



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: September 11, 2014
TO: San Francisco Planning Commission
FROM: Kansai Uchida, Planning Department
RE: Appeal of Preliminary Mitigated Negative Declaration for
110 The Embarcadero/115 Steuart Street, Assessor's Block
3715, Lot 002, Planning Department Case No. 2011.1388E
HEARING DATE: September 18, 2014

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

An appeal has been received concerning a Preliminary Mitigated Negative Declaration for the following project:

Case No. 2011.1388E – 110 The Embarcadero/115 Steuart Street: The project site is a through lot on the west side of The Embarcadero and the east side of Steuart Street. It is located on the block bounded by The Embarcadero, Mission Street, Steuart Street, and Howard Street in the Financial District. The project site presently contains a vacant two-story-over-basement, 19,374-square-foot (sf), wood-frame commercial building constructed circa 1910. The proposed project consists of: 1) vertical addition of a third story, roof deck, and circulation penthouse to the existing building - a net increase of 4,445 square feet, raising the building's height from approximately 35 feet to 51 feet; 2) replacement of the Embarcadero façade; and 3) rehabilitation of the building for office and assembly use, to house functions for the Commonwealth Club of California.

This matter is calendared for public hearing on September 18, 2014. Enclosed are the appeal and comment letters, the staff responses, the Preliminary Mitigated Negative Declaration, and the draft motion.

If you have any questions related to this project's environmental evaluation, please contact me at (415) 575-9048 or kansai.uchida@sfgov.org.

Thank you.

THIS PAGE INTENTIONALLY LEFT BLANK



SAN FRANCISCO PLANNING DEPARTMENT

Appeal of Preliminary Mitigated Negative Declaration Executive Summary

HEARING DATE: September 18, 2014

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: September 11, 2014
Case No.: **2011.1388E**
Project Address: **110 The Embarcadero/115 Steuart Street**
Zoning: C-3-O (Downtown Office) Use District
84-X Height and Bulk District
Block/Lot: 3715/002
Project Sponsor: Piper Kujac, Owner's Representative and Building Project Manager, The Commonwealth Club of California, (415) 597-6733
Staff Contact: Kansai Uchida – (415) 575-9048
kansai.uchida@sfgov.org

PROPOSED COMMISSION ACTION:

Consider whether to uphold staff's decision to prepare a Mitigated Negative Declaration (MND) under the California Environmental Quality Act (CEQA), or whether to overturn that decision and require the preparation of an Environmental Impact Report due to specified potential significant environmental effects of the proposed project.

PROJECT DESCRIPTION:

The project site, at 110 The Embarcadero/115 Steuart Street, is a through lot on the west side of The Embarcadero and the east side of Steuart Street. The site is within the block bounded by The Embarcadero, Mission Street, Steuart Street, and Howard Street in the Financial District. The project site presently contains a two-story-over-basement, 19,374-square-foot (sf), wood-frame commercial building constructed circa 1910. The building is currently vacant.

The proposed project would involve interior improvements, rehabilitation, and the vertical addition of a third story (5,085 sf), circulation penthouse, and roof deck to the existing building for use as offices and assembly functions for the Commonwealth Club of California, which would move from its current 595 Market Street location. As a result of the proposed project, the building would have 23,819 sf of floor space, of which 11,964 sf would be for assembly/circulation use, 6,770 sf would be for storage, and 5,085 sf would be for office use. The net addition to the building would total 4,445 sf. The total height of the building from street level to the top of the finish roof would be 51'-1" (62'-10" including rooftop features normally exempt from height calculations). The overall shell of the existing building would be retained and it would remain a through lot with exposed facades on The Embarcadero and Steuart Street. The cladding materials of the Embarcadero façade would be removed. The project would preserve the Steuart Street façade, which is associated with the significant historic events of 1934. The new third story would be set back between 6'-8" (at the south side of the building) and 11'-6" (at the north side of the building) from the Steuart Street frontage as part of the façade preservation. The proposed project would also include a plaque on the exterior of the Steuart Street façade dedicated to the labor history that

occurred along Steuart Street in 1934. In the building, the Commonwealth Club would specifically curate historic archival materials related to labor events in 1934, including the building's association with the 1934 Longshoreman's Strike.

ISSUES:

The Planning Department published a Preliminary Mitigated Negative Declaration (PMND) on June 25, 2014, and received an appeal letter from David Osgood of Rincon Point Neighbors Association on July 15, 2014, appealing the determination to issue a MND. The Planning Department also received phone comments and a comment letter from Bradley Wiedmaier on July 15, 2014, and a comment letter from Mike Buhler of SF Heritage on July 17, 2014. In response to clarifications requested by Planning Department staff, Mr. Osgood indicated by e-mail on July 16, 2014 that the letter submitted by Mr. Wiedmaier is part of his appeal.

The appeal letter states that the PMND fails to adequately address the following issues:

1. Land use impacts affecting the character of the surrounding neighborhood
2. Historic resource impacts
3. Biological resource impacts affecting birds and street trees
4. Energy resource impacts

The additional comment letters received state that the PMND fails to adequately address the following issue:

1. Historic resource impacts

No other comments (nor appeals of the PMND) were received, other than requests to view public records. All of the issues raised in the appeal letter and other comments have been addressed in the attached materials, which include:

1. A draft Motion upholding the decision to issue a MND;
2. Exhibit A: Planning Department Response to the Appeal Letter;
3. Exhibit B: Appeal Letter from David Osgood of Rincon Point Neighbors Association;
4. Exhibit C: Comment Letter from Bradley Wiedmaier;
5. Exhibit D: Phone Comments from Bradley Wiedmaier;
6. Exhibit E: Comment Letter from Mike Buhler of SF Heritage; and
7. PMND and Initial Study.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt the motion to uphold the PMND. No substantial evidence supporting a fair argument that a significant environmental effect may occur as a result of the

project has been presented that would warrant preparation of an Environmental Impact Report. By upholding the PMND (as recommended), the Planning Commission would not prejudge or restrict its ability to consider whether the proposed project's uses or design is appropriate for the neighborhood.

THIS PAGE INTENTIONALLY LEFT BLANK



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Motion [XXXX]

HEARING DATE: September 18, 2014

Hearing Date: September 18, 2014
Case No.: **2011.1388E**
Project Address: **110 The Embarcadero/115 Steuart Street**
Zoning: C-3-O (Downtown Office) Use District
84-X Height and Bulk District
Block/Lot: 3715/002
Project Sponsor: Piper Kujac, Owner's Representative and Building Project Manager, The Commonwealth Club of California
595 Market Street, 2nd Floor
San Francisco, CA 94105
Staff Contact: Kansai Uchida – (415) 575-9048
kansai.uchida@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

ADOPTING FINDINGS RELATED TO THE APPEAL OF THE PRELIMINARY MITIGATED NEGATIVE DECLARATION, FILE NUMBER 2011.1388E FOR THE PROPOSED DEVELOPMENT ("PROJECT") AT 110 THE EMBARCADERO/115 STEUART STREET.

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby AFFIRMS the decision to issue a Mitigated Negative Declaration, based on the following findings:

1. On August 1, 2013, pursuant to the provisions of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, the Planning Department ("Department") received an Environmental Evaluation Application form for the Project, in order that it might conduct an initial evaluation to determine whether the Project might have a significant impact on the environment.
2. On June 25, 2014, the Department determined that the Project, as proposed, could not have a significant effect on the environment.
3. On June 25, 2014, a notice of determination that a Mitigated Negative Declaration would be issued for the Project was duly published in a newspaper of general circulation in the City, and the Mitigated Negative Declaration posted in the Department offices, and distributed all in accordance with law.
4. On July 15, 2014, an appeal of the decision to issue a Mitigated Negative Declaration was timely filed by David Osgood of Rincon Point Neighbors Association.
5. On July 15, 2014, phone comments and a comment letter concerning the decision to issue a Mitigated Negative Declaration were submitted by Bradley Wiedmaier. In response to clarifications requested

by Planning Department staff, Mr. Osgood indicated by e-mail on July 16, 2014 that the letter submitted by Mr. Wiedmaier is part of his appeal.

6. On July 17, 2014, a comment letter concerning the decision to issue a Mitigated Negative Declaration was submitted by Mike Buhler of SF Heritage.
7. A staff memorandum, dated September 11, 2014, addresses and responds to all points raised by the appellant in the appeal letter and by the commenters in the submitted comments. That memorandum is attached as Exhibit A and staff's findings as to those points are incorporated by reference herein as the Commission's own findings. Copies of that memorandum have been delivered to the City Planning Commission, and a copy of that memorandum is on file and available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400.
8. On September 18, 2014, the Commission held a duly noticed and advertised public hearing on the appeal of the Preliminary Mitigated Negative Declaration, at which testimony on the merits of the appeal, both in favor of and in opposition to, was received.
9. All points raised in the appeal of the Preliminary Mitigated Negative Declaration at the September 18, 2014 City Planning Commission hearing have been responded to either in the Memorandum or orally at the public hearing.
10. After consideration of the points raised by appellant, both in writing and at the September 18, 2014 hearing, the San Francisco Planning Department reaffirms its conclusion that the proposed project could not have a significant effect upon the environment.
11. In reviewing the Preliminary Mitigated Negative Declaration issued for the Project, the Planning Commission has had available for its review and consideration all information pertaining to the Project in the Planning Department's case file.
12. The Planning Commission finds that Planning Department's determination on the Mitigated Negative Declaration reflects the Department's independent judgment and analysis.

The City Planning Commission **HEREBY DOES FIND** that the proposed Project, could not have a significant effect on the environment, as shown in the analysis of the Mitigated Negative Declaration, and **HEREBY DOES AFFIRM** the decision to issue a Mitigated Negative Declaration, as prepared by the San Francisco Planning Department.

I hereby certify that the foregoing Motion was **ADOPTED** by the City Planning Commission on September 18, 2014.

Jonas Ionin
Commission Secretary

Motion No. XXXXXX
Hearing Date: September 18, 2014

Case No. 2011.1388E
110 The Embarcadero/115 Steuart Street

AYES:

NOES:

ABSENT:

ADOPTED: September 18, 2014

THIS PAGE INTENTIONALLY LEFT BLANK

Exhibit A to Draft Motion Planning Department Response to Appeal of Preliminary Mitigated Negative Declaration

CASE NO. 2011.1388E – 110 THE EMBARCADERO/115 STEUART STREET
PUBLISHED ON JUNE 25, 2014

BACKGROUND

An Environmental Evaluation Application (2011.1388E) for the proposed project at 110 The Embarcadero/115 Steuart Street (Assessor's Block 3715, Lot 002) was filed by Piper Kujac of the Commonwealth Club of California on August 1, 2013. The project sponsor proposes to 1) add a third story, roof deck, and circulation penthouse to the existing two-story, 19,374 square-foot vacant building – a net increase of 4,445 square feet, raising the building's height from 35 feet to 51 feet; 2) replace the Embarcadero façade; and 3) rehabilitate the building for office and assembly use, to house functions for the Commonwealth Club of California. The project site is located on a through-lot fronting the west side of The Embarcadero and the east side of Steuart Street between Mission and Howard Streets. The project site is within the C-3-O (Downtown – Office) Use District and 84-X Height and Bulk District.

A Preliminary Mitigated Negative Declaration (PMND) was published on June 25, 2014. The Notice of Availability stated that the review period for public comment or appeal would be 20 days, ending on July 15, 2014 ("i.e., by 5:00 p.m. on Tuesday, July 15, 2014"). On July 15, 2014, prior to 5:00 p.m., David Osgood of Rincon Point Neighbors Association filed a letter appealing the PMND. Additional comments were received from:

- Bradley Wiedmaier by hand delivery on July 15, 2014. In response to clarifications requested by Planning Department staff, the appellant indicated by e-mail on July 16, 2014 that the letter submitted to the Planning Department by Bradley Wiedmaier on July 15, 2014, prior to 5:00 p.m., is part of his appeal. Mr. Wiedmaier's letter also includes as an attachment a letter previously submitted in 2009 titled "An Affront to San Francisco, an Assault upon Organized Labor and Working People Everywhere," which expands upon the concerns listed below.
- Bradley Wiedmaier by phone on July 15, 2014.
- Mike Buhler of San Francisco Heritage by e-mail on July 17, 2014.

The concerns, listed below by environmental topic, are summarized from the appeal letter and comments received, copies of which are included within this appeal packet.

LAND USE

LAND USE CONCERN 1: The appellant asserts that a Board of Supervisors motion regarding a previously proposed project on the same parcel, dated March 31, 2009, identifies some of the same issues pertaining to neighborhood character raised in his letter as significant. (David Osgood)

The appellant's letter presents the following quotation from the 2009 Board of Supervisors motion: "Planning Department staff found the project inconsistent with Planning Code Section 101.1(b)(2), which calls for conserving and protecting ... neighborhood character."

RESPONSE TO LAND USE CONCERN 1: Board of Supervisors Motion No. 09-62 cited Planning Code Section 101.1(b)(2) with respect to the height of a previously-proposed project on the subject parcel, a ten-story building that would have measured 123 feet in height. The 2009 motion indicated that the then-proposed 123-foot building, in an 84-X height and bulk district where the step-down to the water is to be preserved, could compromise the character of the area and overwhelm adjacent structures. The cited characteristics of the previously-proposed project that resulted in inconsistency with Planning Code Section 101.1(b)(2) do not pertain to the currently-proposed project. As discussed on pages 19 and 21 of the PMND, the currently-proposed project would result in a total building height of three stories (approximately 51 feet). The PMND states that building heights on the subject block range from three to eight stories, and that the proposed project would not exceed the scale of the surrounding buildings. The 2009 findings addressed the previously-proposed project and are not relevant to the environmental review of the project in question.

HISTORIC RESOURCES

HISTORIC RESOURCES CONCERN 1: The appellant asserts that the proposed project would cause a substantial adverse change to a historic resource, citing the building's association with labor history and the proposed changes to the Embarcadero façade. (David Osgood)

"The Commonwealth Club wants to honor the labor history of the building by restoring the west façade on Steuart Street. Meanwhile they would be removing the matching and historic east façade and replacing it with an ugly glass curtain wall at a very prominent location on the Embarcadero. The building is not historic on only one side."

One commenter presents a similar concern, asserting that the existing building on the project site is one of the most important historic sites in San Francisco, and that the PMND disregards the historic record and the 2009 motion of the Board of Supervisors pertaining to the subject property. The commenter further asserts that the planning process, including environmental review, for the proposed project has not been conducted in a matter that is appropriate, particularly given the historic significance of the existing building. (Bradley Wiedmaier)

"113 Steuart Street (115 Steuart Street) is one of the most important historic sites in San Francisco and our District 6. The Commonwealth Club is proposing a reconstruction of the landmark. Five years ago the SF Board of Supervisor [*sic*] ruled on the significance of this landmark. That ruling serves as the lead document for this project. The Mitigated Negative Declaration proposed for the current project ignores [*sic*] the ruling of the Board, the historic record and has treated 113 Steuart Street as less than a landmark. I ask that an appeal of the PMND which is based on one news article from a 1980s entertainment page of the SF EXAMINER, to counter the entire 1930s-contemporary historic record. This Preliminary Mitigated Negative Declaration due today is a mockery of the historic

Appeal of PMND – Exhibit A to Draft Motion
September 18, 2014

process and a slight to the SF Board of Supervisor's ruling of March 31 2009 (File No. 090340, Motion No. M09-62)

The labor community is once again amazed that the SF Planning Department is insisting against the documented historical record that "Subsequent owners and occupants (of 113/115 Steuart) include a variety of commercial tenants serving the waterfront uses and none appear to have made a significant contribution to local, state or national history." pg. 25 2nd paragraph [*sic*], Case no. 2011.1388E, PMND) This is simply not so. The July 1934 SF Phonebook lists the strike committee phone at 113/115 Steuart (the committee which Harry Bridges, HEADED)."

"The entire planning process has handle [*sic*] the proposed project in a manner which is not appropriate to the category of landmark criterion that should have been pursued [*sic*]. This PMND must be appealed to correct the error. I urge an appeal of the PMND today, to set the process right, so that planning can be trusted in San Francisco. And so that one of our most Historic treasures is not treated as less that [*sic*] the landmark that it is and was found so by the SF Board of Supervisors in 2009. These issues are central in how we evaluate the changes proposed."

RESPONSE TO HISTORIC RESOURCES CONCERN 1: As discussed on pages 24 through 28 of the PMND, the environmental review process for the proposed project included thorough and adequate review of potential impacts to historic resources, including the subject property. The Department agrees with the appellant that the subject property is a historic resource. Page 25 of the PMND indicates that the property is significant for its association with the 1934 Longshoreman's Strike and related events, including the Bloody Thursday shootings that occurred outside the subject building and the subsequent public funeral procession that started from the Steuart Street side of the subject building. The historic context of the building as the headquarters for the San Francisco Chapter of the International Longshoreman's Association (I.L.A.) is well established on pages 25 and 26 of the PMND, as well as in the Historic Resource Evaluation (HRE) and Historic Resource Evaluation Response (HRER) prepared for the project. As such, the building is eligible for listing in the California Register under Criterion 1 (association with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States), as noted on page 25 of the PMND. The property has not been listed as a San Francisco Landmark under Article 10 of the Planning Code nor has it been listed in the National Register of Historic Places or other official national, state or local inventory of historic properties. For the purposes of the environmental review for the proposed project, the subject property is considered a historic resource under the California Environmental Quality Act (CEQA).

With regard to the east façade, the subject property is on a through lot and contains two street facing facades. While the east façade along the Embarcadero is original, relatively still intact, and contributes to the building's history, the significance of the property is most closely associated with the Steuart Street façade as indicated on page 28 of the PMND.

As stated on pages 27 and 28 of the PMND, the proposed changes to the Embarcadero façade do not conform to the *Secretary of the Interior's Standards for Rehabilitation*. However, the proposed project would not cause a significant impact on a historic resource because the changes will not alter the

character-defining features of the building, which convey its historic importance. The project preserves the Stuart Street façade of the subject building, which is most closely associated with the historic events for which the building is identified. The PMND also concludes that after completion of the proposed project, the building will continue to convey its significance under Criterion 1 for its association with the 1934 Longshoreman's Strike and related activities that occurred on the Stuart Street side of the building. As a result, the PMND correctly concludes that the proposed project would not cause a "substantial adverse change" to the historic resource, which CEQA defines as a change that may have a significant effect on the environment.

HISTORIC RESOURCES CONCERN 2: The appellant asserts that the proposed project would have a significant impact on the existing character of the project's vicinity, citing concerns regarding the proposed design. (David Osgood)

"This historic Classical Revival building has handsome columns flanking five large windows. It is the same design on both sides of the building. Though poorly painted at this time, the historic design needs to be maintained to stay in sync with the rest of the block."

"This is a wonderful and rare block of mostly post-earthquake buildings that should become a historic district. It is even more important because it faces the open waterfront. One building on the block survived the earthquake and fire and still exists at the north end (the Audiffred Building). Many of the others are nearly 100 years old and need to be maintained, such as the YMCA. (The block can be compared to the buildings of Amsterdam that face the canals [...]. That city requires them to be either preserved or designed to maintain the historic look.) The rest of the buildings were designed with a dignified, classic look including the streamline modern office building at the south end of the block. None have the uninteresting glass curtain wall appearance that the club is proposing."

RESPONSE TO HISTORIC RESOURCES CONCERN 2: The Department disagrees with the appellant's statement that the subject property is within a potential or eligible historic district. The subject block has not been identified as part of a historic district. As discussed on pages 25 and 26 of the PMND, the project site is not located within the boundaries of any existing historic or conservation district. The PMND finds that the neighborhood lacks uniform historic character due to numerous alterations and new construction in the area. Additionally, the HRE technical study prepared by Page & Turnbull (dated November 26, 2013 and referenced in the PMND) provided a thorough analysis of the surrounding historic resources in proximity to the subject property. The map on page 12 of the HRE (attached as Figure 1 below) identifies the other buildings on the subject block and their associated construction dates. Although three of the nine buildings on this block date to the post-earthquake period (approximately 1906 to 1915), the buildings have experienced major alterations since their initial construction and do not appear to retain historic integrity. In order to qualify as an eligible historic district, the subject block would need to contain a significant concentration of properties associated with a significance theme. Three out of nine properties does not equate to a significant concentration, thus no historic district consisting of Post-earthquake construction appears to exist in the area, as stated on page 26 of the PMND.

The subject property is located across The Embarcadero from the Port of San Francisco Historic District, which is listed on the National Register of Historic Places. The proposed project is consistent with the overall scale and massing of buildings within the district. There are many contemporary buildings along the Embarcadero, and the proposed contemporary Embarcadero façade would be compatible with the neighborhood context.

HISTORIC RESOURCES CONCERN 3: The appellant asserts that a Board of Supervisors motion regarding a previously proposed project on the same parcel, dated March 31, 2009, identifies some of the same issues raised in his letter as significant. (*David Osgood*)

The appellant's letter presents the following quotations from the 2009 Board of Supervisors motion:

- "There is substantial evidence that the existing building at 110 The Embarcadero, which also fronts 113-115 Steuart Street, is an historical resource."
- "...there is substantial evidence in the record that the building retains integrity..."
- "...the building remains in its original location, the historic Audiffred Building remains next door and five of the buildings in the vicinity visible from a 1934 photograph still stand, resulting in a blockface the [sic] retains integrity. The massing and scale of the building, the shaped parapet with coping and the stucco cladding of the building remain the same as they were in 1934. Bradley Wiedmaier states that the second floor window opening dimension, the number of openings, the depth of the glazing from the wall surface and framing remain the same."
- "...alterations (already made) to the façade details mentioned by Page and Turnbull are largely reversible."
- "Given the substantial evidence in the record to support a determination that the building is an historical resource because it retains integrity associated with important historic events, there is a fair argument that the project, which proposed the demolition of the resource, may result in a substantial adverse change in the significance of an historical resource requiring the preparation of an EIR."

