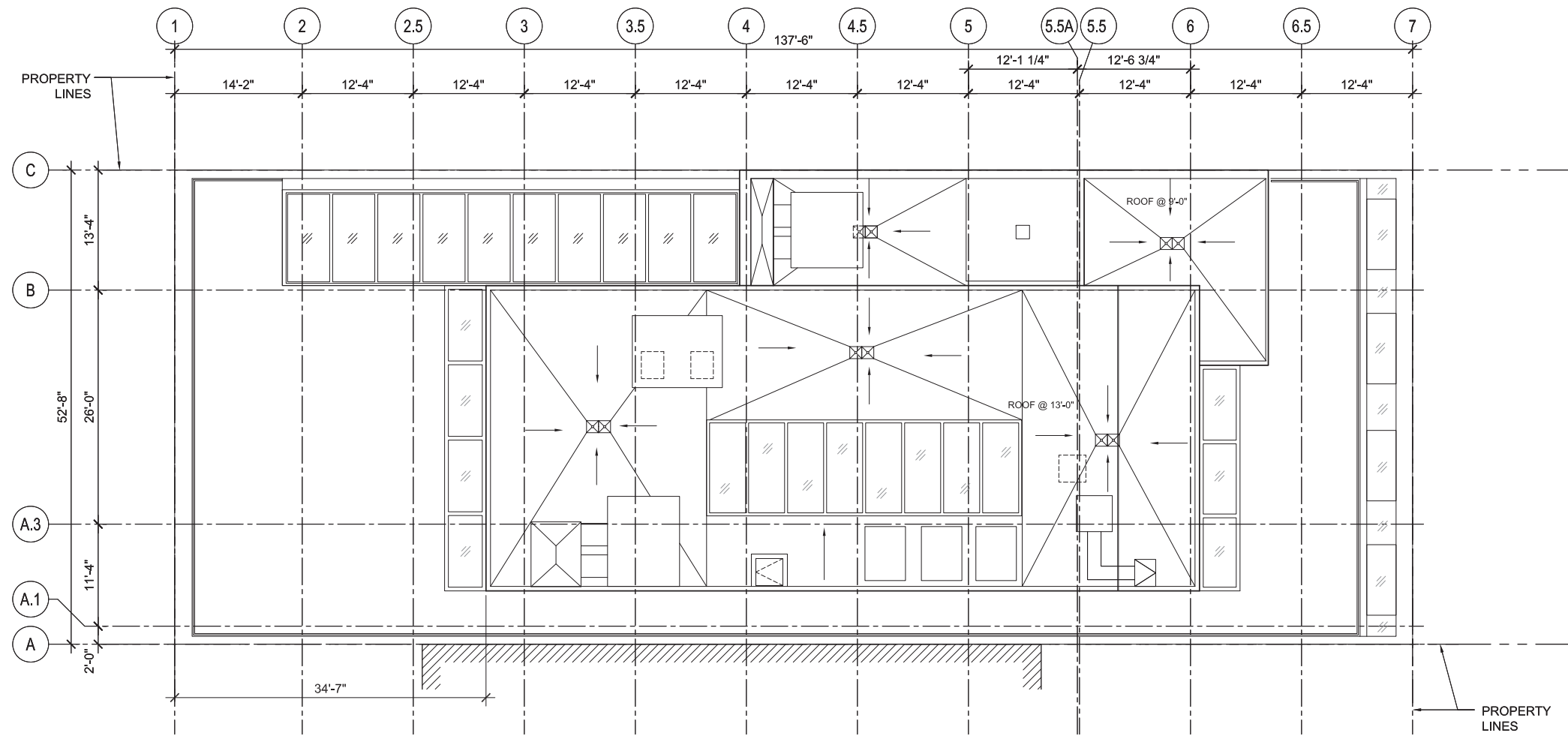


**PROPOSED FIFTH FLOOR PLAN** 1  
1/8" = 1'-0"



**SHEET LEGEND**

|   |                      |
|---|----------------------|
|  | (E) WALL             |
|  | STUD WALL            |
|  | CONC WALL, S.S.D.    |
|  | (E) COLUMN TO REMAIN |