"There is no reason demolition of the east façade of the building which faces the heavily traveled (pedestrian, bike, auto, streetcar) Embarcadero should be allowed now."

RESPONSE TO HISTORIC RESOURCES CONCERN 3: The assertion that the existing building on the project site is a historic resource is addressed as part of Historic Resources Concern 1. Please see "Response to Historic Resources Concern 1" above.

The 2009 Board of Supervisors Motion No. 09-62 was written for a previously-proposed project that included complete removal of the existing building on the project site, and construction of a new ten-story building. As described on page 2 of the PMND, the currently-proposed project includes restoration of the Steuart Street facade, construction of a one-story vertical addition, and removal and replacement of the Embarcadero facade. Therefore, the comments regarding demolition are not applicable to the currently-proposed project.

Appeal of PMND – Exhibit A to Draft Motion
September 18, 2014

As described previously in “Response to Historic Resources Concern 2” above, although three of the buildings on the subject block were originally constructed during the Post-1906 Earthquake Reconstruction period (approximately 1906 to 1915), these buildings have undergone substantial alterations and the block exhibits several contemporary infill projects such that no historic district appears to exist. There is no substantial evidence in the record to indicate that a historic district of buildings associated with the 1934 Longshoreman's Strike exists under Criterion 1. As noted on pages 25 and 26 of the PMND and discussed in further detail in the HRE, although five of the nine buildings on the subject block were constructed prior to the event in 1934, many of the buildings have been substantially altered such that they lack historic integrity. In addition, besides the Audiffred Buildings, which is already listed as a San Francisco Landmark under Article 10 of the Planning Code, no other buildings have been identified for potential associated with the 1934 Longshoreman's Strike that would justify a grouping of buildings for eligibility as a historic district. No significant concentration of buildings associated with the 1934 event exist on the subject block.

The appellant's opposition to the proposed project's alteration of the subject building's east façade is noted. For the reasons stated in this response document and in the PMND itself, the PMND has correctly and adequately documented the potential environmental impacts of the proposed alteration under CEQA.

HISTORIC RESOURCES CONCERN 4: One commenter asserts that the historic analysis performed for the environmental document downplays the historic value of the building and its association with Harry Bridges. The commenter also asserts that documents cited in the Historic Resource Evaluation, such as a 1980 newspaper article, do not effectively convey the building's historic value or the events that occurred there. (Bradley Wiedmaier)

RESPONSE TO HISTORIC RESOURCES CONCERN 4: The commenter's concerns regarding recognition of the existing building as a historic resource are addressed as part of Historic Resources Concern 1. Please see “Response to Historic Resources Concern 1” above. Pages 24 through 28 of the PMND provide thorough context and analysis of the association of the subject property with the 1934 Longshoreman's Strike and related events. Harry Bridges' association with the building, which was determined to be an eligible historic resource under Criterion 1, was covered in the analysis performed for the HRE and PMND.

HISTORIC RESOURCES CONCERN 5: One commenter asserts that the mitigation measures for the proposed project should be augmented to reduce adverse impacts on cultural resources to a less-than-significant level by including more faithful restoration and reconstruction of the Steuart Street façade and increasing the length of the third story setback. (Mike Buhler)

“Given the size of the addition and the proposed removal of historic fabric, Heritage believes that the existing mitigation program should be augmented to reduce adverse impacts on cultural resources to a less-than-significant level.”

Appeal of PMND – Exhibit A to Draft Motion
September 18, 2014

“As the primary entrance to The Commonwealth Club, we understand that the applicant considers the glass curtain wall facing the Embarcadero to be an essential element of the design; we therefore focus our comments on opportunities to fully restore and reconstruct the Steuart Street façade to its original appearance during the period of significance and respectfully commemorate the events of 1934. Appropriately, the currently-prescribed mitigation measures would retain the Steuart Street façade, set back the third-story addition on Steuart Street, and install a plaque and interpretive display curated by The Commonwealth Club. Given the extent of changes to the Embarcadero side, Heritage recommends that the mitigation program be augmented to more faithfully restore and reconstruct the Steuart Street elevation in conformity with the *Secretary of the Interior’s Standards for Treatment of Historic Properties*, including an increase in the third-story setback.”

“In addition, we believe that the third-story setback should be increased to at least 11’-6” across the entire length of the Steuart Street elevation to more clearly differentiate the historic façade from the third-story addition.”

RESPONSE TO HISTORIC RESOURCES CONCERN 5: Despite Mr. Buhler’s statement about reducing adverse impacts, the PMND did not identify substantial adverse impacts to historic resources for the proposed project. See “Response to Historic Resources Concern 1” above for further details.

However, there are features that the project sponsor has incorporated into the project scope to ensure that the significance of the subject property is properly documented and interpreted as part of the proposed project. As discussed in “Response to Historic Resources Concern 1” above, the features were deemed sufficient such that the proposed project would not result in any significant adverse impacts to the historic resource. Therefore, no mitigation measures are required. These features, described on page 2 of the PMND, include:

- The new third story would be set back between 6’-8” (at the south side of the building) and 11’-6” (at the north side of the building) from the Steuart Street frontage as part of the façade preservation.
- The proposed project would include a plaque on the exterior of the Steuart Street façade dedicated to the labor history that occurred along Steuart Street in 1934. This plaque would be located central to the façade near the Steuart Street building entrance, where it would be prominently visible to passersby.
- In the building, the Commonwealth Club would specifically curate historic archival materials related to labor events in 1934, including the building’s association with the 1934 Longshoreman’s Strike. Historic photographs of the existing building may be used to illustrate the property’s history, with the objective being to educate the public about the property’s historic themes, associations, and character-defining features within broader historical, social, and physical landscape contexts. The content of the display will be determined in consultation with Planning Department Preservation Staff. A copy of the draft interpretive content will be submitted to the ILWU and identified members of the local labor

community for review and comment prior to final approval of the interpretive program by Planning Department staff.

HISTORIC RESOURCES CONCERN 6: One commenter asserts that the mitigation measures for the proposed project should be augmented to include consultation with ILWU, members of the local labor community, and labor historians when developing the proposed plaque, curated historical materials, and associated programming. (Mike Buhler)

“With regard to the plaque and curated materials, we strongly encourage The Commonwealth Club to closely consult with ILWU, members of the local labor community, and labor historians in developing historical content and associated programming.”

RESPONSE TO HISTORIC RESOURCES CONCERN 6: The commenter’s concerns regarding the proposed plaque, curated historical materials, and associated programming are addressed in “Response to Historic Resources Concern 5” above.

BIOLOGICAL RESOURCES

BIOLOGICAL RESOURCES CONCERN 1: The appellant asserts that the proposed removal of existing trees and planting of new trees on the Steuart Street façade would constitute substantial damage to a scenic resource, and that the existing trees should be incorporated into the proposed project. The appellant disagrees with the observation that the trees are diseased and at the end of their life cycle. (David Osgood)

“Current plans call for the removal of four, two-story high trees in the sidewalk on the Steuart side. They would plant four new trees that they call replacements. Nothing represents the green movement more than trees, but unfortunately the city seems to be considering them as an inconvenient nuisance to be easily discarded. They should instead be celebrating the fact they are moving to a location with large, healthy, carbon dioxide-eating shade trees, instead of waiting years for new ones to mature. Any talented architect and qualified contractor know how to incorporate existing trees into a project. It is a fundamental rule of good architecture that projects be designed to fit the site – not the opposite. There are only three other trees on this side of this long SoMa block. Of course city planners are cut and pasting the usual abused boilerplate claim, without evidence, that the trees are diseased and at the end of their life cycle.”

RESPONSE TO BIOLOGICAL RESOURCES CONCERN 1: The PMND describes the proposed street tree removal and replacement along the Steuart Street frontage on page 78, and indicates on page 77 that the proposed project would be subject to the City’s Urban Forestry Ordinance (Public Works Code Section 801 et. seq.). As discussed on page 78 of the PMND, the ordinance defines a “significant tree” as (1) on property under the jurisdiction of the Department of Public Works or (2) on privately owned-property with any portion of its trunk within 10 feet of the public right-of-way. Significant trees must also satisfy at least one of the following criteria: (1) a diameter at breast height

Appeal of PMND – Exhibit A to Draft Motion
September 18, 2014

(DBH) in excess of 12 inches, (2) a height in excess of 20 feet, or (3) a canopy in excess of 15 feet. The ordinance, which applies to the street trees fronting the project site, requires project sponsors to obtain a permit to remove significant trees and to replant trees at a one-to-one ratio or pay an in-lieu fee to support tree planting. The Department of Public Works (DPW) issued a permit to remove the trees on March 7, 2014 with a special condition requiring the project sponsor to contact the DPW Urban Forestry Department to have proposed replacement tree locations confirmed when the project is nearing completion. As described in the PMND, DPW shall require that the project sponsor comply with the replanting or in-lieu fee payment provisions of the ordinance. As such, the PMND correctly concludes that the proposed project would not conflict with any local policies or ordinances protecting biological resources, such as San Francisco’s Urban Forestry Ordinance.

The appellant’s statement that the PMND claims the subject trees are diseased and at the end of their life cycle is not correct. The PMND does not include any information regarding the health, condition, or life cycle of the subject trees, nor would such information change the conclusion that no significant impact would occur due to removal of the existing street trees and their replacement pursuant to existing City regulations.

The PMND also discusses the aesthetic effects of tree removal and concludes that, given the replacement requirements that would be imposed by DPW, the proposed project would not result in substantial damage to a scenic resource. Although the west side of Steuart Street in the vicinity of the project site is lined with uniformly spaced trees, the trees fronting the project site on the east side of Steuart Street are sparse and discontinuous. The replacement street trees would eventually mature and enhance the character of the street. Although the replacement of older trees with new ones would affect the appearance of the street, the PMND correctly concludes that such removal and replacement would not constitute a substantial and demonstrative negative change to the visual character of the neighborhood, thus no significant impact would occur.

BIOLOGICAL RESOURCES CONCERN 2: The appellant asserts that a Board of Supervisors motion regarding a previously proposed project on the same parcel, dated March 31, 2009, identifies some of the same issues pertaining to bird hazards raised in his letter as significant.
(David Osgood)

The appellant’s letter presents the following quotation from the 2009 Board of Supervisors motion: “Written and oral testimony presented at the hearing identified the potentially significant impact on birds flying into the “mostly glass” walls...”

RESPONSE TO BIOLOGICAL RESOURCES CONCERN 2: San Francisco’s Standards for Bird-Safe Buildings, as adopted by the Planning Commission and Board of Supervisors in 2011 (Ordinance No. 199-11), apply to new building construction, alterations of existing buildings, and replacement facades. Pages 76 and 77 of the PMND correctly state that the proposed project would be subject to these standards. The PMND indicates that the project is sited in an area with location-related bird hazards due to proximity to San Francisco Bay, recognizes free-standing glass walls as a potential hazard to birds, and states that the Standards for Bird-Safe Buildings would require treatment of 100

percent of the glazing on such walls and conformance to lighting specifications. Because the proposed project would be required to comply with City-adopted regulations for bird-safe buildings, the proposed project would not be expected to interfere with the movement of native resident or wildlife species or corridors. The PMND, therefore, correctly concludes that the proposed project's potential bird hazard impact would be less than significant.

ENERGY RESOURCES

ENERGY RESOURCES CONCERN 1: The appellant asserts that the proposed glass walls should be discouraged by the City, citing the potential for higher energy use and indoor temperature variations. *(David Osgood)*

"The city needs to discourage floor to ceiling glass walls. They waste energy year round and are not necessary to enjoy views. While they may add some curb appeal to a building, people actually do not like them. They are cold in winter and hot in summer, even in SF.

RESPONSE TO ENERGY RESOURCES CONCERN 1: As stated on page 93 of the PMND, alterations to existing buildings in San Francisco, including the subject building at 110 The Embarcadero/115 Stuart Street, are required to conform to green building standards specified by Title 24 of the California Code of Regulations. Title 24 standards pertain to energy conservation as well as fuel and water conservation. The PMND correctly concludes that compliance with Title 24 would ensure that the project would not cause a wasteful use of energy, and the effects related to the proposed project's energy consumption would be considered less than significant. Title 24 standards do not prohibit use of floor-to-ceiling glass windows. Indoor temperature variations are not considered significant impacts under CEQA.

CONCLUSION

Staff recommends that the Planning Commission adopt the motion to uphold the Preliminary Mitigated Negative Declaration. No substantial evidence supporting a fair argument that a significant environmental effect may occur as a result of the project has been presented that would warrant preparation of an Environmental Impact Report. By upholding the PMND (as recommended), the Planning Commission would not prejudice or restrict its ability to consider whether the proposed project's uses or design are appropriate for the neighborhood.

Appeal of PMND – Exhibit A to Draft Motion
September 18, 2014

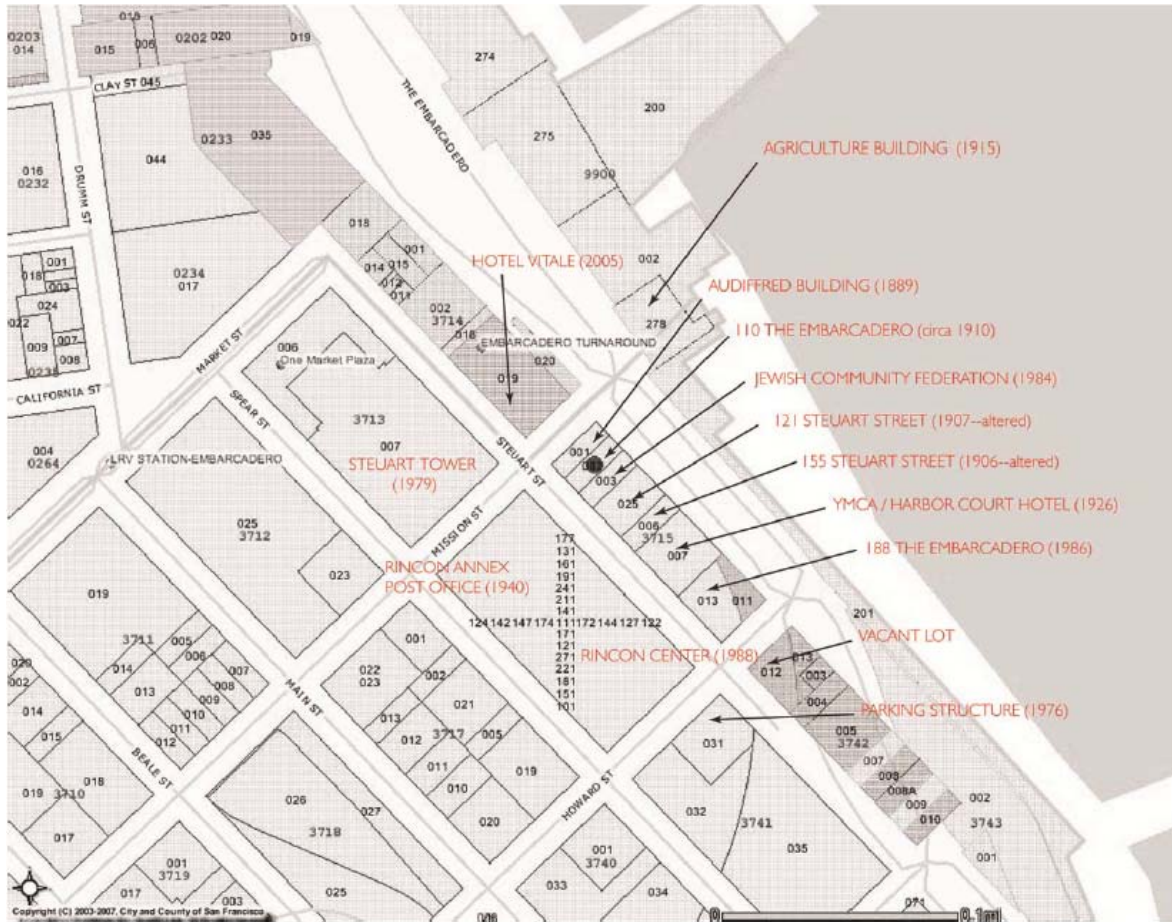


Figure 1: Map of 110 The Embarcadero and Surrounding Area (construction dates of buildings shown in parenthesis). Included as Figure 14 in the proposed project’s HRE, referenced in the PMND.

THIS PAGE INTENTIONALLY LEFT BLANK



SAN FRANCISCO PLANNING DEPARTMENT

Notice of Availability of and Intent to Adopt a Mitigated Negative Declaration

Date: June 25, 2014
Case No.: 2011.1388E
Project Title: 110 The Embarcadero/115 Steuart Street
Zoning: C-3-O (Downtown Office) Use District
84-X Height and Bulk District
Block/Lot: 3715/002
Project Sponsor: Piper Kujac, Owner's Representative and Building Project Manager, The Commonwealth Club of California, (415) 597-6733
Staff Contact: Kansai Uchida – (415) 575-9048
kansai.uchida@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

To Whom It May Concern:

This notice is to inform you of the availability of the environmental review document concerning the proposed project as described below. The document is a preliminary mitigated negative declaration (PMND), containing information about the possible environmental effects of the proposed project. The PMND documents the determination of the Planning Department that the proposed project could not have a significant adverse effect on the environment. Preparation of a mitigated negative declaration does not indicate a decision by the City to carry out or not to carry out the proposed project.

Project Description: The project site, at 110 The Embarcadero/115 Steuart Street, is a through lot on the west side of The Embarcadero and the east side of Steuart Street. The site is within the block bounded by The Embarcadero, Mission Street, Steuart Street, and Howard Street in the Financial District. The project site presently contains a two-story-over-basement, 19,374-square-foot (sf), wood-frame commercial building constructed circa 1910. The building is currently vacant.

The proposed project would involve interior improvements, rehabilitation, and the vertical addition of a third story (5,085 sf), circulation penthouse, and roof deck to the existing building for use as offices and assembly functions for the Commonwealth Club of California, which would move from its current 595 Market Street location. As a result of the proposed project, the building would have 23,819 sf of floor space, of which 11,964 sf would be for assembly/circulation use, 6,770 sf would be for storage, and 5,085 sf would be for office use. The net addition to the building would total 4,445 sf. The total height of the building from street level to the top of the finish roof would be 51'-1" (62'-10" including rooftop features normally exempt from height calculations). The overall shell of the existing building would be retained and it would remain a through lot with exposed facades on The Embarcadero and Steuart Street. The cladding materials of the Embarcadero façade would be removed. The project would preserve the Steuart Street façade, which is associated with the significant historic events of 1934. The new third story would be set back between 6'-8" (at the south side of the building) and 11'-6" (at the north side of the building) from the Steuart Street frontage as part of the façade preservation. The proposed project would also include a plaque on the exterior of the Steuart Street façade dedicated to the labor history that

occurred along Steuart Street in 1934. In the building, the Commonwealth Club would specifically curate historic archival materials related to labor events in 1934, including the building's association with the 1934 Longshoreman's Strike.

The Approval Action for the proposed project would be a Planning Code Section 309 approval by the Zoning Administrator or the Planning Commission.

The PMND is available to view or download from the Planning Department's Negative Declarations and EIRs web page (<http://www.sf-planning.org/sfceqadocs>). Paper copies are also available at the Planning Information Center (PIC) counter on the ground floor of 1660 Mission Street, San Francisco.

If you have questions concerning environmental review of the proposed project, contact the Planning Department staff contact listed above.

Within 20 calendar days following publication of the PMND (i.e., by 5:00 p.m. on **Tuesday, July 15th, 2014**, any person may:

- 1) Review the PMND as an informational item and take no action;
- 2) Make recommendations for amending the text of the document. The text of the PMND may be amended to clarify or correct statements and may be expanded to include additional relevant issues or to cover issues in greater depth. This may be done **without** the appeal described below; **OR**
- 3) Appeal the determination of no significant effect on the environment to the Planning Commission in a letter which specifies the grounds for such appeal, accompanied by a \$534 check payable to the San Francisco Planning Department.¹ An appeal requires the Planning Commission to determine whether or not an Environmental Impact Report must be prepared based upon whether or not the proposed project could cause a substantial adverse change in the environment. Send the appeal letter to the Planning Department, Attention: Sarah B. Jones, 1650 Mission Street, Suite 400, San Francisco, CA 94103. **The letter must be accompanied by a check in the amount of \$534.00 payable to the San Francisco Planning Department, and must be received by 5:00 p.m. on Tuesday, July 15th, 2014.** The appeal letter and check may also be presented in person at the PIC counter on the first floor of 1660 Mission Street, San Francisco.

In the absence of an appeal, the mitigated negative declaration shall be made final, subject to necessary modifications, after 20 days from the date of publication of the PMND.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

¹ Upon review by the Planning Department, the appeal fee may be reimbursed for neighborhood organizations that have been in existence for a minimum of 24 months.



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Mitigated Negative Declaration

Date: June 25, 2014
Case No.: **2011.1388E**
Project Title: **110 The Embarcadero/115 Steuart Street**
Zoning: C-3-O (Downtown Office) Use District
84-X Height and Bulk District
Block/Lot: 3715/002
Lot Size: 6,302 square feet
Project Sponsor: Piper Kujac, Owner's Representative and Building Project Manager, The Commonwealth Club of California
(415) 597-6733
Lead Agency: San Francisco Planning Department
Staff Contact: Kansai Uchida – (415) 575-9048
kansai.uchida@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION:

The project site, at 110 The Embarcadero/115 Steuart Street, is a through lot on the west side of The Embarcadero and the east side of Steuart Street. The site is within the block bounded by The Embarcadero, Mission Street, Steuart Street, and Howard Street in the Financial District. The project site presently contains a two-story-over-basement, 19,374-square-foot (sf), wood-frame commercial building constructed circa 1910. The building is currently vacant.

The proposed project would involve interior improvements, rehabilitation, and the vertical addition of a third story (5,085 sf), circulation penthouse, and roof deck to the existing building for use as offices and assembly functions for the Commonwealth Club of California, which would move from its current 595 Market Street location. As a result of the proposed project, the building would have 23,819 sf of floor space, of which 11,964 sf would be for assembly/circulation use, 6,770 sf would be for storage, and 5,085 would be for office use. The net addition to the building would total 4,445 sf. The total height of the building from street level to the top of the finish roof would be 51'-1" (62'-10" including rooftop features normally exempt from height calculations). The overall shell of the existing building would be retained and it would remain a through lot with exposed facades on The Embarcadero and Steuart Street. The cladding materials of the Embarcadero façade would be removed. The project would preserve the Steuart Street façade, which is associated with the significant historic events of 1934. The new third story would be set back between 6'-8" (at the south side of the building) and 11'-6" (at the north side of the building) from the Steuart Street frontage as part of the façade preservation. The proposed project would also include a plaque on the exterior of the Steuart Street façade dedicated to the labor history that occurred along Steuart Street in 1934. In the building, the Commonwealth Club would specifically curate historic archival materials related to labor events in 1934, including the building's association with the 1934 Longshoreman's Strike.

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 Section F, Mitigation Measures.

cc: Piper Kujac, Project Sponsor
Gretchen Hilyard, Preservation Planner
Allison Vanderslice, Archeologist
Supervisor Kim, District 6
Master Decision File
Northeast Quadrant Bulletin Board
Historic Preservation Distribution List
Distribution List

INITIAL STUDY TABLE OF CONTENTS

TABLE OF CONTENTS

110 The Embarcadero/115 Steuart Street

<u>Section</u>	<u>Page</u>
A. PROJECT DESCRIPTION	1
B. PROJECT SETTING	12
C. COMBATIBILITY WITH EXISTING ZONING AND PLANS	13
D. SUMMARY OF ENVIRONMENTAL EFFECTS	16
E. EVALUATION OF ENVIRONMENTAL EFFECTS	17
E.1 Land Use and Land Use Planning	17
E.2 Aesthetics	19
E.3 Population and Housing	22
E.4 Cultural and Paleontological Resources	24
E.5 Transportation and Circulation	35
E.6 Noise	44
E.7 Air Quality	46
E.8 Greenhouse Gas Emissions	64
E.9 Wind and Shadow	67
E.10 Recreation	68
E.11 Utilities and Service Systems	70
E.12 Public Services	73
E.13 Biological Resources	75
E.14 Geology and Soils	79
E.15 Hydrology and Water Quality	82
E.16 Hazards and Hazardous Materials	88
E.17 Mineral and Energy Resources	93
E.18 Agricultural Resources	94
E.19 Mandatory Findings of Significance	95
F. MITIGATION AND IMPROVEMENT MEASURES	97
G. PUBLIC NOTICE AND COMMENT	105
H. DETERMINATION	106
I. INITIAL STUDY PREPARERS	106

<u>List of Figures</u>	<u>Page</u>
1 Project Location	4
2 Project Site Photos – Existing Conditions	5
3 Proposed Site Plan	6
4 Proposed Floor Plans	7

5	Proposed Elevations	10
6a	Proposed Steuart Street Façade	11
6b	Proposed The Embarcadero Façade	11

List of Tables		<u>Page</u>
1	Criteria Air Pollutant Significance Thresholds	49
2	Off-Road Equipment Compliance Step-down Schedule	59
3	Off-Road Equipment Compliance Step-down Schedule	102

Initial Study

110 The Embarcadero/115 Steuart Street

Planning Department Case No. 2011.1388E

A. PROJECT DESCRIPTION

Project Location and Site Characteristics

The project site at 110 The Embarcadero/115 Steuart Street is located in San Francisco's Financial District. The 6,302 square foot (sf) site (Assessors Block 3715, Lot 002) is on the block bounded by Mission Street to the north, The Embarcadero to the east, Howard Street to the south, and Steuart Street to the west (see **Figure 1, Project Location**). The site is on a through lot, with frontages along the west side of The Embarcadero and the east side of Steuart Street.

The project site is located on The Embarcadero, the primary transportation corridor along San Francisco's bay waterfront, and is visible from San Francisco Bay. The topography on the project site is flat, with no substantial grade change between the Embarcadero and Steuart Street frontages. There are two London plane trees on the sidewalk along the Embarcadero frontage, and four New Zealand Christmas trees on the sidewalk along the Steuart Street frontage. All six trees are defined as significant trees under the City's Public Works Code¹ (see **Figure 2, Project Site Photos – Existing Conditions**).

The site currently contains a 19,374 sf, two-story-over-basement, wood frame commercial building constructed circa 1910 that previously housed retail, office, and assembly uses. The height of the building reaches 35 feet above street level, plus rooftop parapets, skylights, and mechanical equipment. It is built in a utilitarian 20th-century commercial architectural style with a rectangular floor plan, stucco cladding, concrete panels, window awnings, and Classical Revival ornamentation on the upper level of the Embarcadero façade. The building covers the entire lot, and no off-street parking exists on the project site. The building is presently vacant, and has plywood coverings over both facades at street level to minimize intrusion and vandalism. Many of the ground floor interior features of the building have been removed.

The building has been determined to be eligible for the California Register of Historical Resources under Criterion 1 (association with events that have made a significant

¹ Public Works Code Section 801, et seq. A significant tree is a tree with diameter at breast height (4.5 feet above the ground surface surrounding the tree) greater than 12 inches, height greater than 20 feet, or canopy greater than 15 feet.

contribution to the broad patterns of California's history and cultural heritage), particularly for its association with the events of the 1934 Longshoremen's Strike.²

Proposed Project

The proposed project would involve interior improvements, rehabilitation, and the vertical addition of a third story (5,085 sf), circulation penthouse, and roof deck to the existing building for use as offices and assembly functions for the Commonwealth Club of California, which would move from its current 595 Market Street location. As a result of the proposed project, the building would have 23,819 sf of floor space, of which 11,964 sf would be for assembly/circulation use, 6,770 sf would be for storage, and 5,085 would be for office use. The net addition to the building would total 4,445 sf. The proposed height of the building from street level to the top of the finish roof would be 51'-1" (62'-10" including parapets, rooftop access, and mechanical equipment, which are excluded from building height calculations for planning purposes). Beyond addition of elevator shafts, no expansion or deepening of the existing basement would occur.

The overall shell of the existing building would be retained and it would remain a through lot with exposed facades on The Embarcadero and Steuart Street. The cladding materials of the Embarcadero façade would be removed. The height of the first floor would remain at 15'-10.5", and the third floor plate would be adjusted so that the height of the second floor would extend to 21 feet to accommodate a new auditorium. The height of the new third floor would be 14'-2.5", and the height to the top of the rooftop mechanical equipment would be 11'-9" (see **Figure 3, Proposed Site Plan; Figure 4, Proposed Floor Plans; and Figure 5, Proposed Elevations**). As part of the proposed project, the four existing street trees along Steuart Street would be removed and replaced with new trees during construction, pursuant to Department of Public Works (DPW) review and approval. The two existing trees along The Embarcadero would be protected and maintained.

The project would preserve the Steuart Street façade, which is associated with the significant historic events of 1934. The new third story would be set back between 6'-8" (at the south side of the building) and 11'-6" (at the north side of the building) from the Steuart Street frontage as part of the façade preservation (see **Figure 6a, Proposed Steuart Street Façade**). The proposed project would also include a plaque on the exterior of the Steuart Street façade dedicated to the labor history that occurred along Steuart Street in 1934. This plaque would be located central to the façade, near the Steuart Street building entrance, where it would be prominently visible to passersby. In the building, the Commonwealth Club would specifically curate historic archival materials related to labor events in 1934, including the building's association with the

² Historic Resource Evaluation Response, December 13, 2013. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File 2011.1388E.

1934 Longshoreman's Strike. Historic photographs of the existing building may be used to illustrate the property's history, with the objective being to educate the public about the property's historic themes, associations, and lost character-defining features within broader historical, social, and physical landscape contexts.

Project construction would occur over 14 months, and would be phased as follows: demolition and salvage; shoring and excavation; structural and building shell; and interior build-out. Construction equipment would include loaders, dump trucks, compressors, loaders/backhoes, mix trucks, a crane, debris and delivery trucks, a temporary elevator, and a scissor lift.

Project Approvals

The project would require a Planning Code Section 309 (Downtown Project Authorization) review by Planning Department staff and a building permit. Approval of the Section 309 review by the Zoning Administrator or Planning Commission is the Approval Action for the whole of the proposed project.

Figure 1: Project Location

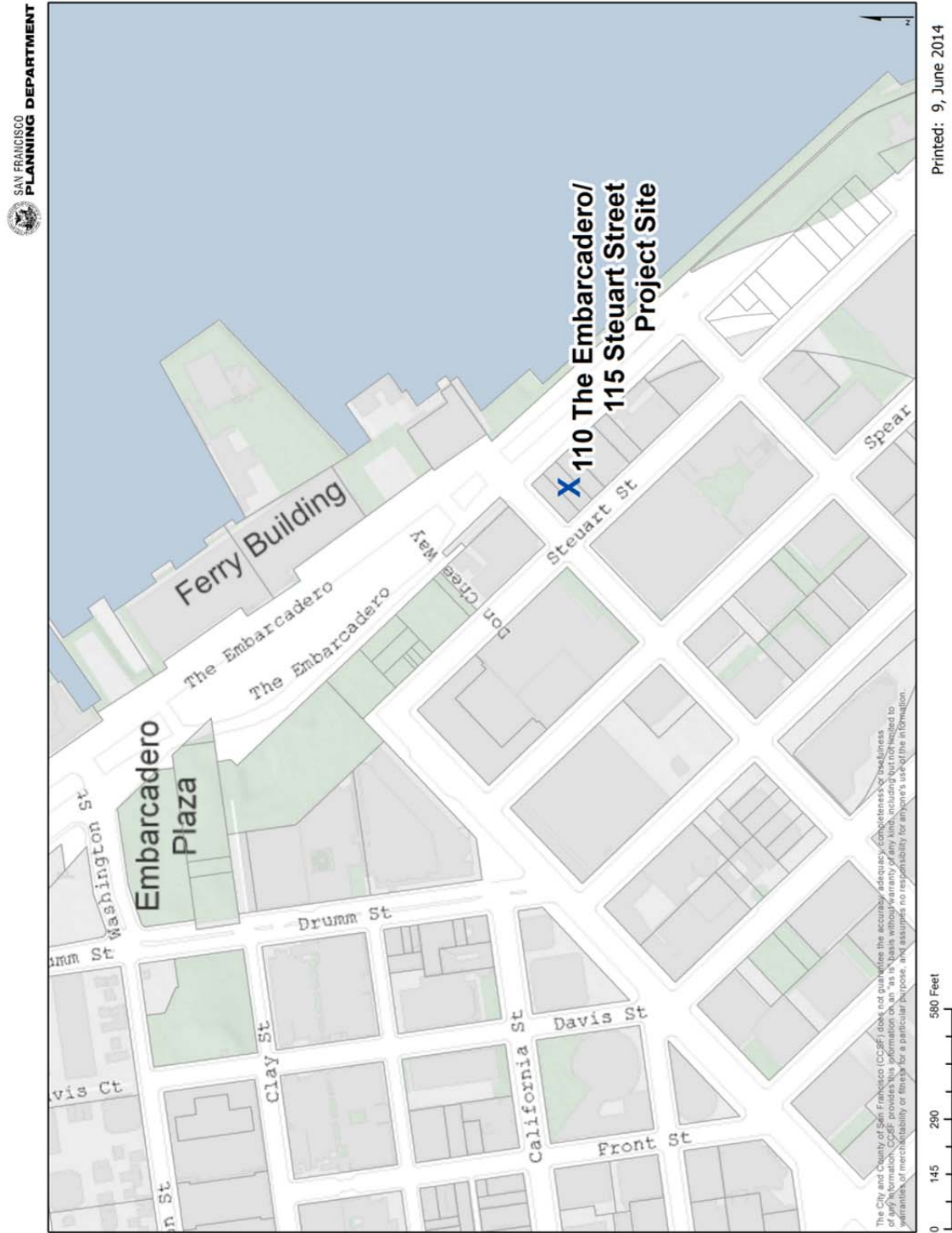


Figure 2: Project Site Photos – Existing Conditions



115 Steuart Street façade



110 The Embarcadero façade

Figure 3: Proposed Site Plan

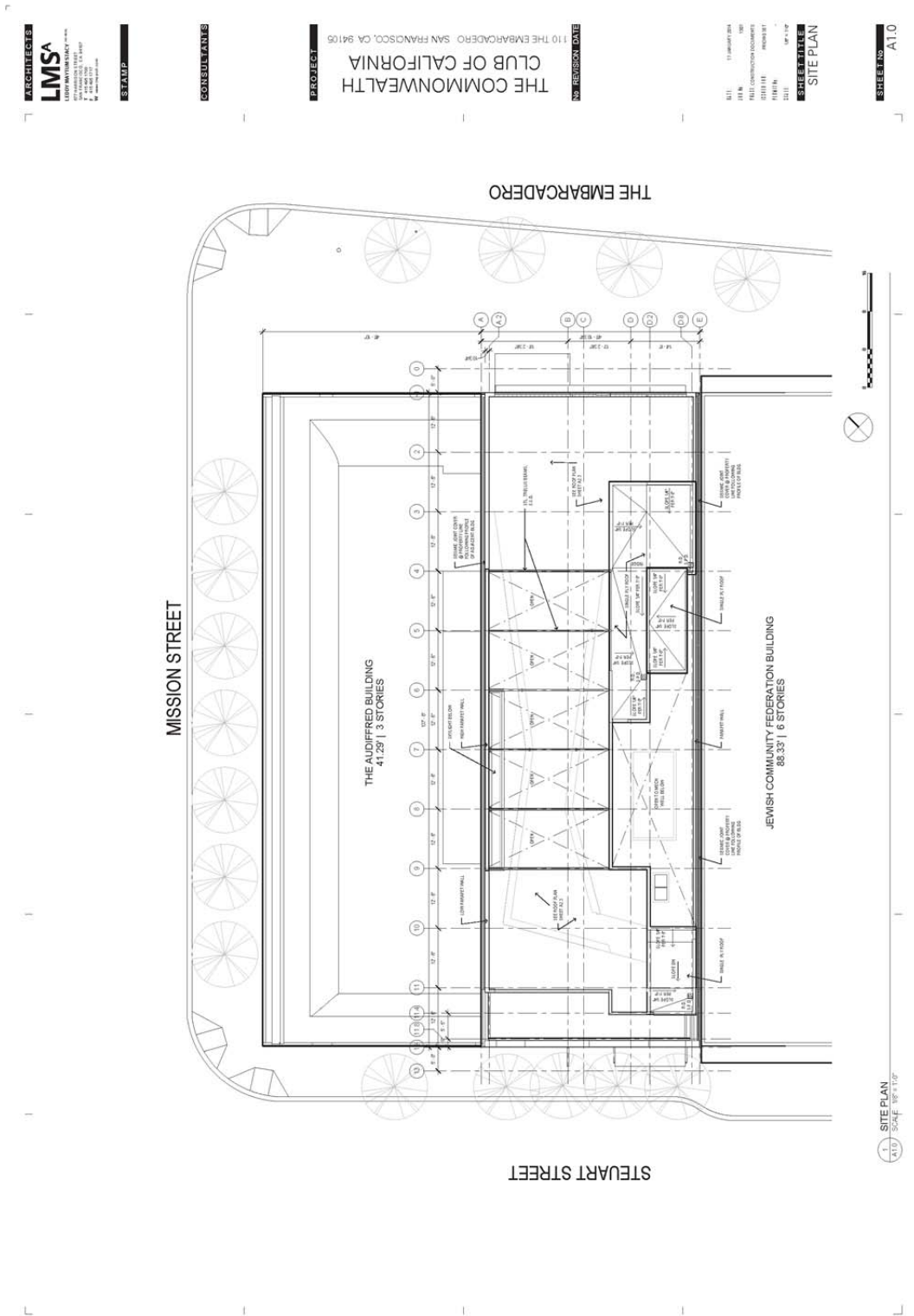


Figure 4a: Proposed Floor Plans (1 of 3)

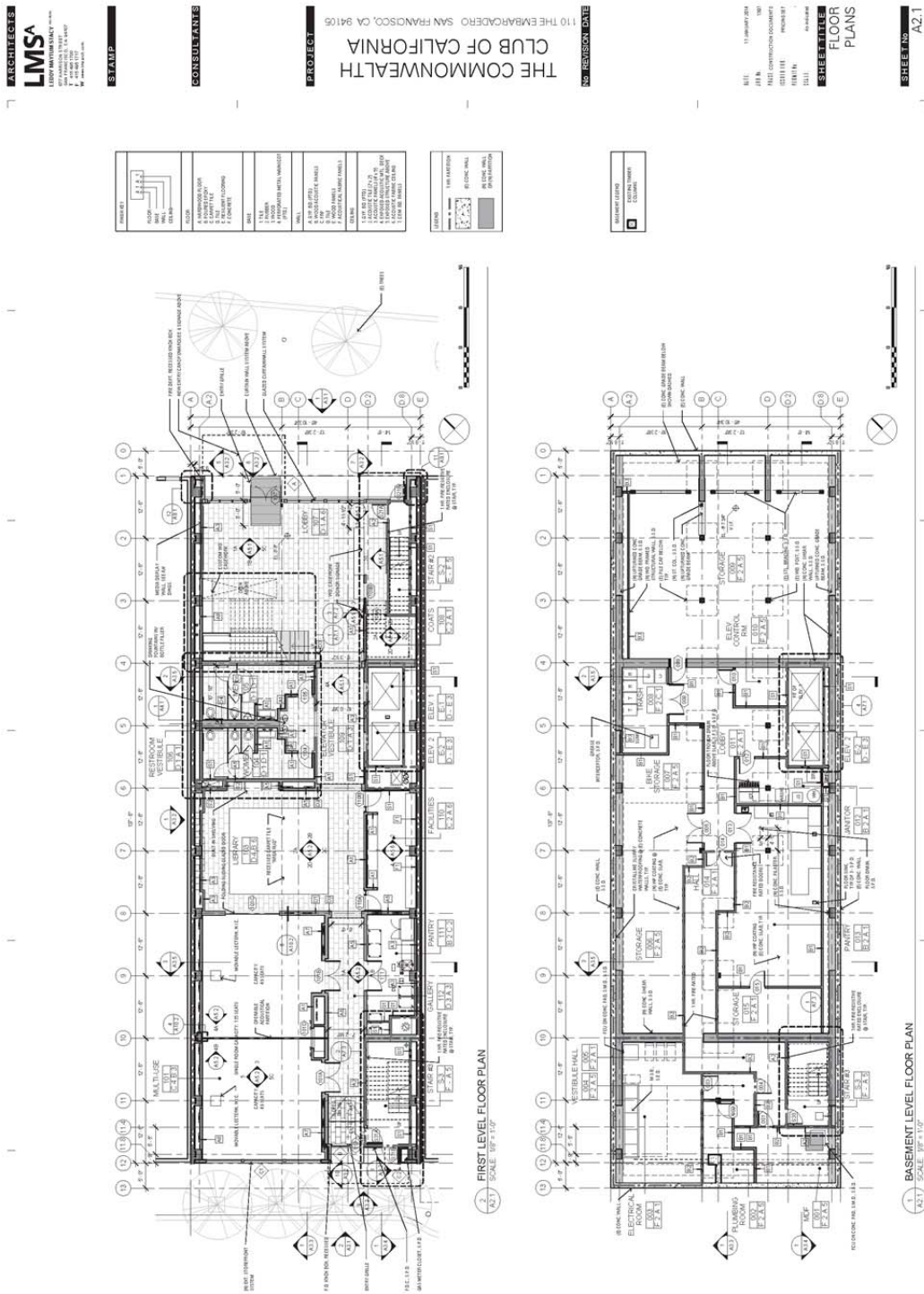


Figure 4b: Proposed Floor Plans (2 of 3)