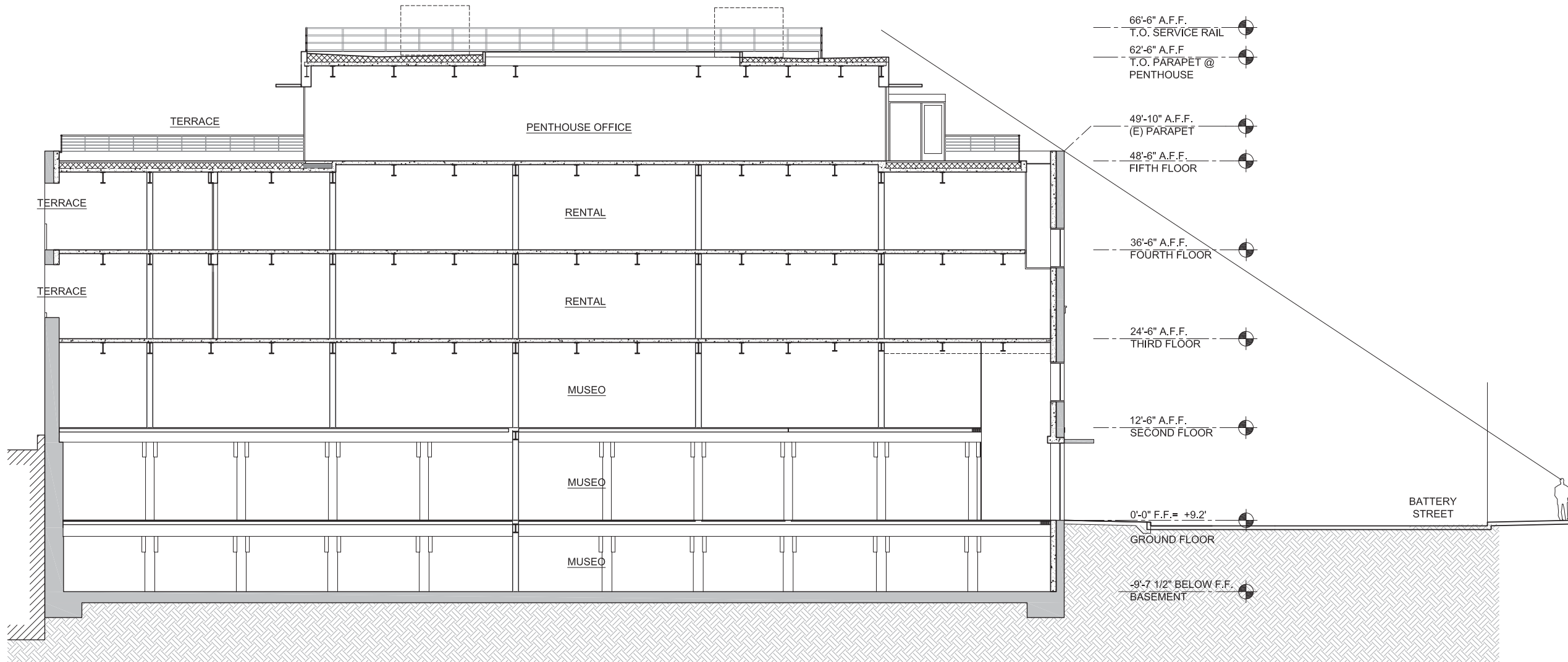
**PROPOSED ROOF PLAN** 1  
1/8" = 1'-0"



| REV | DATE     | DESCRIPTION              |
|-----|----------|--------------------------|
|     | 05/26/16 | SCHEMATIC DESIGN         |
|     | 03/06/17 | REVISED SCHEMATIC DESIGN |
|     | 10/30/17 | UPDATED SCHEMATIC DESIGN |
|     | 11/15/17 | UPDATED SCHEMATIC DESIGN |
|     | 01/12/18 | UPDATED SCHEMATIC DESIGN |
|     | 02/12/18 | UPDATED SCHEMATIC DESIGN |