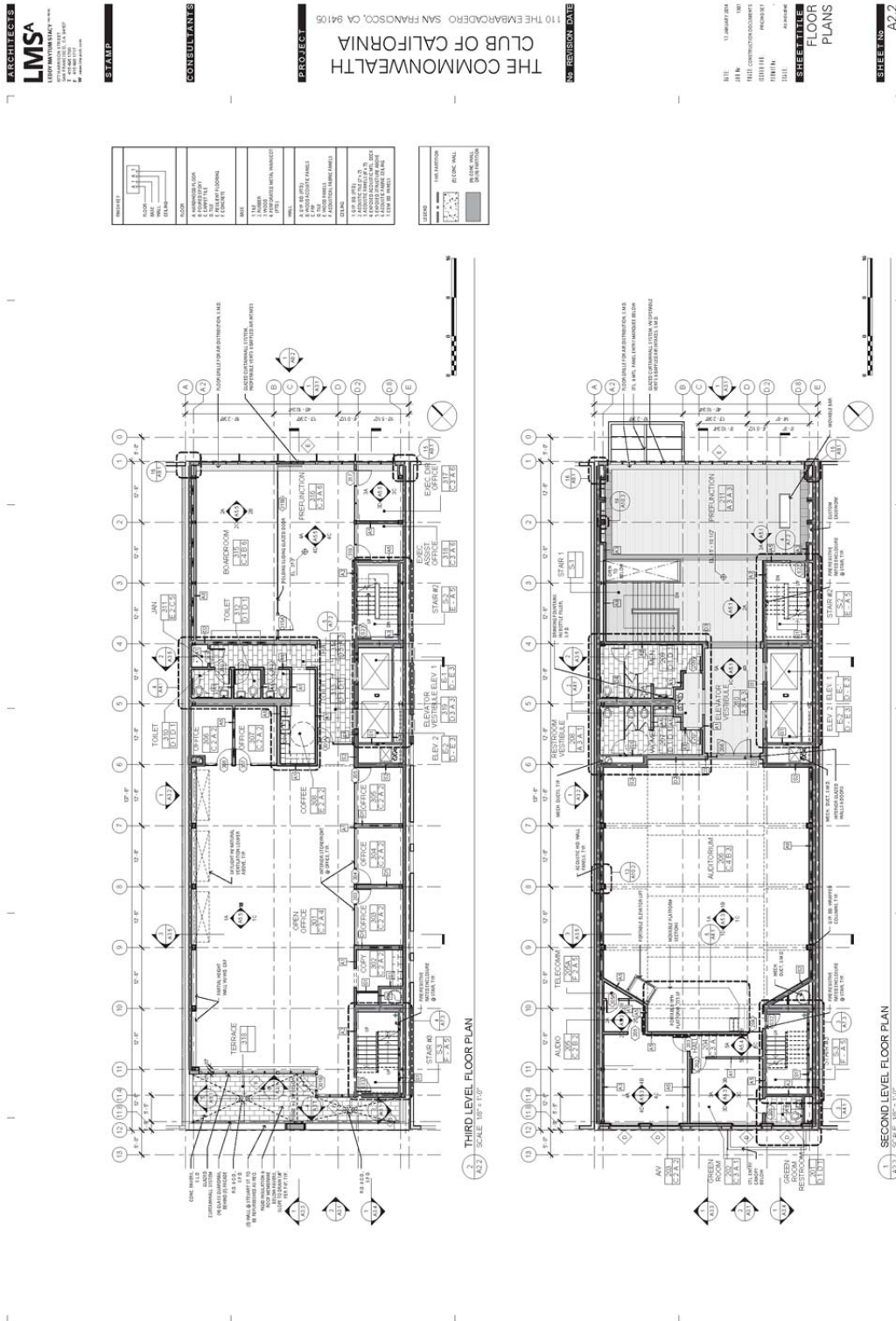


Figure 4c: Proposed Floor Plans (3 of 3)

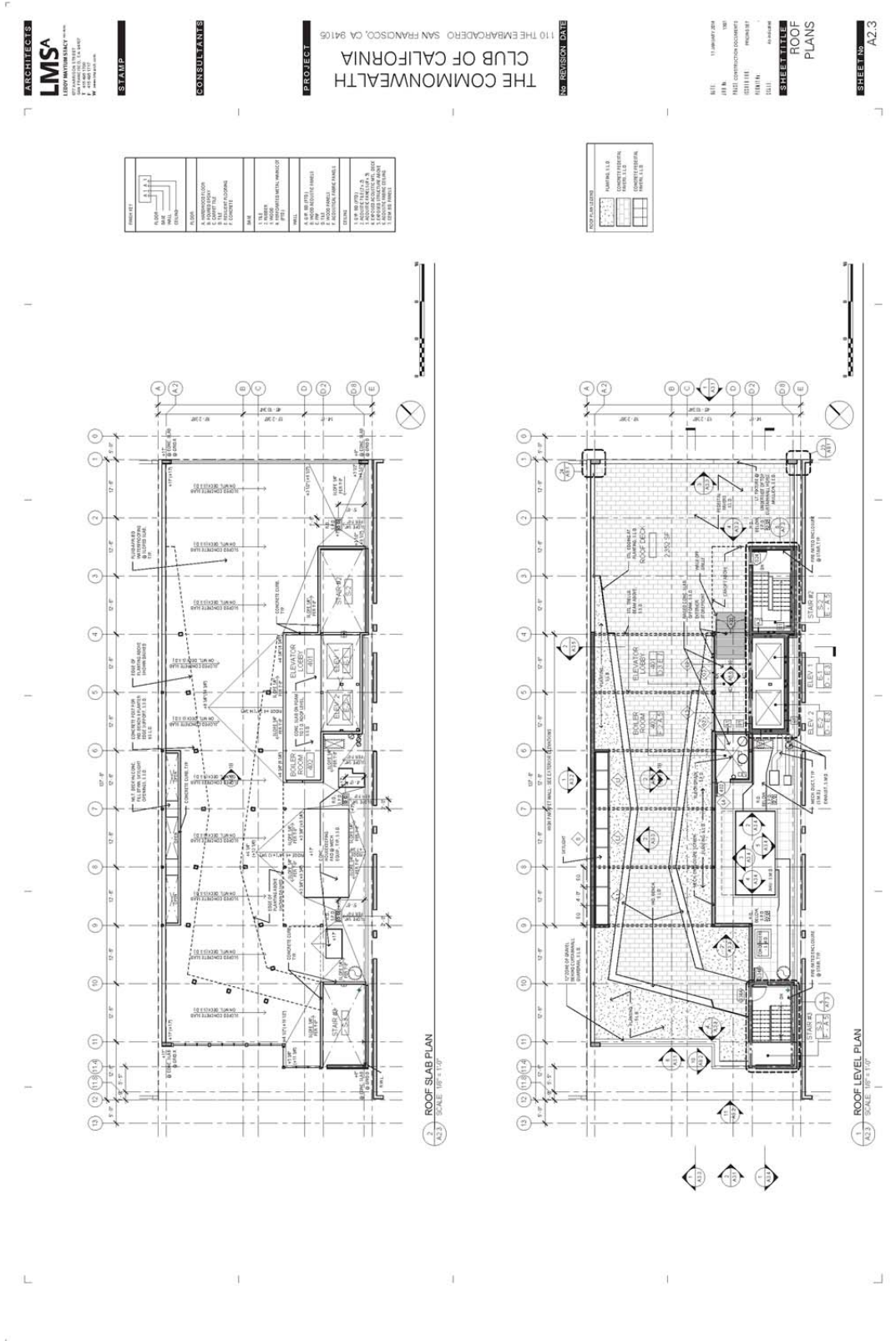


Figure 5: Proposed Elevations



Figure 6a: Proposed Stuart Street Façade



Figure 6b: Proposed The Embarcadero Façade



B. PROJECT SETTING

The project site is located along The Embarcadero, the primary transportation corridor along San Francisco's bay frontage, at the eastern edge of the Financial District. This segment of The Embarcadero is characterized by expansive plazas, a wide boulevard configuration, median-running streetcar tracks, and waterfront-oriented pedestrian spaces. The project site is approximately one block (600 feet) south of Market Street, Justin Herman Plaza and the plazas surrounding the Ferry Building. Other adjacent land uses include office, residential, and hotel buildings, most of which have ground floor retail and service spaces. The site is within 2 ½ blocks (1,400 feet) of several major regional transit hubs, including the Embarcadero Bay Area Rapid Transit (BART)/San Francisco Municipal Railway (Muni) station, the Ferry Building, and the Temporary Transbay Terminal. The terrain of the area is largely level, due to its location on artificial fill.

The project site is within the C-3-O (Downtown – Office) Use District and an 84-X Height and Bulk District, which contains high-density office development centered around a concentration of local and regional transit services. Retail and service uses that support office development are also included. The surrounding blocks on the west side of The Embarcadero are also in the C-3-O Use District, with Height and Bulk Districts ranging from 65-X to 200-S. The public plazas mentioned above are zoned as P (Public) Use Districts, consistent with their use as public open spaces. To the east of the Embarcadero, across the street from the project site, most of the parcels are in a C-2 (Community Business) Use District. Much of the C-3-O Use District is characterized by high-rise office buildings, but those around the project site are mostly mid-rise in scale. On the subject block, none of the buildings are taller than eight stories, given the 84-foot height district. This height is typical of the adjacent blocks along The Embarcadero, though blocks on the west side of Steuart Street contain high-rise buildings. Nearby street-fronting businesses include restaurants, hotels, and other office and tourist-serving establishments. Residential developments are also present along The Embarcadero on blocks to the north and south of the project site.

The project site is next to the Audiffred Building, located on the south side of Mission Street between Steuart Street and The Embarcadero, which directly adjoins the northern wall of the existing project site building. The Audiffred Building was built in 1889, survived the 1906 earthquake and fire, and is designated as a historic landmark (San Francisco Landmark #7). Like the existing building at 110 The Embarcadero, it also played a central role in the 1934 Longshoreman's Strike. Other nearby historic resources

be principally permitted within the C-3-O Use District and consistent with applicable zoning plans and policies.

Height and Bulk

The project site is located in an 84-X Height and Bulk District. The proposed project would add an additional story to the existing 35-foot-tall building, raising the height to 51'-1" (62'-10" including parapets, rooftop access, and mechanical equipment, which are excluded from building height calculations for planning purposes). The proposed building height would be less than 84 feet, and therefore compliant with the applicable Height and Bulk District limits.

Permit Review

The proposed project is located in a C-3-O Use District and would require a Planning Code Section 309 review. This section establishes a framework for review of projects within all types of C-3 districts to ensure conformity with the Planning Code and the San Francisco General Plan (General Plan).

Plans and Policies

San Francisco General Plan

The General Plan, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. The General Plan contains 10 elements (Commerce and Industry, Recreation and Open Space, Housing, Community Facilities, Urban Design, Environmental Protection, Transportation, Air Quality, Community Safety, and Arts) that set forth goals, policies, and objectives for the physical development of the City. The proposed project is located in the Northeastern Waterfront Plan Area, which encourages future commercial, office, neighborhood-oriented retail and service, and community and cultural facility uses in the area. No conflicts between the proposed project and policies that relate to physical environmental issues would occur, as 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 would be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project, and any potential conflicts identified as part of that process would not alter the physical environmental effects of the proposed project.

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 to establish eight Priority Policies. These policies, and the topics of the Evaluation of Environmental Effects addressing the environmental issues associated with the policies, are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character (Question 1c, Land Use); (3) preservation and enhancement of affordable housing (Question 3b, Population and Housing, with regard to housing supply and displacement issues); (4) discouragement of commuter automobiles (Questions 5a, b, f, and g, Transportation and Circulation); (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Question 1c, Land Use); (6) maximization of earthquake preparedness (Questions 13 a-d, Geology, Soils, and Seismicity); (7) landmark and historic building preservation (Question 4a, Cultural Resources); and (8) protection of open space (Questions 8a and b, Wind and Shadow, and Questions 9a and c, Recreation).

Prior to issuing a permit for any project that requires an Initial Study under the California Environmental Quality Act (CEQA), and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action 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 the 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 the process would not alter the physical environmental effects of the proposed project.

Regional Plans and Policies

The five principal regional planning agencies and their over-arching policy-plans to guide planning in the nine-county Bay Area include the Association for Bay Area Governments (ABAG) and Metropolitan Transportation Commission's *Plan Bay Area Jobs-Housing Connection Strategy*, the Bay Area Air Quality Management District's (BAAQMD) *Bay Area Clean Air Plan*, the San Francisco Regional Water Quality Control Board's *San Francisco Basin Plan*, and the San Francisco Bay Conservation and Development Commission's *San Francisco Bay Plan*. Due to the size, nature, and location of the proposed project, no anticipated environmental conflicts with regional plans would occur.

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

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 all of the 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 Department, such as the Department's *Transportation Impact Analysis Guidelines for Environmental Review*, or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Game. For each checklist item, the evaluation has considered the impacts of the proposed project both individually and cumulatively.

The items checked above have been determined to be “Less than Significant with Mitigation Incorporated.”

E. EVALUATION OF ENVIRONMENTAL EFFECTS

<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>
1. LAND USE AND LAND USE PLANNING— Would the project:					
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"/>
c) Have a substantial impact upon the existing character of the vicinity?	<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 proposed project would rehabilitate the existing vacant building on the project site, and restore its office and assembly uses. The project includes addition of a new third story to the building, resulting in a net square footage gain of 4,445 sf. Additional building area would be added entirely within the existing boundaries of the lot and within the footprint of the existing building. The project would not interfere with or change the existing street plan nor impede the passage of persons or vehicles. Therefore, the proposed project would not physically divide an established community, and this impact would be less than significant.

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

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). Environmental plans and policies are those, like the BAAQMD 2010 Clean Air Plan, which directly address environmental issues and/or contain targets or standards, which must be met in order to preserve or improve characteristics of the City’s physical environment. Furthermore, the proposed

project would not conflict with the General Plan policies that relate to physical environmental issues. Therefore, this impact would be less than significant.

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

The project site is currently developed with an existing vacant building, which previously contained office, assembly, and retail uses. The proposed project would rehabilitate the existing building, restore its former office and assembly uses, and add a new third floor. The existing building is the shortest building on the block, and the additional height would make the building similar in scale to the surrounding buildings on the same block, which range from three to eight stories. The proposed project's combined office and assembly use would not be out of character with that of the existing building or the office buildings typically found in the vicinity. The proposed project would restore active use of the vacant building and make it more consistent with the development intensity and compactness that characterizes the Financial District. Therefore, the impact of the proposed project on the existing character of project's vicinity would be less than significant.

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

Few other land use projects are planned or ongoing within a two block vicinity of the project site. The most notable proposed project would be located at 75 Howard Street, which consists of demolishing an existing eight-story parking structure (550 spaces) and constructing a 186-unit, 31-story residential building with a below-grade garage. The new garage would include residential parking and 100 additional parking spaces to serve surrounding commercial land uses that rely on the existing garage. The project would result in a noticeable physical change to the surrounding area, and would increase the number of people present. Given the nature of the proposed nearby project, there is no reason to expect that it would have land use impacts that could combine with the impacts of the proposed project at 110 The Embarcadero/115 Steuart Street. Further, even if these projects did have land use impacts, the proposed project would not contribute in a cumulatively considerable way to physical division of an established community; conflict with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect; or change the existing neighborhood character. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable 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>
2. AESTHETICS—Would the project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and other features of the built or natural environment which contribute to a scenic public setting?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Setting

The Northeast Waterfront Plan, part of the General Plan, identifies public views of the bay from adjacent open spaces, plazas, and grade level along certain streets (including Stuart Street) as an urban design resource. The Urban Design Element of the General Plan also establishes a policy to “recognize and protect major views in the city, with particular attention to those of open space and water” and identifies the bay as a focus of major views. The Urban Design Element also calls for preservation of views from streets and other public areas where they include water and open spaces.

The project site is located on The Embarcadero, which runs along the San Francisco Bay waterfront. The proposed project would increase the existing building’s height from 35 feet to 51’-1” (62’-10” including parapets, rooftop access, and mechanical equipment, which are excluded from building height calculations for planning purposes). The existing building at the project site and the proposed addition would be visible from public open spaces and streets nearby, including, the Ferry Plaza, The Embarcadero, and Stuart Street. Buildings in the area consist of a mix of contemporary and historic styles.

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

A project would have a significant effect on scenic vistas if it would substantially degrade important public view corridors and obstruct scenic views from public areas viewable by a substantial number of people. View corridors are defined by physical elements such as buildings and structures that direct lines of sight and control view directions available to the public. As noted above, The Northeast Waterfront Plan and the Urban Design Element of the General Plan identify the bay as a focus of major views, particularly from open spaces and streets such as Justin Herman Plaza, the Ferry Plaza, The Embarcadero, Steuart Street, and San Francisco Bay. Although the existing building is visible from some of these public spaces, the proposed vertical addition of a third story and roof deck would not intersect lines of sight between these public spaces and San Francisco Bay and would not affect existing view corridors. The proposed addition would not exceed the scale of other buildings on the subject block, which range in height from three to eight stories. These new features and changes would be noticeable, but would not substantially alter scenic vistas or degrade or obstruct any publicly accessible scenic views. Although the project site directly adjoins the historic Audiffred Building, the proposed building addition would not be out of scale with and would not degrade the Audiffred Building's visual setting.

Project construction would occur over 14 months, and would be phased as follows: partial demolition and salvage; shoring and excavation; structural and building shell; and interior build-out. Although construction activities would diminish the existing visual character of the project site, these activities would be limited in duration. Therefore, the proposed project's construction would not have a significant impact on the existing visual character or quality of the site or its surroundings.

Although some reduced private views would be an unavoidable consequence of the proposed project, any change in views would not exceed that commonly accepted in an urban setting. Changes to private views would differ based on proximity to the project site, quality of the view currently experienced, and relative sensitivity of the viewer. Therefore, the proposed project's impact on scenic vistas would be less than significant. Although some reduced private views would be an unavoidable consequence of the proposed project, any change in private views would not exceed that commonly accepted in an urban setting. While this loss or change of views might be of concern to those property owners or tenants, it would not affect a substantial number of people and would not rise to a level considered to be a significant impact on the environment.

The proposed project would not substantially impact any existing public views or view corridors in the area, and the adverse effect upon private views would not be considered a significant impact on the environment, pursuant to CEQA.

Impact AE-2: The proposed project would not substantially damage any scenic resources which contribute to a scenic public setting. (Less than Significant)

Scenic resources are the visible physical features on a landscape (e.g. land, water, vegetation, animals, structures, or other features) which contribute to a scenic public setting. There are no trees or vegetation on the site. The two street trees in front of the building along The Embarcadero would be maintained, and the four street trees along the Steuart Street sidewalk would be removed and replaced with new trees following construction, pursuant to DPW review and approval. Therefore, the proposed project's impact on scenic resources would be less than significant.

Impact AE-3: The proposed project would result in a change to the existing visual character of the project site, but this change would not substantially degrade the visual character or quality of the site and its surroundings. (Less than Significant)

A project would have a significant adverse effect on visual quality under CEQA only if it would cause a substantial and demonstrable negative change to the project site or its surroundings. The existing visual character of the project site and vicinity is that of a heavily-travelled downtown corridor adjacent to open space plazas and waterfront-oriented land uses. Surrounding buildings are characterized by a variety of heights, time periods, and styles. The proposed project would add a third story to the existing building on the project site. The new addition would be set back from the western edge of the building, so as to retain the existing character of the Steuart Street façade. The Embarcadero façade would be replaced with a glass curtain wall that includes a motion graphic display which can be projected onto the glazing. Roof deck features would include a steel and wood trellis, an elevator and stair penthouse clad in fiber concrete panels, and other landscaped planters. These changes would be noticeable, but would not substantially alter the existing visual character of the site or its surroundings in a demonstrably adverse manner. The addition would not exceed the scale of other buildings on the subject block, which range in height from three to eight stories. The project site directly adjoins the historic Audiffred Building, but would not substantially alter its existing visual setting, which consists of a mix of contemporary and historic buildings. For the above reasons, this impact would be less than significant.

Project construction would occur over 14 months, and would be phased as follows: partial demolition and salvage; shoring and excavation; structural and building shell; and interior build-out. Although construction activities would diminish the existing visual character of the project site, these activities would be limited in duration. Therefore, the proposed project's construction would not result in a substantial degradation of the existing visual character or quality of the site or its surroundings.

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

The proposed project would comply with Planning Commission Resolution 9212 (1981) that establishes guidelines aimed at limiting glare from buildings. The proposed project would rehabilitate and expand the existing building at the project site, change the building's use from vacant space to a mix of office and assembly use, and add a glass curtain wall with motion graphic display projection capabilities. The inclusion of the display on the curtain wall would not add any additional glare. As such, the proposed project would result in minimal sources of light and glare beyond what currently exists (illumination from existing street lights and surrounding buildings). Because the proposed project would comply with Planning Commission Resolution 9212 and would minimally increase the amount of lighting on the project site, it would not have a substantial, negative impact. Based on the above analysis, impacts associated with light and glare would be less than significant.

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

Implementation of the proposed project, in combination with the cumulative projects described above in Section E.1 Land Use and Land Use Planning, would result in minimal change to the visual character of the project site vicinity and respective project site. The one notable cumulative project in the vicinity is the replacement of an eight-story parking structure with a 31-story mixed-use residential and commercial building at 75 Howard Street, which would be visually consistent with the surrounding dense urban setting. The project would also be required to comply with City regulations regarding light and glare. Therefore, the proposed project would not have a substantial adverse cumulative effect on a scenic vista, scenic resource, or existing visual character or quality of the site and its surroundings. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable aesthetics 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>
3. POPULATION AND HOUSING— Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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>
b) Displace substantial numbers of existing housing units or create demand for additional housing, 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 San Francisco, either directly or indirectly. (Less than Significant)

The proposed rehabilitation and expansion of the existing building on the project site, and addition of assembly uses would not be expected to trigger substantial demand for new residential units. The proposed project would not include new housing units or new businesses. The Commonwealth Club of California would relocate its offices and assembly events from its current location in the Financial District (595 Market Street) to the project site. As such, many of the jobs would be relocating to the site from within San Francisco. The total number of full-time employees on the project site would be approximately 38, plus 10 to 15 part-time seasonal interns (average of 45 employees each day). The project would not generate a substantial number of new jobs or demand for additional housing in the context of citywide employment growth.

While the proposed project would increase employment at the project site compared to existing conditions, project-specific impacts would not be significant relative to the number of area-wide residents and employees in the project’s Financial District setting. Overall, the increase in employment would be less than significant in the context of the expected increases in the population of San Francisco. The proposed project would not directly or indirectly induce substantial population growth in San Francisco, thus this impact would be less than significant.

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

The proposed project would not displace any housing, as there are no residential dwelling units on the project site. The proposed office and assembly use of the building would result in a minimal increase in employees. The proposed construction would result in a temporary additional demand for construction workers. Neither of these employment increases would generate a substantial demand for additional housing. The proposed project would not displace existing housing units or create substantial housing demand. Therefore, this impact would be less than significant.

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

The proposed project would not result in substantial growth or displace any residences. The project, in combination with other projects such as the one at 75 Howard Street discussed above in Section E.1 Land Use and Land Use Planning, would not have a significant impact on population or housing demand. 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.

<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>
4. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<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) 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"/>
d) 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"/>

Impact CP-1: The proposed project would not result in a substantial change in the significance of an individually eligible historic resource. (Less than Significant)

Under CEQA, a property qualifies as a historic resource if it is listed in, or determined to be eligible for listing in, the California Register of Historical Resources, or if it is considered a contributor to a potential historic district. The Historic Resource Evaluation Response prepared by the Planning Department’s preservation staff⁴ evaluated the proposed project’s consistency with the *Secretary of the Interior’s Standards for Rehabilitation* (Secretary’s Standards) and is summarized as follows.

⁴ San Francisco Planning Department, *Historic Resource Evaluation Response, 110 Embarcadero/113-115 Steuart Street*, Case No. 2011.1388E December 13, 2013. This report is available for review at 1650 Mission Street, 4th Floor, as part of Case No. 2011.1388E.

To be eligible for the California Register of Historic Resources under Criterion 1 (events), the building cannot merely be associated with historic events or trends but must have a specific association to be considered significant. The San Francisco chapter of the International Longshoremen's Association (ILA) was headquartered at the subject property at 113 Steuart Street from 1932 to 1934. The second floor of the subject building contained the union hall of the ILA, which was accessed via an entrance from Steuart Street. During the 1934 Longshoremen's Strike, two men were shot on the street outside the ILA union hall entrance on "Bloody Thursday" and their bodies were laid in state at the union hall after the event. Several days after the event, a public funeral procession started at the subject property before travelling down Market Street. The union hall served as an important gathering place for the sailors before, during, and after the strike and shootings. The ILA Strike in San Francisco set off similar strikes elsewhere, which shut down all Pacific Coast ports and was a significant event in West Coast labor history. As the subject property is directly associated with the ILA, Bloody Thursday, the 1934 Longshoremen's Strike and related events, it is considered eligible for listing in the California Register under Criterion 1.

The original owner of the subject building is unknown. Subsequent owners and occupants include a variety of commercial tenants serving the waterfront uses and none appear to have made a significant contribution to local, state or national history. Therefore, the 110 Embarcadero/115 Steuart Street building is not considered eligible for listing in the California Register under Criterion 2 (persons).

The subject building is a typical reconstruction-era commercial building that was built in the aftermath of the 1906 earthquake and fire. The building is a modest example of the twentieth century commercial style and does not possess distinctive character such that it would qualify under Criterion 3 (architecture). Therefore, 110 Embarcadero/115 Steuart Street is not considered eligible for listing in the California Register under Criterion 3.

Based upon a review of information in the Departments records, the subject property is not significant under Criterion 4 (important in prehistory or history), which is typically associated with archaeological resources. Furthermore, the project site is not likely significant under Criterion 4, since this criterion typically applies to rare construction types when involving the built environment. The subject property is not an example of a rare construction type. Thus, the project site is not eligible for listing in the California Register under Criterion 4.

The project site is not located within the boundaries of any existing historic district or conservation district. It is adjacent to, but not part of, the Port of San Francisco Embarcadero Historic District, which is listed in the National Register of Historic Places. The neighborhood lacks uniform historic character due to numerous alterations to

properties and new construction in the area. While there are several historic resources in the area, they are each individually significant for their representation of distinct periods of the area's history, thus there does not appear to be a potential historic district in the area that could be affected by the project.⁵

To be a resource for the purposes of CEQA, a property must not only be shown to be significant under the California Register of Historical Resources criteria, but it also must retain integrity of location, design, setting, materials, workmanship, feeling, and association. Since its initial construction circa 1910 as a commercial building, many documented and undocumented alterations have occurred to the subject property. Alterations include: insertion of awnings above the second story windows, removal of all original storefront materials on the Embarcadero and Steuart Street façades, window replacement, removal of the pressed metal cornice on the Embarcadero façade and other ornamental features.

Since the period of significance in 1934, the subject property has retained its original location next to the Audiffred Building and across from the waterfront. Although the Financial District has grown up to the west of the project site, the area immediately adjacent to the project site is still relatively low in scale, and many historic buildings remain from the period of significance such that integrity of location, association, setting and feeling are retained. The form, massing, arrangement, and architectural details of the building are consistent with the utilitarian commercial architecture built during San Francisco's post-earthquake reconstruction period in the early twentieth century. The overall massing, scale, window and storefront openings, and parapets remain intact such that integrity of design, materials and feeling are retained. Due to the removal of the commercial storefronts and ornamental character-defining features, the workmanship of the building has been compromised such that integrity of workmanship is no longer retained. Overall, the subject property retains sufficient integrity to convey its significance as an individual resource eligible under California Register Criterion 1.

The character-defining features of the subject property include the overall two-story massing and rectangular plan and the stucco cladding. The character-defining features of the Steuart Street façade include the shaped parapet with coping, the fenestration size and pattern of the four window openings and one blind center window at the second story, and the concrete wall panels above the window openings. The character-defining features of the Embarcadero façade include the flat parapet, the fenestration size and pattern of five window openings at the second story, the concrete wall panels above the window openings at the second story, and the Classical Revival ornament, including six

⁵ Page & Turnbull, *110 The Embarcadero/113-115 Steuart Street Historic Resource Evaluation, Part II*, November 26, 2013. This report is available for review at 1650 Mission Street, 4th Floor, as part of Case No. 2011.1388E.

Tuscan pilasters between windows at the second story, reed molding (belt course) below the second story, the cornice above the second story windows, and the medallions above each pilaster.

Preservation staff concurs with the historic resource evaluation prepared for the proposed project.⁶ The proposed project would comply with the following five of the Secretary's Standards:

3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

The proposed project would not comply with the following five Secretary's Standards:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the

⁶ Page & Turnbull, *Historic Resource Evaluation – Part II, 110 The Embarcadero/113-115 Steuart Street*, November 26, 2013. This report is available for review at 1650 Mission Street, 4th Floor, as part of Case No. 2011.1388E. pp. 23-27.

historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The proposed project would meet half of the Secretary's Standards and therefore would not comply with the Standards overall. However, the proposed project would not materially impair the significance of the individual historic resource under California Register Criterion 1, and would not cause a significant adverse impact to historic architectural resources because:

- The proposed project would include retention of the character-defining features of the Steuart Street façade
- The proposed third story addition to the building would be set back from the Steuart Street façade by 6'-8" at the south side of the building and 11'-6" at the north side of the building
- The proposed project would include a plaque on the exterior of the Steuart Street façade, central to the façade near the building entrance, dedicated to the labor history that occurred along Steuart Street in 1934, and
- In the building, the Commonwealth Club would specifically curate historic archival materials related to the labor events in 1934, including the building's association with the 1934 Longshoreman's Strike, with the objective of educating the public about the property's historic themes, associations, and lost character-defining features within broader historical, social, and physical landscape contexts.

The proposed project would include removal of all character-defining features of the Embarcadero façade, but since the significance of the property under Criterion 1 is most closely tied to the Steuart Street façade, the building would continue to convey its significance under Criterion 1. For the above reasons, this impact would be less than significant.

Impact CP-2: The proposed project would not cause a substantial adverse change in the significance of an archeological resource. (Less than Significant with Mitigation)

Based on the Preliminary Archeological Review performed by Planning Department archeology staff, the project site has been determined to be sensitive for historic-period archeological resources associated with the mid- to late 19th century development of the

waterfront, specifically piers and associated structures.⁷ The proposed project would retain and repurpose the existing building including a vertical addition, insertion of elevators, and a structural upgrade. The proposed project does not involve subgrade levels below the existing single-level basement. Excavation for the elevator pit would extend below the basement floor for approximately 6.6 feet to approximately 15 feet below ground level. Some additional excavation would be needed for structural upgrades, but would be less deep than the elevator pit. Excavation for utility work may also be necessary. Based on the geotechnical report and subsequent update letters⁸, drilled piers or a similar deep foundation system are not required. Excavation for the elevator pit and other project excavation beneath the existing basement have the potential to impact significant archeological resources. Archeological Mitigation Measure M-CP-2 below, to which the project sponsor has agreed, would reduce this potential impact to less than significant.

Mitigation Measure M-CP-2: Archeological Monitoring Program

Based on the reasonable potential 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 monitoring program. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of *construction* can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

⁷ San Francisco Planning Department, "Preliminary Archeological Review," February 21, 2008; and "Preliminary Archeological Review," May 22, 2014. These documents are available for review at 1650 Mission Street, 4th Floor, as part of Case No. 2011.1388E.

⁸ Treadwell & Rollo, "Geotechnical Investigation and Site Specific Response Spectra, 110 The Embarcadero (113-115 Steuart Street), San Francisco, CA," February 6, 2008; "Geotechnical Review of Structural Documents, Proposed Renovation, 110 The Embarcadero, San Francisco, California," December 17, 2013; and "Clarification – Geotechnical Review Letter dated 17 December 2013," May 19, 2014. These documents are available for review at 1650 Mission Street, 4th Floor, as part of Case No. 2011.1388E.

Consultation with Descendant Communities: On discovery of an archeological site⁹ associated with descendant Native Americans or the Overseas Chinese an appropriate representative¹⁰ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

Archeological monitoring program (AMP). 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 project archeologist 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 potential risk these activities pose to 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 archaeological 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 the 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 crews and heavy equipment until the deposit is evaluated.

⁹ By the term “archeological site” is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

¹⁰ 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.

If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, present the findings of this assessment to the ERO.

If the ERO in consultation with the archeological consultant 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) An archeological 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.

If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The project archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP. The archeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. 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 archeological consultant, project sponsor, ERO, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects.

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

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The 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 or interpretive value, the ERO

may require a different final report content, format, and distribution than that presented above.

With implementation of this mitigation measure, the proposed project's impacts on archeological resources would be less than significant.

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

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

Excavation work resulting from the proposed project would not be expected to adversely affect paleontological resources. Subsurface construction for the proposed project would include shear walls and a new elevator pit up to five feet below the existing basement level (up to approximately 15 feet below existing grade). The soils underlying the project site consist of artificial fill, and the proposed project excavation would not be expected to affect soils at a depth greater than 15 feet below grade. As such, the proposed project would not be expected to affect geologic units that might contain paleontological remains or traces of paleontological remains. Therefore, the proposed project's impact on paleontological resources would be less than significant.

Impact CP-4: The proposed project would not disturb any human remains, including those interred outside of formal cemeteries. (Less than Significant with Mitigation)

Impacts on Native American burials are considered under Public Resources Code (PRC) Section 15064.5(d)(1). When an Initial Study identifies the existence of, or the likelihood of, Native American human remains within the project site, the CEQA lead agency is required to work with the appropriate tribal entity, as identified by the NAHC. The CEQA lead agency may develop an agreement with the appropriate tribal entity for testing or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials. By implementing such an agreement, the project becomes exempt from the general prohibition on disinterring, disturbing, or removing human remains from any location other than the dedicated cemetery (Health and Safety Code Section 7050.5) and the requirements of CEQA pertaining to Native

American human remains. The project's treatment of human remains and of associated or unassociated funerary objects discovered during any soils-disturbing activity would comply with applicable state laws, including immediate notification of the City and County of San Francisco Coroner. If the Coroner were to determine that the remains are Native American, the NAHC would be notified and would appoint a Most Likely Descendant (PRC Section 5097.98). Mitigation measure M-CP-2, specified above, also contains language to ensure the sound handling of any encountered human remains. The project site has not been identified as a site with potential Native American burials. As such, the project is not anticipated to disturb any human remains, include Native American burials.

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

As described above, the existing building on the project site was constructed circa 1910, and is considered a historic resource. The project site is not within the boundaries of a designated or potential historic district. It is located adjacent to the historic Audiffred Building (100 The Embarcadero), and near three other historic resources: the Rincon Annex United States Post Office (180 Steuart Street), the YMCA Building (169 Steuart Street), and the Agriculture Building (101 The Embarcadero). None of the active projects in the area are proposing alterations to historic resources. It is not expected that the proposed project in combination with other cumulative projects would have impacts that would contribute in a cumulatively considerable way to any substantial adverse effect on historic resources. Therefore, the proposed project and other cumulative projects would not have a significant impact on a historic district or off-site historic resource.

Project-related impacts on archeological resources, paleontological resources, and human remains are site-specific and generally limited to the proposed project's construction area. For these reasons, 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, paleontological resources, or human remains.

<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>
5. TRANSPORTATION AND CIRCULATION— Would the project:					
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<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 project site is not located within an airport land use plan area or in the vicinity of a private airstrip. The proposed project would not interfere with air traffic patterns. Therefore, topic 5c is not applicable.

Setting

The project site is located in the Financial District on a through lot fronting The Embarcadero and Steuart Street, just south of Mission Street and is within the block bounded by Mission Street to the north, The Embarcadero to the east, Howard Street to the south, and Steuart Street to the west. In the vicinity of the project site, Mission Street is an east-west roadway, with one eastbound and two westbound travel lanes, parking on both sides, and a single non-revenue streetcar track adjacent to the subject block. The Embarcadero is primarily a north-south roadway, with three travel lanes in each direction, two median-running streetcar tracks, and parking on the west side. Howard Street is primarily a westbound one-way street, but has two travel lanes in each direction along the subject block where the project site is located, and parking on both

sides. Steuart Street is a southbound one-way street with a single travel lane and parking on both sides. Though it is striped as a single-lane street, it is wide enough for vehicles to pass a stopped truck or double-parked vehicle. The parking on the east side of Steuart Street is angled. The speed limit on Mission and Steuart Streets is 25 miles per hour, and the speed limit on Howard Street and The Embarcadero is 30 miles per hour. All intersections surrounding the subject block are signalized. A 14-Mission bus stop is located at the intersection of Mission and Steuart Streets, BART and Muni rail service is available two blocks away at Embarcadero Station, and several other bus lines operate along Market Street. Regional bus service is available nearby at the Temporary Transbay Terminal, located on the block bounded by Mission, Main, Howard, and Beale Streets. Mission and Howard Streets adjacent to the project site contain Class III bikeways, and The Embarcadero has Class II bikeways in both directions.¹¹

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

Policy 10.4 of the Transportation Element of the General Plan states that the City will “Consider the transportation system performance measurements in all decisions for projects that affect the transportation system.” To determine whether the proposed project would conflict with a transportation- or circulation-related plan, ordinance or policy, this section describes the potential impacts that the proposed project would have on traffic, transit, pedestrian, bicycle, loading, parking, and emergency vehicle circulation, as well as any potential transportation impacts related to construction of the proposed project.

Trip Generation

Trip generation estimates for the proposed project were prepared using the *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002 (*Transportation Guidelines*)¹² and Commonwealth Club survey data.¹³ Office-related trips were calculated using the Transportation Guidelines, and the assembly-related trips were calculated using the survey data. Assembly-related trip estimates used the conservative assumption of simultaneous maximum-capacity events in all of the

¹¹ Bikeways are typically classified as Class I, II, or III bikeways. “Class I bikeways are bicycle paths with exclusive right-of-way for use by bicyclists or pedestrians. Class II bikeways are bicycle lanes striped with the paved areas of roadways, and established for the preferential use of bicycles, while Class III bikeways are signed bicycle routes that allow bicycles to share streets or sidewalks with vehicles or pedestrians.” San Francisco Bicycle Plan FEIR, Volume 1, p. V.A.1-14. This document is one file and available for public review at the Planning Department, as part of Case File 2007.0347E.

¹² This document can be found at: <http://www.sfplanning.org/Modules/ShowDocument.aspx?documentid=6753>.

¹³ Stantec Consulting Services, *110 The Embarcadero Transportation Study Memo*, June 19, 2014. This document is available for review at 1650 Mission Street, 4th Floor, as part of Case No. 2011.1388E.

assembly rooms (435 attendees in total). During regular operation of the proposed project, assembly events would not occur every day, and not all events would reach maximum capacity. Based on the above assumptions, the proposed project would generate approximately 1,110 daily person-trips and approximately 120 daily vehicle-trips. During the PM peak hour, the proposed project would generate approximately 50 vehicle trips, 300 transit trips, and 70 walking trips.¹⁴ According to the survey data, less than one percent of trips would be by taxi.

Traffic

As set forth in the *Transportation Guidelines*, the Planning Department evaluates traffic conditions for the weekday PM peak hour conditions (between the hours of 4 PM to 6 PM), which typically represent the worst conditions for the local transportation network. Although the proposed project is estimated to generate approximately 470 PM peak hour person trips, with approximately 50 PM peak hour vehicle trips, these vehicle trips are not anticipated to substantially change the level of service at the intersections in the project vicinity, and would not be considered a substantial traffic increase relative to the existing capacity of the local street system. The trips associated with the project would be dispersed throughout the local roadway network. The majority of trips would also occur in the inbound direction during the PM peak hour, where there is typically excess capacity available. Therefore, the proposed project's impact on existing vehicular traffic is considered less than significant. Improvement Measure IM-TR-1a below, to which the project sponsor has agreed, would further reduce the less-than-significant traffic impacts.

Improvement Measure IM-TR-1a: Transportation Demand Management Program

The Proposed Project shall provide at least ten (10) secured bicycle storage locations in the basement for the employees to promote other modes of transportation. In addition, the project sponsor shall implement a Transportation Demand Management (TDM) Program for both employees and visitors that seeks to annually reduce the number of single occupancy vehicle (SOV) trips to and from the project site and encourage persons arriving/departing via alternative modes of transportation (e.g., walking, bicycling, transit). The project sponsor shall designate one or more TDM program managers/contacts, and provide training for these positions. Commonwealth Club shall document and make available upon request, biannually (every two years) monitoring reports, starting one year after certificate of occupancy for the building (baseline year), for review by the City, including the Planning Department. The biannual monitoring reports shall include travel demand surveys (i.e., travel demand analysis information

¹⁴ Ibid.

requested in the SF Guidelines¹⁵) of employees and visitors arriving and leaving the building for up to seven days of the reporting period. Generally, the TDM program shall be considered effective if in two consecutive reporting periods that there is a 10 percent reduction¹⁶ in SOV trips to and from the project site from the baseline year. The project sponsor shall consider and include some or all of the following TDM measures:

- Provide ongoing local and regional transportation information (e.g., transit maps and schedules, maps of bicycle routes, internet links) for new and existing employees and patrons, including providing a transportation insert for the invitation packet that would provide information on transit service (Muni and BART lines, schedules and fares), car- and bike-share information, information on where transit passes could be purchased, and information on the 511 Regional Rideshare Program.
- Continue to participate in the Muni FastPass (loaded onto a Clipper card) program as part of the Commonwealth Club employee benefits package.
- Provide information on transportation options, including updates and a “ride board” through which employees and patrons can offer/request rides, on the website and/or lobby bulletin board.
- Encourage the use of bicycles by increasing the number of on-site and potentially on-street bicycle racks making them convenient and easy to use. Provide clear points of access to bicycle parking and storage through elevators and/or on the ground floor, and ensure signage indicates the location of these facilities (if public).
- Consider providing discounted bike share membership passes for employees as part of the Commonwealth Club employee benefits package.
- Promote the nearby bike share stations as part of travel information, providing links to additional information on use and membership.
- Similarly, provide information regarding local car share programs.

Parking

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel. While parking conditions change over time, a substantial deficit in parking caused by a project that creates hazardous conditions or significant delays to traffic, transit, bicycles or pedestrians could adversely affect the physical environment. Whether a deficit in parking creates such conditions will depend on the magnitude of the shortfall and the ability of drivers to change travel patterns or

¹⁵ City and County of San Francisco, Transportation Impact Analysis Guidelines for Environmental Review, October 2002, Chapter 3, Section 3.

¹⁶ The 10 percent reduction aligns with the reduction required between 2010 and 2018 for the San Francisco Municipal Transportation Agency to meet their 50 percent private automobile mode share goal outlined in the Strategic Plan, Fiscal year 2013 – Fiscal Year 2018.

switch to other travel modes. If a substantial deficit in parking caused by a project creates hazardous conditions or significant delays in travel, such a condition could also result in secondary physical environmental impacts (e.g., air quality or noise impacts cause by congestion), depending on the project and its setting.

The absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service or other modes (walking and biking), would be in keeping with the City's "Transit First" policy and numerous General Plan Polices, including those in the Transportation Element. The City's Transit First Policy, established in the City's Charter Article 8A, Section 8A.115, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. The secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area, and thus choose to reach their destination by other modes (i.e. walking, biking, transit, taxi). If this occurs, any secondary environmental impacts that may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, would reasonably address potential secondary effects.

No off-street parking would be provided on the project site, so all of the approximately 120 daily vehicle trips to the project site would represent unmet parking demand. Most people arriving by car would likely use nearby garages, street parking, and valet services. Ten indoor bicycle spaces would be provided for employees in the building's basement. The majority of employees and visitors are anticipated to arrive by transit due to the proposed project's location in the Financial District, which is a hub for regional and local transit service. Additionally, the project site is well served by pedestrian and bicycle facilities. Therefore, the unmet parking demand associated with the project would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays are created.