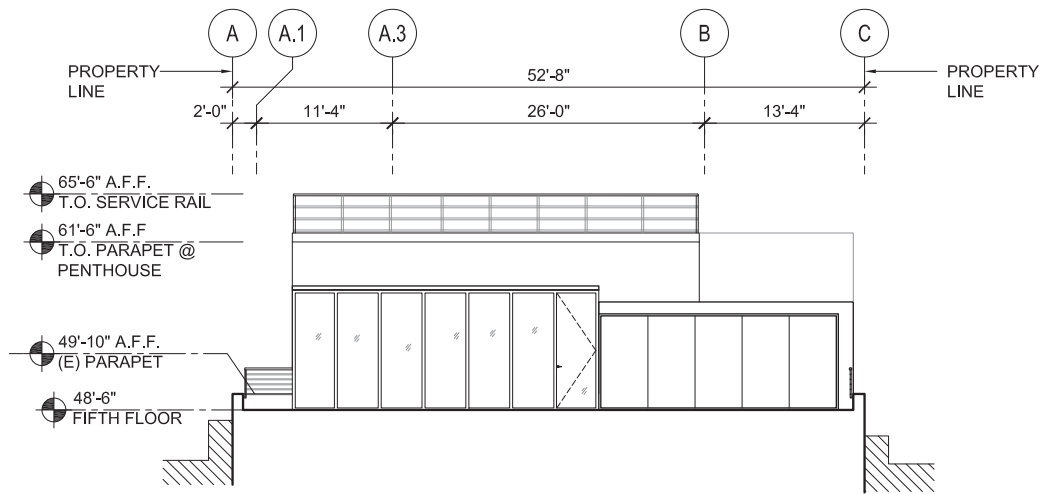
SHEET LEGEND

-  (E) WALL
-  STUD WALL
-  CONC WALL, S.S.D.

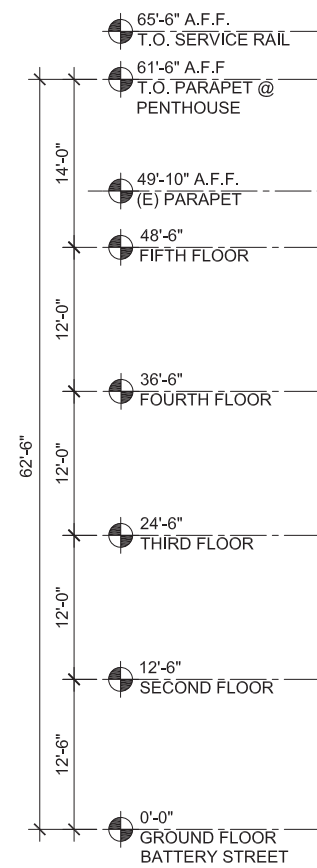
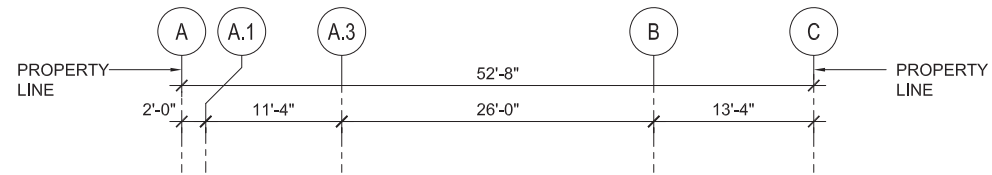


1 EAST WEST BUILDING SECTION  
1/8" = 1'-0"

| REV | DATE     | DESCRIPTION              |
|-----|----------|--------------------------|
|     | 05/26/16 | SCHEMATIC DESIGN         |
|     | 03/06/17 | REVISED SCHEMATIC DESIGN |
|     | 10/30/17 | UPDATED SCHEMATIC DESIGN |
|     | 11/15/17 | UPDATED SCHEMATIC DESIGN |
|     | 01/12/18 | UPDATED SCHEMATIC DESIGN |
|     | 02/12/18 | UPDATED SCHEMATIC DESIGN |