In summary, the proposed project would not result in a substantial parking deficit that would create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians. Therefore, impacts related to parking would be less than significant.

Improvement Measure IM-TR-1a above would further reduce these less-than-significant impacts.

Loading

Under Section 152 of the Planning Code, the proposed project would not be required to provide an off-street loading space. Loading for the building would occur in the four commercial loading spaces directly adjacent to the project site. It is expected that the existing on-street loading spaces would accommodate the loading demand of the proposed project. This amount of demand could be accommodated with street frontage on Steuart Street without creating potentially hazardous conditions or significant delays affecting traffic, transit, bicycles, or pedestrians. Some double parking was observed on Steuart Street near the project site during field work performed as part of the transportation analysis¹⁷. However, traffic volumes on Steuart Street were observed to be light, and the existing one-way configuration allows enough space for motorists to pass double-parked vehicles without creating any substantial congestion or hazards. Therefore, impacts related to loading would be less than significant.

Construction

Construction is expected to last approximately 14 months. Typical construction hours are expected to be between 7:00 am and 6:00 pm Monday through Friday. Work on Saturdays would be evaluated on a case-by-case basis. If typical construction activities need to occur on a Saturday the hours would be between 8:00 am and 4:00 pm. No construction activity is expected to take place on Sundays, recognized holidays or during “off hours” (i.e. any time frame not listed above) unless a specific urgent need arises. On some occasions working outside of the hours above may be required, i.e. to ensure safety, concrete pours that require long durations, etc. Any construction activity proposed to occur outside of the hours above would be evaluated on a case-by-case basis with appropriate approvals being issued before proceeding. As required, the project sponsor and construction contractors would meet with the City’s Transportation Advisory Staff Committee (TASC) to determine feasible methods to reduce traffic congestion, including effects on the transit system and pedestrian circulation impacts during construction of the proposed project. TASC consists of representatives from the Traffic Engineering Division of the Department of Parking and Traffic (DPT), the Fire Department, Muni, and the Planning Department. Given the temporary and intermittent nature of the construction activities, the proposed project’s construction-related activities would not result in a substantial transportation impact. Improvement Measures IM-TR-1b and IM-TR-1c, to which the project sponsor has agreed, would further reduce the less-than-significant impact.

¹⁷ Stantec Consulting Services, *110 The Embarcadero Transportation Study Memo*, June 19, 2014. This document is available for review at 1650 Mission Street, 4th Floor, as part of Case No. 2011.1388E.

Improvement Measure IM-TR-1b: Construction Deliveries

To further minimize the construction-related disruption of the general traffic flow on adjacent streets during the AM and PM peak periods, truck movements and deliveries shall be restricted to off-peak hours (generally outside of 7 AM to 9 AM and 4 PM to 6 PM on weekdays, but restrictions may include other times during Giants game days), or other times, as determined by SFMTA and its Transportation Advisory Staff Committee (TASC).

Improvement Measure IM-TR-1c: Construction Management Plan – Additional Actions

The project sponsor shall be required to develop and implement a Construction Management Plan (CMP), addressing transportation-related circulation, access, staging, and potential lane and sidewalk closures. In addition to these requirements, the project sponsor shall consider implementing the following measures as part of the CMP:

Construction and Transit Access for Construction Workers – to minimize parking demand and vehicle trips associated with construction workers, include methods to encourage carpooling and transit use to the project site by construction workers.

- Project Construction Coordination and Updates for Adjacent Businesses, the Public and Residents: The project sponsor shall be required to consult with surrounding community members, including business and property owners near the project site to assist coordination of construction traffic management strategies as they relate to the needs of those adjacent to the project site. The project sponsor shall develop a public information plan to provide adjacent residents and businesses with regularly-updated information and a construction-management contact person who shall provide information on project construction activities and schedule, peak construction vehicle activities (e.g. concrete pours), travel detours or other lane closures.

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

The project site is located on a developed block of San Francisco. The proposed project would result in the addition of a third story to an existing vacant building and rehabilitating it for office and assembly use. There are no project features that would substantially increase traffic-related hazards. In addition, as discussed in Section E.1, the project does not include incompatible land uses. Therefore, transportation hazard impacts due to a design feature or resulting from incompatible uses would be less than significant.

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

Emergency access would remain unchanged from existing conditions. Emergency vehicles would continue to access the site from Steuart Street and The Embarcadero. The proposed project would not inhibit emergency access to the project site. The proposed project would not be expected to affect emergency response times or access to other sites. It would not close off any existing streets or entrances to public uses. Therefore, the project would have a less than significant impact on emergency access to the project site or any other surrounding sites.

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

Transit

The proposed project would generate approximately 300 PM peak-hour transit person-trips which would be dispersed among the various Muni, BART, ferry, and regional bus lines within the project vicinity. The trips associated with the project would be dispersed throughout the local transit network. The majority of the PM peak hour trips would be in the inbound direction for assembly events. Since the PM peak hour transit demand in the Financial District is primarily in the outbound direction, there is excess inbound capacity available to accommodate the trips generated by the proposed project. The estimated PM peak-hour transit trips would likely be distributed among the many transit lines within close proximity, each with several transit vehicles per hour. This increase in transit demand associated with the proposed development would not noticeably affect transit service levels in the project area or substantially affect transit operations. The proposed project would not conflict with adopted policies, plans or programs supporting alternative transportation. Therefore, the proposed project's impact on transit is considered less than significant.

Bicycle Facilities

The proposed project would not substantially interfere with bicycle accessibility to the project site or adjoining areas because no alterations to the adjacent streets are planned. Implementation of the proposed project could encourage more employees to bring their bicycle to the project site as the proposed project would provide employee bicycle parking. More persons bringing their bicycles to the project site would not create potentially hazardous conditions for bicyclists because Muni bus stops, sidewalks, and bikeways exist within close proximity of the project site. Visitors could therefore walk their bicycles safely along sidewalks from nearby Muni bus stops or bikeways or ride along the roadways to the project site. The proposed project would result in less-than-significant impacts related to bicyclists.

Pedestrian Facilities

Pedestrian trips generated by the proposed project would include walking trips to and from the project site (approximately 70 during the PM peak hour) as well as walking trips to and from local transit providers (approximately 300 during the PM peak hour). These additional walking trips would not result in substantial overcrowding on nearby public sidewalks. The proposed project would not include sidewalk narrowing, roadway widening, removal of center medians, or other conditions that could create potentially hazardous conditions or otherwise interfere with pedestrian accessibility to the site and adjoining areas. The area around the project site is characterized by wide sidewalks capable of handling large volumes of pedestrians. Therefore, the proposed project would result in a less-than-significant impact related to pedestrians.

Impact C-TR-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would result in less-than-significant cumulative transportation impacts. (Less than Significant)

As described above, the proposed project's trips would not be a substantial proportion of the overall volume of trips in the area. The number of trips associated with cumulative projects in the vicinity would be dispersed throughout the local roadway and transit networks and would not have a substantial adverse impact on the transportation system. The majority of trips would also occur in the inbound direction during the PM peak hour, where there is typically excess capacity available. Growth of the city would occur over time, resulting in a greater number of trips in the future, but the number of trips generated by the proposed project would be relatively low and would not be considerable. The proposed project's construction timeline may overlap with other projects under construction or implementation at the same time, such as 75 Howard Street. While the proposed project's construction may occur concurrently with other projects, it is not expected that the construction schedule of the proposed project would be in conflict with other projects in the area. As required, the project sponsor and construction contractors would meet with the City's TASC to determine feasible methods to reduce traffic congestion, including effects on the transit system and pedestrian circulation impacts during construction of the proposed project. The TASC's analysis of the project would include coordination of construction-related lane closures resulting from other nearby projects. The impact from construction traffic would be temporary and would not cause a substantial adverse change on the transportation system. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable transportation and circulation 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>
6. NOISE—Would the project:					
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in 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) Result in 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) Result in 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"/>
g) Be substantially affected by existing noise levels?	<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 in the vicinity of a private airstrip. Therefore, topics 6e and 6f are not applicable.

Impact NO-1: The proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity, expose persons to noise levels in excess of standards established in the local general plan or noise ordinance, or be substantially affected by existing noise levels.

Ambient noise levels in the vicinity of the project site are typical of noise levels in downtown San Francisco, which are dominated by vehicular traffic, including trucks, cars, Muni buses, emergency vehicles, and land use activities, such as commercial businesses and periodic temporary construction-related noise from nearby development, or street maintenance. Noises generated by such activities are common and generally accepted in urban areas. The proposed project does not include addition of new sensitive receptors (sleeping quarters), and would therefore not be substantially affected by existing noise levels.

Some sensitive receptors, primarily hotels, exist within one block of the project site. The proposed project would include the installation of new roof-mounted mechanical equipment for ventilation purposes, which would produce operational noise, but would not be perceptible in the project vicinity due to existing ambient noise levels. Therefore, the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity.

The San Francisco Noise Ordinance¹⁸ regulates noise generated within the City. Generally, the noise levels generated by non-entertainment commercial properties are from mechanical sources, such as air chillers and handlers. Commercial uses are limited by ordinance to a maximum increase of 8 dBA measured at the property line over the ambient noise level which is the lowest repeating level over a 10-minute period. An approximate doubling in traffic volumes in the area would be necessary to produce an increase in ambient noise levels barely perceptible to most people (a 3 dBA increase).¹⁹ As described in Section E.5. (Transportation and Circulation) above, the proposed project would not double traffic volumes in the project vicinity.

For the above reasons, the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity, expose persons to noise levels in excess of standards established in the local general plan or noise ordinance, or be substantially affected by existing noise levels. This impact would be less than significant.

Impact NO-2: During construction, the proposed project would result in a temporary or periodic increase in ambient noise levels and vibration in the project vicinity above existing levels, but any construction-related increase in noise levels and vibration would be limited in duration and would not be substantial. (Less than Significant)

The proposed project's construction activities would last 14 months. Construction activities would generate noise and possibly vibration that could be considered an annoyance by occupants of nearby properties. No heavy external excavation equipment, such as pile drivers, would be used during construction. Much of the construction work would occur inside the existing building. San Francisco Public Utilities Commission (SFPUC) would also review the proposed construction activities and may require implementation of a vibration monitoring plan to ensure that utility infrastructure is not negatively affected by construction activities. Construction noise would fluctuate depending on the construction phase, equipment type and duration of use, and distance between noise source and listener. Further, construction noise would be intermittent and

¹⁸ Article 29, Section 2909 of the San Francisco Police Code

¹⁹ A decibel is a unit of measurement describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals.

limited to the period of construction. The closest sensitive receptors to construction activities would be residents adjacent to the east and west of the project site.

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the Police Code), which requires noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at 100 feet from the source. Impact tools must have both intake and exhaust muffled to the satisfaction of the Director of Public Works. Section 2908 of the Ordinance prohibits construction work between 8:00 PM and 7:00 AM if noise would exceed the ambient noise level by 5 dBA at the project property line, unless a special permit is authorized by the Director of Public Works.

Although construction noise could be annoying at times, it would not be expected to exceed noise levels commonly experienced in this urban environment and would not be considered significant. Because the proposed project would be subject to and would comply with regulations set forth in the Noise Ordinance, and due to the limited duration of proposed project construction, the proposed project’s construction noise impact would be less than significant.

Impact C-NO-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in substantial cumulative noise impacts. (Less than Significant)

The only other proposed project in the vicinity that would generate substantial noise, either due to construction or operation (e.g. traffic or mechanical noise), would be 75 Howard Street, located approximately 600 feet south of the project site. The proposed project at 75 Howard Street consists of demolishing an existing eight-story parking structure (550 spaces) and constructing a 186-unit, 31-story residential building with a below-grade garage. Both projects are located in the heavily-urbanized downtown business district. Given that the proposed project at 110 The Embarcadero/115 Steuart Street would not require heavy external excavation equipment, such as pile drivers, and much of the construction work would occur inside and above the existing building, the proposed project, in combination with past, present, and reasonably foreseeable future projects would not result in a significant cumulative noise 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>
7. AIR QUALITY—Would the project:					
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"/>

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

Setting

Overview

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

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

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

Criteria Air Pollutants

In accordance with the state and federal CAAs, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. In general, the SFBAAB experiences low concentrations of most pollutants when compared to federal or state standards. The SFBAAB is designated as either in attainment²⁰ or unclassified for most criteria pollutants with the exception of ozone, PM_{2.5}, and PM₁₀, for which these pollutants are designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts is considerable, then the project's impact on air quality would be considered significant.²¹

Land use projects may contribute to regional criteria air pollutants during the construction and operational phases of a project. **Table 1** identifies air quality significance thresholds followed by a discussion of each threshold. Projects that would result in criteria air pollutant emissions below these significance thresholds would not violate an air quality standard, contribute substantially to an air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants within the SFBAAB.

²⁰ "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.

²¹ Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2011, page 2-1.

Table 1
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 _x	54	54	10
PM ₁₀	82 (exhaust)	82	15
PM _{2.5}	54 (exhaust)	54	10
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices	Not Applicable	

Ozone Precursors. As discussed previously, the SFBAAB is currently designated as non-attainment for ozone and particulate matter. Ozone is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG) and oxides of nitrogen (NO_x). The potential for a project to result in a cumulatively considerable net increase in criteria air pollutants, which may contribute to an existing or projected air quality violation, are based on the state and federal Clean Air Acts emissions limits for stationary sources. To ensure that new stationary sources do not cause or contribute to a violation of an air quality standard, BAAQMD Regulation 2, Rule 2 requires that any new source that emits criteria air pollutants above a specified emissions limit must offset those emissions. For ozone precursors ROG and NO_x, the offset emissions level is an annual average of 10 tons per year (or 54 pounds (lbs.) per day).²² These levels represent emissions by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants.

Particulate Matter (PM₁₀ and PM_{2.5}).²³ The federal New Source Review (NSR) program was created by the federal CAA to ensure that stationary sources of air pollution are constructed in a manner that is consistent with attainment of federal health based ambient air quality standards. For PM₁₀ and PM_{2.5}, the emissions limit under NSR is 15 tons per year (82 lbs. per day) and 10 tons per year (54 lbs. per day), respectively. These emissions limits represent levels at which a source is not expected to have an impact on air quality.²⁴ Although the regulations specified above apply to new or modified stationary sources, land use development projects result in ROG, NO_x, PM₁₀ and PM_{2.5} emissions as a result of increases in vehicle trips, architectural coating and construction

²² BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 17.

²³ PM₁₀ is often termed “coarse” particulate matter and is made of particulates that are 10 microns in diameter or smaller. PM_{2.5}, termed “fine” particulate matter, is composed of particles that are 2.5 microns or less in diameter.

²⁴ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 16.

activities. Therefore, the above thresholds can be applied to the construction and operational phases of land use projects and those projects that result in emissions below these thresholds would not be considered to contribute to an existing or projected air quality violation or result in a considerable net increase in ozone precursors or particulate matter. Due to the temporary nature of construction activities, only the average daily thresholds are applicable to construction phase emissions.

Fugitive Dust. Fugitive dust emissions are typically generated during construction phases. Studies have shown that the application of best management practices (BMPs) at construction sites significantly control fugitive dust.²⁵ Individual measures have been shown to reduce fugitive dust by anywhere from 30 to 90 percent.²⁶ The BAAQMD has identified a number of BMPs to control fugitive dust emissions from construction activities.²⁷ The City's Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) requires a number of fugitive dust control measures to ensure that construction projects do not result in visible dust. The BMPs employed in compliance with the City's Construction Dust Control Ordinance is an effective strategy for controlling construction-related fugitive dust.

Local Health Risks and Hazards

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

Unlike criteria air pollutants, TACs do not have ambient air quality standards but are regulated by the BAAQMD using a risk-based approach to determine which sources and pollutants to control as well as the degree of control. A health risk assessment is an analysis in which human health exposure to toxic substances is estimated, and considered together with information regarding the toxic potency of the substances, to provide quantitative estimates of health risks.²⁸

²⁵ 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, accessed May 12, 2014.

²⁶ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 27.

²⁷ BAAQMD, *CEQA Air Quality Guidelines*, May 2011.

²⁸ In general, a health risk assessment is required if the BAAQMD concludes that projected emissions of a specific air toxic compound from a proposed new or modified source suggest a potential public health

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

Exposures to fine particulate matter (PM_{2.5}) are strongly associated with mortality, respiratory diseases, and lung development in children, and other endpoints such as hospitalization for cardiopulmonary disease.²⁹ In addition to PM_{2.5}, diesel particulate matter (DPM) is also of concern. The California Air Resources Board (ARB) identified DPM as a TAC in 1998, primarily based on evidence demonstrating cancer effects in humans.³⁰ 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 BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed the "Air Pollutant Exposure Zone," were identified based on two health-protective criteria: (1) excess cancer risk from the contribution of emissions from all modeled sources greater than 100 per one million population, and/or (2) cumulative PM_{2.5} concentrations greater than 10 micrograms per cubic meter (µg/m³).

Excess Cancer Risk. The above 100 per one million persons (100 excess cancer risk) criteria is based on United State Environmental Protection Agency (USEPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and community-scale level.³¹ As described by the BAAQMD, the USEPA considers a cancer risk of 100 per million to be within the "acceptable" range of cancer risk. Furthermore, in the 1989 preamble to the benzene National Emissions Standards for Hazardous Air Pollutants (NESHAP) rulemaking,³² the USEPA states that it "...strives

risk. The applicant is then subject to a health risk assessment for the source in question. Such an assessment generally evaluates chronic, long-term effects, estimating the increased risk of cancer as a result of exposure to one or more TACs.

²⁹ SFDPH, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 2008.

³⁰ California Air Resources Board (ARB), Fact Sheet, "The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines," October 1998.

³¹ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 67.

³² 54 Federal Register 38044, September 14, 1989.

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 BAAQMD regional modeling.³³

Fine Particulate Matter. In April 2011, the USEPA published *Policy Assessment for the Particulate Matter Review of the National Ambient Air Quality Standards*, "Particulate Matter Policy Assessment." In this document, USEPA staff concludes that the current federal annual PM_{2.5} standard of 15 µg/m³ should be revised to a level within the range of 13 to 11 µg/m³, with evidence strongly supporting a standard within the range of 12 to 11 µg/m³. The Air Pollutant Exposure Zone for San Francisco is based on the health protective PM_{2.5} standard of 11 µg/m³, as supported by the USEPA's Particulate Matter Policy Assessment, although lowered to 10 µg/m³ to account for uncertainty in accurately predicting air pollutant concentrations using emissions modeling programs.

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

Construction Air Quality Impacts

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

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

Construction activities (short-term) typically result in emissions of ozone precursors and PM in the form of dust (fugitive dust) and exhaust (e.g., vehicle tailpipe emissions). Emissions of ozone precursors and PM are primarily a result of the combustion of fuel from on-road and off-road vehicles. However, ROG's are also emitted from activities that involve painting, other types of architectural coatings, or asphalt paving. The proposed

³³ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 67.

project includes addition of a new third floor to an existing building, excavation below the existing basement level for shear walls and an elevator pit, and interior work to convert the vacant building to office and assembly uses. During the project's approximately 14 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 ARB, reducing particulate matter PM_{2.5} concentrations to state and federal standards of 12 µg/m³ in the San Francisco Bay Area would prevent between 200 and 1,300 premature deaths.³⁴

Dust can be an irritant causing watering eyes or irritation to the lungs, nose, and throat. Demolition, excavation, grading, and other construction activities can cause wind-blown dust that adds 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 hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI).

The Ordinance requires that all site preparation work, demolition, or other construction activities within San Francisco that have the potential to create dust or to expose or disturb more than 10 cubic yards or 500 sf 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.

³⁴ ARB, *Methodology for Estimating Premature Deaths Associated with Long-term Exposure to Fine Airborne Particulate Matter in California*, Staff Report, Table 4c, October 24, 2008.

In compliance with the Construction Dust Control Ordinance, the project sponsor and the contractor responsible for construction activities at the project site would be required to use the following practices to control construction dust on the site or other practices that result in equivalent dust control that are acceptable to the Director. Dust suppression activities may include watering all active construction areas sufficiently to prevent dust from becoming airborne; increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water must be used if required by Article 21, Section 1100 et seq. of the San Francisco Public Works Code. If not required, reclaimed water should be used whenever possible. Contractors shall provide as much water as necessary to control dust (without creating run-off in any area of land clearing, and/or earth movement). During excavation and dirt-moving activities, contractors shall wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the end of the workday. Inactive stockpiles (where no disturbance occurs for more than seven days) greater than 10 cubic yards or 500 sf of excavated material, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10 mil (0.01 inch) polyethylene plastic (or equivalent) tarp, braced down, or use other equivalent soil stabilization techniques.

The proposed project site is less than one-half acre in size, so submittal of a Dust Control Plan would not be required.

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

Criteria Air Pollutants

As discussed above, construction activities would result in emissions of criteria air pollutants from the use of off- and on-road vehicles and equipment. To assist lead agencies in determining whether short-term construction-related air pollutant emissions require further analysis as to whether the project may exceed the criteria air pollutant significance thresholds shown in **Table 1**, above, the BAAQMD, in its *CEQA Air Quality Guidelines* (May 2011), developed screening criteria. If a proposed project meets the screening criteria, then construction of the proposed project would result in less-than-significant criteria air pollutant impacts. A project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds. The *CEQA Air Quality Guidelines* note that the screening levels are generally representative of new development on greenfield³⁵ sites without any form of mitigation measures taken into consideration. In

³⁵ A greenfield site refers to agricultural or forest land or an undeveloped site earmarked for commercial, residential, or industrial projects.

addition, the screening criteria do not account for project design features, attributes, or local development requirements that could also result in lower emissions.