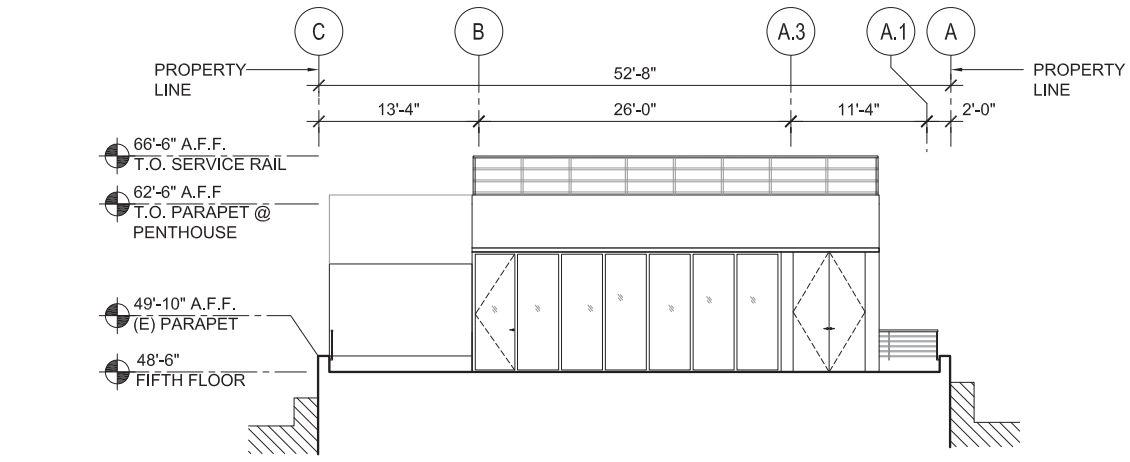


PROPOSED WEST PENTHOUSE ELEVATION 3  
1/8" = 1'-0"

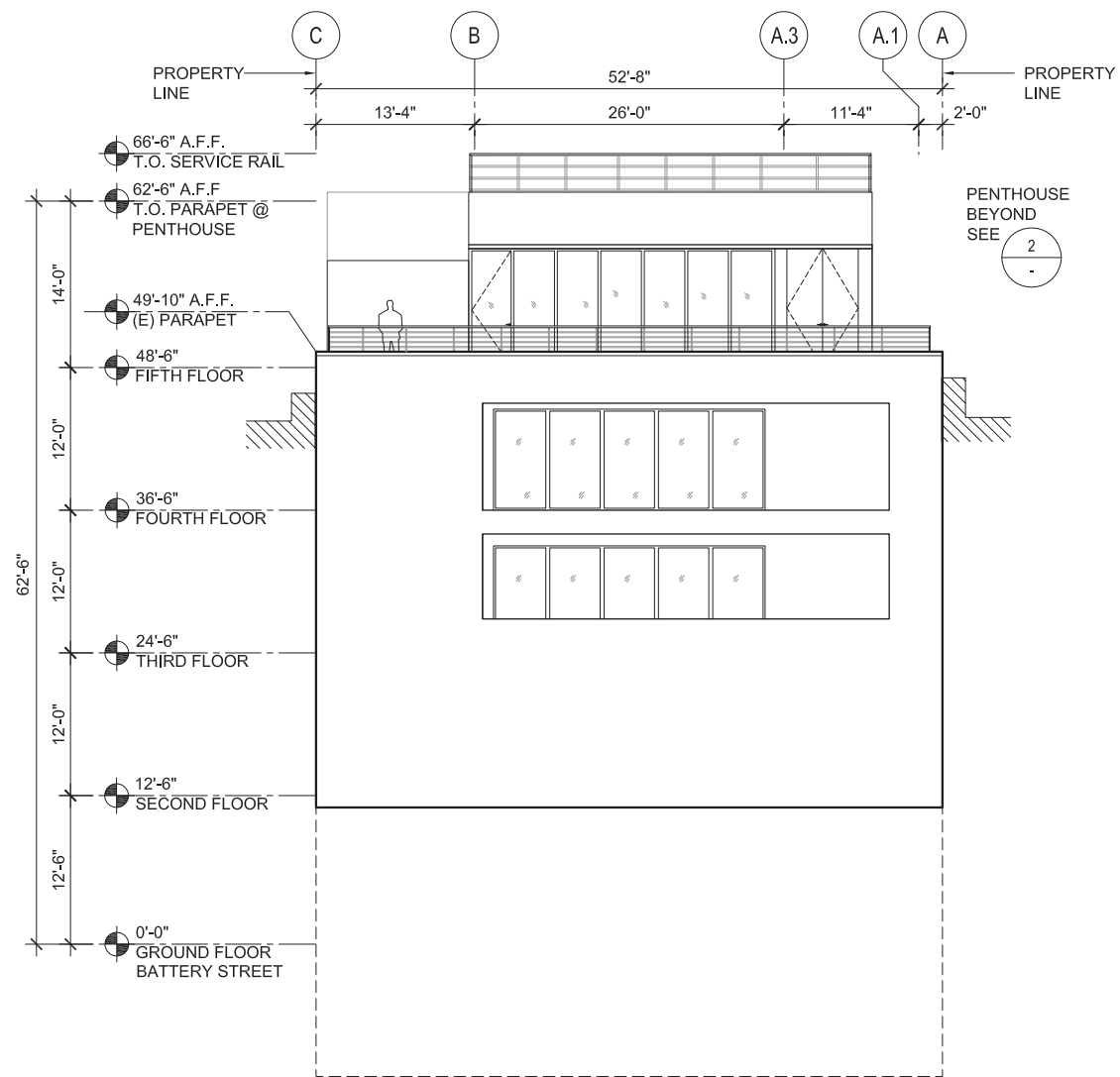


PROPOSED WEST ELEVATION 1  
1/8" = 1'-0"

| REV | DATE     | DESCRIPTION              |
|-----|----------|--------------------------|
|     | 05/26/16 | SCHEMATIC DESIGN         |
|     | 03/06/17 | REVISED SCHEMATIC DESIGN |
|     | 10/30/17 | UPDATED SCHEMATIC DESIGN |
|     | 11/15/17 | UPDATED SCHEMATIC DESIGN |
|     | 01/12/18 | UPDATED SCHEMATIC DESIGN |
|     | 02/12/18 | UPDATED SCHEMATIC DESIGN |



PROPOSED EAST PENTHOUSE ELEVATION ②  
1/8"=1'-0"



PROPOSED EAST ELEVATION ①  
1/8"=1'-0"