The proposed project includes the addition of a third story to the existing building on the project site. BAAQMD does not have criteria air pollutant screening sizes for combined office and assembly buildings, but the size of proposed construction activities would be below the criteria air pollutant screening sizes for any type of commercial or office building identified in the BAAQMD's *CEQA Air Quality Guidelines*. The total size of the building, including existing square footage and the 5,085 sf addition, would be 23,819 sf. The most restrictive commercial or office construction screening size is 277,000 sf. Construction would also not require extensive material transport, which is defined by the BAAQMD guidelines as greater than 10,000 cubic yards of soil import or export. 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 with Mitigation)

As discussed above, San Francisco, in partnership with BAAQMD, has modeled and assessed air pollutant impacts from mobile, stationary and area sources within the City. This assessment has resulted in the identification of the Air Pollutant Exposure Zone, based on significance thresholds discussed above for PM_{2.5} and excess cancer risk. The project site is located within an Air Pollutant Exposure Zone, meaning that existing excess cancer risk exceeds 100 per one million and/or ambient PM_{2.5} concentrations exceed 10 µg/m³. Sensitive land uses exist near the proposed project: residences located at 88 Howard Street, approximately 270 feet from the project site.

Off-road equipment (which includes construction-related equipment) is a large contributor to DPM emissions in California, although since 2007, the ARB has found the emissions to be substantially lower than previously expected.³⁶ Newer and more refined emission inventories have substantially lowered the estimates of DPM emissions from off-road equipment such that off-road equipment is now considered the sixth largest source of DPM emissions in California.³⁷ For example, revised PM emission estimates for the year 2010, which DPM is a major component of total PM, have

³⁶ ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, p.1 and p. 13 (Figure 4), October 2010.

³⁷ 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.

decreased by 83 percent from previous 2010 emissions estimates for the SFBAAB.³⁸ 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.³⁹

Additionally, a number of federal and state regulations are requiring cleaner off-road equipment. Specifically, both the USEPA and California have set emissions standards for new off-road equipment engines, ranging from Tier 1 to Tier 4. Tier 1 emission standards were phased in between 1996 and 2000 and Tier 4 Interim and Final emission standards for all new engines would be phased in between 2008 and 2015. To meet the Tier 4 emission standards, engine manufacturers will be required to produce new engines with advanced emission-control technologies. Although the full benefits of these regulations will not be realized for several years, the USEPA estimates that by implementing the federal Tier 4 standards, NO_x and PM emissions will be reduced by more than 90 percent.⁴⁰ Furthermore, California regulations limit maximum idling times to five minutes, which further reduces public exposure to NO_x and PM emissions.⁴¹

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

“Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet (ARB 2005). In addition, current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 40, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. This results in difficulties with producing accurate estimates of health risk.”⁴²

Therefore, project-level analyses of construction activities have a tendency to produce overestimated assessments of long-term health risks. However, within the Air Pollutant Exposure Zone, as discussed above, additional construction activity may adversely

³⁸ ARB, “In-Use Off-Road Equipment, 2011 Inventory Model,” Query accessed online, May 12, 2014, http://www.arb.ca.gov/msei/categories.htm#inuse_or_category.

³⁹ 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.

⁴⁰ USEPA, “Clean Air Nonroad Diesel Rule: Fact Sheet,” May 2004.

⁴¹ California Code of Regulations, Title 13, Division 3, § 2485.

⁴² BAAQMD, *CEQA Air Quality Guidelines*, May 2011, page 8-6.

affect populations that are already at a higher risk for adverse long-term health risks from existing sources of air pollution.

The proposed project would require construction activities for the approximate 14-month construction period. Project construction activities would result in short-term emissions of DPM and other TACs. The project site is located in an area that already experiences poor air quality and project construction activities would generate additional air pollution, affecting nearby sensitive receptors and resulting in a significant impact. Implementation of Mitigation Measure M-AQ-2, Construction Emissions Minimization, would reduce the magnitude of this impact to a less-than-significant level. While emission reductions from limiting idling, educating workers and the public and properly maintaining equipment are difficult to quantify, other measures, specifically the requirement for equipment with Tier 2 engines and Level 3 Verified Diesel Emission Control Strategy (VDECS) can reduce construction emissions by 89 to 94 percent compared to equipment with engines meeting no emission standards and without a VDECS. Emissions reductions from the combination of Tier 2 equipment with level 3 VDECS is almost equivalent to requiring only equipment with Tier 4 Final engines, which is not yet available for engine sizes subject to the mitigation. Therefore, compliance with Mitigation Measure M-AQ-2, to which the project sponsor has agreed, would reduce potential construction emissions impacts to nearby sensitive receptors to a less-than-significant level. The project sponsor has provided a certification statement identifying construction phasing and equipment for the proposed project.⁴³ Revisions to the statement may be made as design of the proposed project progresses, but would still be consistent with Mitigation Measure M-AQ-2.

Mitigation Measure M-AQ-2: Construction Emissions Minimization

- A. *Construction Emissions Minimization Plan.* Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:
1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:
 - a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;

⁴³ *Certification Statement, Commonwealth Club, 110 Embarcadero, San Francisco, CA.* This document is available for review at 1650 Mission Street, 4th Floor, as part of Case No. 2011.1388E.

- b) All off-road equipment shall have:
 - i. Engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and
 - ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).⁴⁴
- c) Exceptions:
 - i. Exceptions to A(1)(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.
 - ii. Exceptions to A(1)(b)(ii) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).

⁴⁴ Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

- iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in **Table 2**.

Table 2 – Off-Road Equipment Compliance Step-down Schedule

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

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

* Alternative fuels are not a VDECS.

- 2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
- 3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.
- 4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.

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

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

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

With implementation of this mitigation measure, the proposed project's construction-related air quality impacts would be less than significant.

Operational Air Quality Impacts

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

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

As discussed above in Impact AQ-1, the BAAQMD, in its *CEQA Air Quality Guidelines* (May 2011), has developed screening criteria to determine whether a project requires an analysis of project-generated criteria air pollutants. If all the screening criteria are met by

a proposed project, then the lead agency or applicant does not need to perform a detailed air quality assessment.

The proposed project includes addition of a third story to an existing building, which would contain office and assembly uses. The proposed project would be below the criteria air pollutant screening sizes for any type of office use. The most restrictive office screening criteria identified in the BAAQMD's *CEQA Air Quality Guidelines* is for government office buildings (61,000 sf), and the proposed building including existing square footage and the 5,085 sf addition, would have 23,819 sf of floor area. Thus, quantification of project-generated criteria air pollutant emissions is not required, and the proposed project would not exceed any of the significance thresholds for criteria air pollutants, and would result in less than significant impact with respect to criteria air pollutants.

Impact AQ-4: The proposed project would not generate substantial amounts of toxic air contaminants, including diesel particulate matter, exposing sensitive receptors to substantial air pollutant concentrations. (Less than Significant)

As discussed above in "Local Health Risks and Hazards," San Francisco, in partnership with BAAQMD, has modeled and assessed air pollutant impacts from mobile, stationary and area sources within the City. This assessment has resulted in the identification of the Air Pollutant Exposure Zone, or areas within the City that deserve special attention when siting uses that either emit toxic air contaminants or uses that are considered sensitive to air pollution. Sensitive land uses exist near the proposed project: residences located at 88 Howard Street, approximately 270 feet from the project site. The proposed project would not add any new sensitive land uses.

Sources of Toxic Air Contaminants

Individual projects result in emissions of toxic air contaminants primarily as a result of an increase in vehicle trips. The BAAQMD considers roads with less than 10,000 vehicles per day "minor, low-impact" sources that do not pose a significant health impact even in combination with other nearby sources and recommends that these sources be excluded from the environmental analysis. The proposed project's approximately 120 daily vehicle trips would be well below this level and would be distributed among the local roadway network, therefore an assessment of project-generated TACs resulting from vehicle trips is not required and the proposed project would not generate a substantial amount of TAC emissions that could affect nearby sensitive receptors. The proposed project would not include an emergency diesel generator. Therefore, the proposed project would not present an operational health risk, and this impact would be less than significant.

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

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

The primary goals of the CAP are to: (1) reduce emissions and decrease concentrations of harmful pollutants, (2) safeguard the public health by reducing exposure to air pollutants that pose the greatest health risk, and (3) reduce greenhouse gas emissions. To meet the primary goals, the CAP recommends specific control measures and actions. These control measures are grouped into various categories and include stationary and area source measures, mobile source measures, transportation control measures, land use measures, and energy and climate measures. The CAP recognizes that to a great extent, community design dictates individual travel mode, and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics, and greenhouse gases from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand, and people have a range of viable transportation options. To this end, the *2010 Clean Air Plan* includes 55 control measures aimed at reducing air pollution in the SFBAAB.

The measures most applicable to the proposed project are transportation control measures and energy and climate control measures. The proposed project's impact with respect to GHGs are discussed in the "Greenhouse Gas Emissions" section below, which demonstrates that the proposed project would comply with the applicable provisions of the City's Greenhouse Gas Reduction Strategy.

The compact development of the proposed project and high availability of viable transportation options ensure that residents could bicycle, walk, and ride transit to and from the project site instead of taking trips via private automobile. These features ensure that the project would avoid substantial growth in automobile trips and vehicle miles traveled. The proposed project's approximately 120 net new daily vehicle trips would result in a negligible increase in air pollutant emissions. Furthermore, the proposed project would be generally consistent with the General Plan, as discussed in the "Compatibility with Existing Plans and Zoning" section above. Transportation control measures that are identified in the *2010 Clean Air Plan* are implemented by the General Plan and the 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 the project includes relevant transportation control measures specified in the *2010 Clean Air Plan*. Therefore, the proposed project would

include applicable control measures identified in the CAP to meet the CAP's primary goals.

Examples of a project that could cause the disruption or delay of *Clean Air Plan* control measures are projects that would preclude the extension of a transit line or bike path, or projects that propose excessive parking beyond parking requirements. The proposed project would add office and assembly uses to a dense, walkable urban area (San Francisco's Financial District) near a concentration of regional and local transit service. It would not preclude the extension of a transit line or a bike path or any other transit improvement, and thus would not disrupt or hinder implementation of control measures identified in the CAP.

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

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

Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. Observation indicates that the project site is not substantially affected by sources of odors, as observed during a site visit performed on May 30, 2014. Additionally, the proposed project consists of office and assembly uses, and would therefore not create a significant source of new odors. Therefore, odor impacts would be less than significant.

Cumulative Air Quality Impacts

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

As discussed above, regional air pollution is by its very nature largely a cumulative impact. Emissions from past, present, and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality

impacts.⁴⁵ The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project's construction (Impact AQ-1) and operational (Impact AQ-3) emissions would not exceed the project-level thresholds for criteria air pollutants, the proposed project would not be considered to result in a cumulatively considerable contribution to regional air quality impacts.

As discussed above, the project site is located in an area that already experiences poor air quality. The project would add new vehicle trips and include construction within an area already adversely affected by air quality, resulting in a considerable contribution to cumulative health risk impacts on sensitive receptors. This would be a significant cumulative impact. The proposed project would be required to implement Mitigation Measure M-AQ-2, Construction Emissions Minimization, as shown under Impact AQ-2 above, which could reduce construction period emissions by as much as 94 percent. Implementation of this mitigation measure would reduce the project's contribution to cumulative air quality impacts to a less-than-significant level.

<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>
8. GREENHOUSE GAS EMISSIONS— Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<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"/>

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 contribute to global climate change and its associated environmental impacts.

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

⁴⁵ BAAQMD, *CEQA Air Quality Guidelines*, May 2011, page 2-1.

GHG emissions. CEQA Guidelines Section 15064.4 allows lead agencies to rely on a qualitative analysis to describe GHG emissions resulting from a project. CEQA Guidelines Section 15183.5 allows for public agencies to analyze and mitigate GHG emissions as part of a larger plan for the reduction of greenhouse gases and describes the required contents of such a plan. Accordingly, San Francisco has prepared *Strategies to Address Greenhouse Gas Emissions (GHG Reduction Strategy)*⁴⁶ which presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's Qualified GHG Reduction Strategy in compliance with CEQA guidelines. The actions outlined in the strategy have resulted in a 14.5 percent reduction in GHG emissions in 2010 compared to 1990 levels, exceeding the year 2020 reduction goals outlined in the BAAQMD's *2010 Clean Air Plan*, Executive Order S-3- 05,⁴⁷ and Assembly Bill 32 (also known as the Global Warming Solutions Act.)^{48,49}

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

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

⁴⁶ San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2010. The final document is available online at: <http://www.sf-planning.org/index.aspx?page=2627>.

⁴⁷ 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 MTCO₂E); by 2020, reduce emissions to 1990 levels (estimated at 427 million MTCO₂E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO₂E).

⁴⁸ San Francisco Department of Environment (DOE), "San Francisco Community-Wide Carbon Emissions by Category." Excel spreadsheet provided via email between Pansy Gee, DOE and Wade Wietgreffe, San Francisco Planning Department. June 7, 2013.

⁴⁹ The *Clean Air Plan*, Executive Order S-3-05, and Assembly Bill 32 goals, among others, are to reduce GHGs in the year 2020 to 1990 levels.

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 operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with waste removal, disposal, and landfill operations.

The proposed project would increase the activity onsite by adding a third story to the existing building and rehabilitating it for office and assembly uses. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and office and assembly operations that result in an increase in energy use, water use and wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

The proposed project would be subject to and required to comply with several regulations adopted to reduce GHG emissions as identified in the GHG Reduction Strategy. The regulations that are applicable to the proposed project include the Commuter Benefits Ordinance, Emergency Ride Home Program, Transit Impact Development Fee, Bicycle Parking requirements, Street Tree Planting Requirements for New Construction, Mandatory Recycling and Composting Ordinance, and SF Green Building Requirements for Energy Efficiency, Water Efficient Irrigation requirements, Commercial Water Conservation Ordinance, Commercial Buildings Energy Performance Ordinance, Construction and Demolition Debris Recovery Ordinance, Light Pollution Reduction, and building material-related requirements.

These regulations, as outlined in San Francisco's *Strategies to Address Greenhouse Gas Emissions*, have proven effective as San Francisco's GHG emissions have measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan GHG reduction goals for the year 2020. The proposed project was determined to be consistent with San Francisco's GHG Reduction Strategy.⁵⁰ Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project's contribution to climate change. Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and thus the proposed project's contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a

⁵⁰ Greenhouse Gas Analysis: Compliance Checklist. June 6, 2014. This document is available for review at 1650 Mission Street, 4th Floor, as part of Case No. 2011.1388E.

significant impact on the environment. As such, the proposed project would result in a less-than-significant impact with respect to GHG emissions. No mitigation measures are necessary.

<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>
9. WIND AND SHADOW—Would the project:					
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)

Wind impacts are generally caused by large building masses extending substantially above their surroundings and by buildings oriented such that a large wall catches a prevailing wind, particularly if such a wall includes little or no articulation. Existing buildings on the same block as the project site are between two and eight stories in height, and surrounding blocks contain high-rise buildings. The existing building on the project site is 35 feet tall. The proposed project would add a third story to the existing building and rehabilitate it for office and assembly uses. The total height of the building with the proposed addition would be 51'-1" (62'-10" including parapets, rooftop access, and mechanical equipment). This addition would result in a minor addition to an existing building, and the buildings in the project vicinity are of similar height or taller, so the proposed project would not be expected to substantially increase ground-level winds. Thus, the proposed project would result in a less-than-significant wind impact.

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

Section 295 of the *Planning Code* was adopted in response to Proposition K (passed November 1984) in order to protect certain public open spaces under the jurisdiction of the Recreation and Park Commission from shadowing by new and altered structures during the period between one hour after sunrise and one hour before sunset, year round. Section 295 restricts new shadow upon public open spaces under the jurisdiction of the Recreation and Park Commission by any structure exceeding 40 feet in height unless the Planning Commission finds the shadow to be an insignificant effect. The nearest public open space to the project site is Justin Herman Plaza, approximately 375 feet to the north. The proposed project would add a third story to the existing building and rehabilitate it for office and assembly uses. The total height of the building with the

proposed addition would be 51'-6" (63'-3" including parapets, rooftop access, and mechanical equipment). A shadow study was prepared for the proposed project. The study found that shadows cast by existing buildings in the vicinity subsume any potential new shadow that the proposed project could cast on Justin Herman Plaza. At times when any new shadow would be cast by the proposed project that is not subsumed by existing shadows, the proposed project's shadow would not be long enough to reach Justin Herman Plaza.⁵¹ Therefore, the project's potential shadow impacts would be less than significant.

Impact C-WS-1: The proposed project, in combination with other past, present, or reasonably foreseeable future projects, would result in less-than-significant cumulative impacts to wind and shadow. (Less than Significant)

The proposed project, as discussed above, would not result in significant shadow or wind impacts. The design of other Financial District projects, including 75 Howard Street, would be required to comply with the applicable height and bulk requirements, as defined in the Planning Code. With such building scale and design conformity, the proposed project together with existing and future development would not combine with other nearby projects to result in a significant cumulatively considerable contribution to shadow or wind 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>
10. RECREATION—Would the project:					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) 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"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact RE-1: The proposed project would not increase the use of existing neighborhood parks or recreational facilities. (Less than Significant)

The nearest recreation facilities to the project site include Justin Herman Plaza and Sue Bierman Park, within two blocks of the project site. The proposed project would minimally increase the use of recreational facilities and parks due to an increase in

⁵¹ ESA, "110 The Embarcadero, San Francisco, Shadow Study," March 6, 2014. This document is available for review at 1650 Mission Street, 4th Floor, as part of Case No. 2011.1388E.

employees and visitors on the project site. This minor increase in the existing demand for public recreational facilities in this area would not result in substantial physical deterioration of existing recreational resources. Therefore, impacts on recreational activities and facilities would be less than significant.

Impact RE-2: The proposed project would not require the construction of recreational facilities that may have a significant effect on the environment. (Less than Significant)

The proposed project would result in a negligible increase in the use of existing recreational facilities and parks in the area due to the increase of employees and visitors at the project site. Therefore, it would not necessitate the construction of new recreational facilities or the expansion of existing facilities and the impact would be less than significant.

Impact RE-3: The proposed project would not physically degrade existing recreational facilities. (Less than Significant)

The proposed project would not result in the physical alteration or degradation of any recreational resource. The proposed project would add a third story to an existing building and rehabilitate it for office and assembly uses. Therefore, the proposed project would not result in physical degradation of any existing recreational resources.

Impact C-RE: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would not considerably contribute to cumulative recreational impacts. (Less than Significant)

The use of recreational facilities in the vicinity of the project site is not expected to noticeably increase as a result of the proposed project. As mentioned above, the proposed project would add a third story to an existing building and rehabilitate it for office and assembly uses. The proposed project would include rooftop open space, and future developments would also be subject to Planning Code open space requirements. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable recreation 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>
11. UTILITIES AND SERVICE SYSTEMS— Would the project:					
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"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<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 that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<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"/>

Impact UT-1: Implementation of the proposed project would not exceed wastewater treatment requirements, exceed the capacity of the wastewater treatment provider serving the project site, or result in the construction of new or expansion of existing wastewater treatment or stormwater drainage facilities. (Less than Significant)

Proposed project-related wastewater and stormwater would flow to the City's combined stormwater and sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant prior to discharge into the Bay. The NPDES standards are set and regulated by the San Francisco Bay Area Regional Water Quality Control (RWQCB), therefore, the proposed project would not conflict with RWQCB requirements.

The project site is completely covered with impervious surfaces, and would remain completely covered with implementation of the proposed project. Therefore, the

proposed project would not substantially affect the amount of stormwater discharged from the project site. Compliance with the City's Stormwater Management Ordinance (Ordinance No. 83-10) will require the proposed project to maintain, reduce, or eliminate the existing volume and rate of stormwater runoff discharged from the project site. To achieve this, the proposed project would implement and install appropriate stormwater management systems that retain runoff onsite, promote stormwater reuse, and limit (or eliminate altogether) site discharges entering the combined sewer collection system. This in turn would limit the incremental demand on both the collection system and wastewater facilities resulting from stormwater discharges, and minimize the potential for upsizing or constructing new facilities. Therefore, the proposed project would not substantially increase the demand for wastewater or stormwater treatment and would result in a less than significant impact.

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

The proposed project would increase the amount of water required to serve the project site. All large-scale projects in California subject to CEQA are required to obtain an assessment from a regional or local jurisdiction water agency to determine the availability of a long-term water supply sufficient to satisfy project-generated water demand under Senate Bill 610 and Senate Bill 221.45. Under Senate Bill 610, a Water Supply Assessment (WSA) is required if a proposed project is subject to CEQA in an Environmental Impact Report or Negative Declaration and is any of the following: (1) a residential development of more than 500 dwelling units; (2) a shopping center of business employing more than 1,000 persons or having more than 500,000 sf of floor space; (3) a commercial office building employing more than 1,000 persons or having more than 250,000 sf of floor space; (4) a hotel or motel with more than 500 rooms; (5) an industrial or manufacturing establishment housing more than 1,000 persons or having more than 650,000 sf or 40 acres; (6) a mixed-use project containing any of the foregoing; or (7) any other project that would have water demand at least equal to a 500 dwelling unit project. The proposed project would not exceed any of these thresholds and therefore would not be required to prepare a WSA.