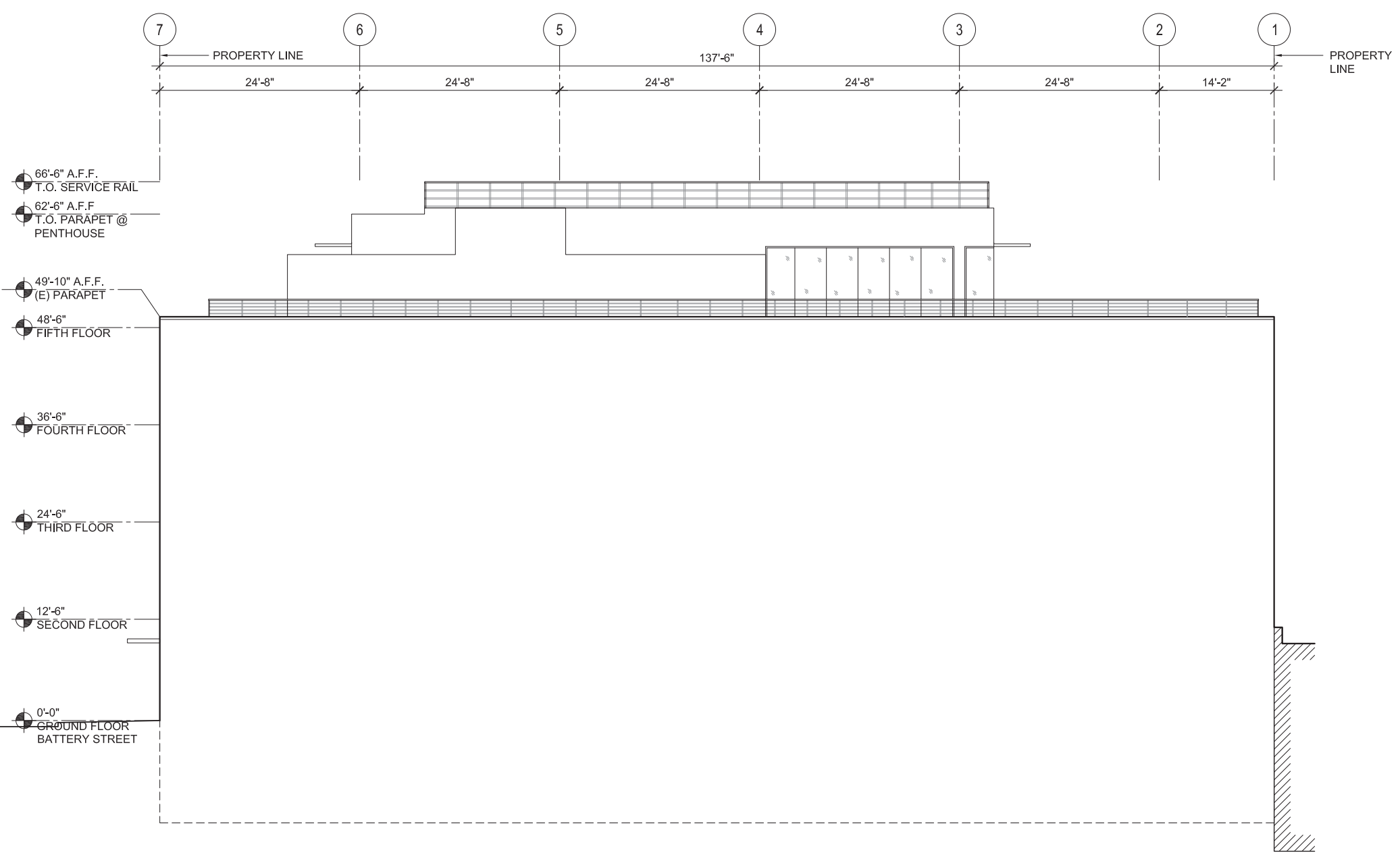
| REV | DATE     | DESCRIPTION              |
|-----|----------|--------------------------|
|     | 05/26/16 | SCHEMATIC DESIGN         |
|     | 03/08/17 | REVISED SCHEMATIC DESIGN |
|     | 10/30/17 | UPDATED SCHEMATIC DESIGN |
|     | 11/15/17 | UPDATED SCHEMATIC DESIGN |
|     | 01/12/18 | UPDATED SCHEMATIC DESIGN |
|     | 02/12/18 | UPDATED SCHEMATIC DESIGN |

| REV | DATE     | DESCRIPTION              |
|-----|----------|--------------------------|
|     | 05/26/16 | SCHEMATIC DESIGN         |
|     | 03/06/17 | REVISED SCHEMATIC DESIGN |
|     | 10/30/17 | UPDATED SCHEMATIC DESIGN |
|     | 11/15/17 | UPDATED SCHEMATIC DESIGN |
|     | 01/12/18 | UPDATED SCHEMATIC DESIGN |
|     | 02/12/18 | UPDATED SCHEMATIC DESIGN |

**MUSEO ITALO AMERICANO**  
940 Battery Street

**EXTERIOR ELEVATIONS**  
1/8" = 1'-0"

**A3.4**



PROPOSED SOUTH ELEVATION 1  
1/8" = 1'-0"