In June 2011, the SFPUC adopted a resolution finding that the SFPUC's 2010 Urban Watershed Management Plan (UWMP) adequately fulfills the requirements of the water assessment for urban water suppliers. The UWMP uses year 2035 growth projections prepared by the Planning Department and Association of Bay Area Governments to estimate future water demand. The proposed project would not include residential uses, and would not result in a population increase. The proposed project is within the demand projections of the UWMP and would not exceed the water supply projections.

The proposed project would add a third story to the existing building on the project site and rehabilitate it for office and assembly uses. Although the total amount of restroom

fixtures would increase within the building, the rehabilitations would be designed to incorporate water-conserving measures, such as low-flush toilets and urinals, as required by the California State Building Code Section 402.0(c). Because the water demand could be accommodated by existing and planned water supply anticipated under the SFPUC's 2010 UWMP and would include water conservation devices, the proposed project would not result in a substantial increase in water use and would be served from existing water supply entitlements and resources. Therefore, the proposed project would not require the expansion of water facilities and would result in a less than significant impact.

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

The majority of San Francisco's solid waste that is not recycled is disposed of in the Altamont Landfill. As of March 2013, San Francisco's remaining capacity at the landfill was 1,052,815 tons out of the original 15 million ton capacity.⁵² At current disposal rates, San Francisco's available landfill space under the existing contract will run out in January 2015. However, as of the year 2005 (latest year of record), the landfill has a closure date in 2025 and a remaining capacity of 74 percent.⁵³ San Francisco Ordinance No. 27-06 requires a minimum of 65 percent of all construction and demolition debris to be recycled and diverted from landfills. San Francisco had a goal of 75 percent solid waste diversion by 2010 and has a goal of 100 percent solid waste diversion by 2020. San Francisco diverted 80 percent of their solid waste in the year 2010.⁵⁴

With implementation of the proposed project, new trash receptacles would be in place at the project site and occupants would participate in the City's recycling and composting programs and other efforts to reduce the solid waste disposal stream. Due to the existing and anticipated increase of solid waste recycling in the City and the Altamont Landfill's remaining capacity, any increase in solid waste from the project site would be accommodated by the existing landfill and thus would have less-than-significant impacts on solid waste facilities.

⁵² San Francisco Department of the Environment (DOE), "Zero Waste FAQ." Available online at: <http://www.sfenvironment.org/zero-waste/overview/zero-waste-faq>. Accessed August 1, 2013.

⁵³ CalRecycle, "Active Landfills Profile for Altamont Landfill and Resource Recv'ry (01-AA-0009)." Available online at: <http://www.calrecycle.ca.gov/SWFacilities/Directory/01-AA-0009/Detail/>. Accessed August 1, 2013.

⁵⁴ DOE, "Mayor Lee Announces San Francisco Reaches 80 Percent Landfill Waste Diversion, Leads All Cities in North America." Available online at: <http://www.sfenvironment.org/zero-waste/overview/goals>. Accessed August 1, 2013.

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

The California Integrated Waste Management Act of 1989 (Assembly Bill 939) requires municipalities to adopt an Integrated Waste Management Plan to establish objectives, policies, and programs relative to waste disposal, management, source reduction, and recycling. San Francisco Ordinance No. 27-06 requires a minimum of 65 percent of all construction and demolition debris to be recycled and diverted from landfills. San Francisco Ordinance No. 100-09 requires everyone in San Francisco to separate their solid waste into recyclables, compostables, and trash. The proposed project would be subject to and would comply with San Francisco Ordinance No. 27-06, San Francisco Ordinance No. 100-09 and all other applicable statutes and regulations related to solid waste. Therefore, the proposed project’s impact to solid waste would be less than significant.

Impact C-UT-1: The proposed project in combination with past, present, and reasonably foreseeable future projects in the vicinity, would result in less-than-significant cumulative impacts to utilities and service systems. (Less than Significant)

The proposed project would not substantially affect utility provision or service, and existing service management plans address anticipated growth in the region. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable utilities and service systems impact.

<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>
12. PUBLIC SERVICES— Would the project:					
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<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 Topics 10a, b, and c above.

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

The project site currently receives police protection services from the San Francisco Police Department. The Southern police station at 850 Bryant Street, approximately 1.7 miles away, serves the project site. Adding a third story to the existing vacant building and rehabilitating it for office and assembly uses would incrementally increase demand for police services in the area. Given the nature and scale of the proposed project, it would not necessitate the construction of a new police station or alteration of an existing one in order to meet performance objectives. Impacts on police protection services would be less than significant.

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

The project site currently receives fire protection services from the San Francisco Fire Department. The nearest fire station to the project site is Station #35, located approximately 0.3 miles away at Pier 22 ½ (The Embarcadero and Harrison Street). The proposed project could increase the demand for fire protection service within the project area during construction and operation. The proposed construction would be subject to and would comply with the regulations of the California Fire Code, which establishes requirements pertaining to fire protection systems, including the provision of state-mandated fire alarms, fire extinguishers, appropriate building access and egress, and emergency response notification systems. Therefore, the proposed project would not necessitate the construction of a new fire station or physical alteration of an existing one in order to meet performance objectives. Impacts on fire protection services would be less than significant.

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

The proposed project does not include dwelling units, and would not add new population to the area. It would not have an impact on schools or generate new student enrollment. Thus, the proposed project would not result in any additional demand for school facilities and would not necessitate new or physically altered school facilities. Therefore, the proposed project would have no impact on schools.

Impact PS-4: The proposed project would not increase the demand for government services, and there would be no impact on government facilities. (Less than Significant)

The proposed project does not include dwelling units, and would not result in a population increase. The project would not generate noticeable additional demand for

government services, and would not necessitate new or physically altered government facilities. Therefore, the proposed project would have a less than significant impact on government facilities.

Impact C-PS-1: The proposed project in combination with past, present, and reasonably foreseeable future projects in the vicinity, would result in less-than-significant cumulative impacts to public services. (Less than Significant)

Like other development in the vicinity, the proposed project would be expected to incrementally increase demand for public services, but not beyond levels anticipated and planned for by public service providers. The proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable public services 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>
13. BIOLOGICAL RESOURCES— Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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"/>

<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>
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 area, Natural Community Conservation Plan area, or other approved local, regional, or state habitat conservation plan area. Therefore, Topic 13f is not applicable.

Impact BI-1: The proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any special-status species. (No Impact)

The project site contains an existing building and impermeable surfaces covering the entire land area. Six street trees are present adjacent to the project site: two on the Embarcadero frontage and four on the Steuart Street frontage. No special-status species are known to exist at the project site.

The proposed project would add a third story to the existing vacant building at the project site and rehabilitate it for office and assembly uses. The four street trees along the project site’s Steuart Street frontage would be removed and replaced with new trees during construction, pursuant to DPW review and approval. The project site does not provide habitat for any rare or endangered plant or animal species, and the proposed project would not affect or diminish plant or animal habitats. The project would not interfere with any resident or migratory species, or affect any rare, threatened or endangered species. Therefore, the proposed project would have no impact on special-status species.

Impact BI-2: The proposed project would not impact any sensitive natural communities or adversely affect any federally-protected wetlands. (No Impact)

The project site does not contain riparian habitat or other sensitive natural communities or a federally-protected wetland. No impact would occur.

Impact BI-3: 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)

Structures in an urban setting may present risks for birds’ migratory paths from their location and/or their features. The City has adopted guidelines to describe the issue and provide regulations for bird-safe design within the City.⁵⁵ The regulations establish

⁵⁵ San Francisco Planning Department, “Standards for Bird-Safe Buildings.” Website provides the adopted *Standards for Bird-Safe Buildings* adopted by the Planning Commission, July 14, 2011 and Ordinance No.

bird-safe standards for new building construction, additions to existing buildings, and replacement facades to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be “bird hazards.” The two circumstances regulated are: 1) location-related hazards, where the siting of a structure creates increased risk to birds (defined as inside or within 300 feet of open spaces two acres and larger dominated by vegetation or open water) and 2) feature-related hazards, which may create increased risk to birds regardless of where the structure is located. For new building construction located where the location-related standard would apply, the standards include façade requirements consisting of no more than 10 percent untreated glazing and the use of minimal lighting. Lighting that is used shall be shielded without any uplighting. Feature-related hazards include free-standing glass walls, wind barriers, skywalks, balconies, and greenhouses on rooftops that have unbroken glazed segments 24 sf and larger in size. Any structure that contains these elements shall treat 100 percent of the glazing.

The project site consists of an existing building and impermeable surfaces covering the entire land area, across the street from San Francisco Bay. Therefore, the project site is located in an area where the standards for location-related hazards apply. Because the proposed project would be subject to and would comply with City adopted regulations for bird-safe buildings, the proposed project would not interfere with the movement of native resident or wildlife species or with established native resident or migratory wildlife corridors. Migrating birds do pass through San Francisco, but the project site and the adjacent street trees are unlikely to contain habitat to support migrating birds. Nesting birds, their nests, and eggs are fully protected by the California Fish and Game Code (Sections 3503 and 3503.5) and the federal Migratory Bird Treaty Act (MBTA). The proposed project would be subject to the MBTA, and would therefore have a less-than-significant impact on nesting birds.

Impact BI-4: The proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. (Less than Significant)

The San Francisco Board of Supervisors adopted legislation that amended the City’s Urban Forestry Ordinance, Public Works Code Section 801 et. Seq., to require a permit from DPW to remove any protected trees.⁵⁶ If any activity is to occur within the dripline, prior to building permit issuance, a tree protection plan prepared by an International Society of Arborists-certified arborist is to be submitted to the Planning Department for review and approval. All permit applications that could potentially

199-11, adopted by the Board of Supervisors, October 7, 2011. Available online at: <http://www.sf-planning.org/index.aspx?page=2506>. Accessed May 14, 2014.

⁵⁶ “Required Checklist for Tree Planting and Protection, 110 The Embarcadero/115 Steuart Street,” December 12, 2013. This document is available for review at 1650 Mission Street, 4th Floor, as part of Case No. 2011.1388E.

impact a protected tree must include a Planning Department “Required Checklist for Tree Planting and Protection.” Protected trees include landmark trees, significant trees, or streets trees located on private or public property anywhere within the territorial limits of the City and County of San Francisco. Article 16 of the San Francisco Public Works Code, the Urban Forestry Ordinance, provides for the protection of landmark, significant, and street trees. Landmark trees are designated by the Board of Supervisors upon the recommendation of the Urban Forestry Council, which determines whether a nominated tree meets the qualification for landmark designations by using establish criteria (Section 810). Significant trees are those trees within the jurisdiction of the DPW or trees on private property within 10 feet of the public right-of-way that meet any of three size criteria. Significant trees must have a diameter at breast height in excess of 12 inches, or a height in excess of 20 feet, or a canopy in excess of 15 feet (Section 810(A)(a)). Street trees are any tree growing within the public right-of-way, including unimproved public streets and sidewalks, and any tree growing on land under the jurisdiction of the DPW (Section 802(w)). If a project would result in tree removal subject to the Urban Forestry Ordinance and the DPW would grant a permit, the DPW shall require that replacement trees be planted (at a one-to-one ratio) by the project sponsor or that an in-lieu fee be paid by the project sponsor (Section 806(b)).

As noted in the Required Checklist for Tree Planting and Protection prepared for the proposed project⁵⁷, the four trees along the project site’s Steuart Street frontage would be temporarily removed and replaced with new trees during construction, pursuant to DPW review and approval. Construction would last approximately 14 months. The two trees along the Embarcadero frontage would not be removed, and would be protected in place during construction.

Impact C-BI-1: The proposed project would result in no impact to biological resources; therefore, a discussion of cumulative impacts is not necessary. (Less than Significant)

Cumulative projects, including the nearby project proposed at 75 Howard Street, would be required to comply with the City’s Urban Forestry Ordinance and apply for a tree removal permit from the Department of Public Works (including requirements for tree replacement or in-lieu fees) if these projects propose tree removal. As such, it is unlikely that these cumulative projects would have biological impacts that could combine with the less-than-significant biological impacts of the proposed project. Further, the proposed project would not substantially contribute to any cumulative biological impact and the proposed project would not result in any significant cumulative biological impacts.

⁵⁷ Ibid.

<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>
14. GEOLOGY AND SOILS— Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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, 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"/>

The project proposed project would not use septic tanks or alternative wastewater disposal systems. Therefore, topic 14e is not applicable.

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

No portion of the project site is within Alquist-Priolo Earthquake Fault Zone,⁵⁸ and no active or potentially active faults have been mapped on the project site by the California Geological Survey⁵⁹ or the General Plan's October 2012 Community Safety Element (Community Safety Element). However, given the project site's proximity to the San Andreas Fault, approximately 9.2 miles to the southwest of the project site, the Community Safety Element identifies the potential for violent seismic ground shaking at the project site from a magnitude 7.2 earthquake on this fault. The Community Safety Element also projects very strong seismic ground shaking at the project site from a magnitude 6.5 earthquake on the Hayward Fault, approximately 9.5 miles to the northeast of the project site. The project site is located on artificial fill and the Community Safety Element maps it within a liquefaction zone (ground shaking that causes saturated soils to lose strength due to an increase in pore pressure), but not in a landslide zone (movement of a mass of soil down a steep slope when the soil loses strength and can no longer support the weight of overlying soil or rocks). It is likely that the project site would experience periodic minor or major earthquakes associated with a regional fault. The 2008 Working Group on California Earthquake Probabilities estimates that there is a 63 percent chance that a magnitude 6.7 or greater earthquake will occur in the San Francisco Bay Area within 30 years. Like the entire San Francisco Bay Area, the project site is subject to groundshaking in the event of an earthquake.

The Geotechnical Report prepared for the proposed project indicates that a foundation with a combination of existing piles and new shear walls would be required. Such foundation would avoid impacts on the foundations of neighboring structures.⁶⁰ The final building foundation plans would be reviewed by DBI. In reviewing building plans, DBI refers to a variety of information sources to determine existing hazards and assess requirements to address these hazards. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspectors' working knowledge of areas of special geologic concern. Potential geologic hazards would be addressed during the permit review process. To ensure

⁵⁸ California Geological Survey (CGS), Alquist-Priolo Earthquake Fault Zone Maps. Available online at: <http://www.quake.ca.gov/gmaps/WH/regulatorymaps.htm>. Accessed May 14, 2014.

⁵⁹ CGS, 2010 Fault Activity Map of California. Available online at: <http://www.quake.ca.gov/gmaps/FAM/faultactivitymap.html>. Accessed May 14, 2014.

⁶⁰ Treadwell & Rollo, "Geotechnical Investigation and Site Specific Response Spectra, 110 The Embarcadero (113-115 Steuart Street), San Francisco, CA," February 6, 2008; "Geotechnical Review of Structural Documents, Proposed Renovation, 110 The Embarcadero, San Francisco, California," December 17, 2013; and "Clarification – Geotechnical Review Letter dated 17 December 2013," May 19, 2014. These documents are available for review at 1650 Mission Street, 4th Floor, as part of Case No. 2011.1388E.

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

Impact GE-2: The proposed project would not result in substantial soil erosion or loss of topsoil. (No Impact)

The project site is located on artificial fill in a highly developed urban area, is occupied by an existing building, and is covered entirely by impervious surfaces. Therefore, the proposed project would not result in soil erosion or loss of topsoil. No impact would occur.

Impact GE-3: The proposed project could be located on expansive soil, but would not create substantial risks to life or property. (Less than Significant)

Expansive soils expand and contract in response to changes in soil moisture, most notably when near surface soils change from saturated to a low-moisture content condition, and back again. It is unknown if expansive soils are beneath the project site. However, the proposed project would be subject to and required to comply with recommendations from DBI, through its building permit review process, that would include an analysis of the potential for soil expansion impacts. Therefore, the proposed project would not create substantial risk to life or property from expansive soils and impacts would be less than significant.

Impact GE-4: The proposed project would not change substantially the topography or unique geologic or physical features of the site. (No Impact)

The topography of the project site is relatively flat and there are no notable topographic or unique geologic features present on the site. The entire project site is already developed, and no expansion of the building footprint would occur as a result of the proposed project. As such, no impact would occur.

Impact C-GE-1: The proposed project, in combination with the past, present, and reasonably foreseeable future projects in the site vicinity, would result in a less-than-significant cumulative impacts to geology and soils. (Less than Significant)

Geological impacts are generally site-specific and the proposed project would not have the potential to have cumulative effects with other projects. Cumulative development would be subject to the same DBI design review and safety measures as the proposed project. These measures would render the geologic effects of cumulative projects to less-

than-significant levels. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable geology and soils 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>
15. HYDROLOGY AND WATER QUALITY— Would the project:					
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 of 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 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>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact HY-1: The proposed project would not violate water quality standards or waste discharge requirements, substantially degrade water quality, or provide substantial additional sources of polluted runoff. (Less than Significant)

Proposed project-related wastewater would flow to the City’s combined stormwater and sewer system and would be treated to standards contained in the City’s NPDES permit for the Southeast Water Pollution Control Plant prior to discharge into San Francisco Bay. Because the NPDES standards are set and regulated by the RWQCB, the proposed project would not conflict with RWQCB requirements.

Groundwater is relatively shallow throughout the project site, approximately five to ten feet below grade. The proposed project’s excavation could potentially encounter groundwater, which could impact water quality. Groundwater encountered during construction of the proposed project would be subject to requirements of the City’s Sewer Use Ordinance (Ordinance Number 19-92, amended 116-97), as supplemented by Department of Public Works Order No. 158170, requiring a permit from the Wastewater Enterprise Collection System Division of the SFPUC. A permit may be issued only if an effective pretreatment system is maintained and operated. Each permit for such discharge shall contain specified water quality standards and may require the project sponsor to install and maintain meters to measure the volume of the discharge to the combined sewer system. SFPUC may also require water analysis prior to discharge per the City’s Industrial Waste Ordinance (Ordinance number 199-77). In addition, the geotechnical investigation⁶¹ states that dewatering wells may be needed to draw the groundwater down to three feet below the planned depths of excavation to provide for a workable excavation. Any dewatering wells needed for the proposed project would be subject to the requirements of the City’s Soil Boring and Well Regulation Ordinance (Ordinance Number 113-05), requiring a project sponsor to obtain a permit from the Department of Public Health prior to constructing a dewatering well. A permit may be issued only if the project sponsors use construction practices that would prevent the contamination or pollution of groundwater during the construction or modification of the well or soil boring. Also see the Maher Ordinance discussion under Impact HZ-2 below.

⁶¹ Treadwell & Rollo, “Geotechnical Investigation and Site Specific Response Spectra, 110 The Embarcadero (113-115 Steuart Street), San Francisco, CA,” February 6, 2008; “Geotechnical Review of Structural Documents, Proposed Renovation, 110 The Embarcadero, San Francisco, California,” December 17, 2013; and “Clarification – Geotechnical Review Letter dated 17 December 2013,” May 19, 2014. These documents are available for review at 1650 Mission Street, 4th Floor, as part of Case No. 2011.1388E.

During the proposed project's construction, the potential for erosion and transportation of soil particles would exist, but would be limited given that construction would consist of an addition to an existing building on a lot fully covered by impermeable surfaces. Therefore, due to the requirements of the existing regulations and the proposed project's minor amount of exterior construction, the proposed project would not violate water quality standards, substantially degrade water quality, or provide substantial additional sources of polluted runoff. Therefore, water quality impacts due to waste discharge would be less-than-significant.

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

Groundwater is relatively shallow throughout the project site, approximately five to ten feet below grade. The proposed project's excavation could potentially encounter groundwater, which could impact groundwater supplies. Although dewatering could be required during construction, any effects related to lowering the water table would be temporary and would not be expected to substantially deplete groundwater resources. The proposed project would not require long-term, continuous dewatering following construction. The underground structure would be waterproofed to prevent groundwater seepage and constructed to withstand the hydrostatic pressure of the groundwater. The specifications for construction dewatering, potential groundwater recharge, and protection against long-term groundwater intrusion are outlined in the geotechnical investigation for the proposed project⁶² and will be reviewed by the Department of Building Inspection as part of the building permit process. In addition, the project site is located in the Downtown San Francisco Groundwater Basin.⁶³ This basin is not used as a drinking water supply and no plans for development of this basin exist for groundwater production.⁶⁴

The project site is entirely covered by the existing building and impervious surfaces, and this condition would not change as a result of the proposed project. As such, the proposed project would not change or interfere with existing groundwater supply or recharge. For the above reasons, this impact would be less than significant.

⁶² Ibid.

⁶³ California Department of Water Resources, "San Francisco Bay Hydrologic Region Map." Available online at: http://www.water.ca.gov/groundwater/bulletin118/san_francisco_bay.cfm. Accessed on May 15, 2014.

⁶⁴ San Francisco Planning Department, *Transit Center District Plan and Transit Tower Draft EIR*, September 2011. This document is available for review at the Planning Department in Case File Nos. 2007.0558E and 2008.0789E.

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

Development in the City and County of San Francisco must account for flooding potential. Areas located on fill or bay mud can subside to a point at which the sewers do not drain freely during a storm (and sometimes during dry weather) and there can be backups or flooding near these streets and sewers. The proposed project falls within an area in the City prone to flooding during storms, especially where ground stories are located below an elevation of 0.0 City Datum or, more importantly, below the hydraulic grade line or water level of the sewer.

The City has implemented a review process to avoid flooding problems caused by the relative elevation of the structure to the hydraulic grade line in the sewers. Applicants for building permits for either new construction, change of use (Planning) or change of occupancy (Building Inspection), or for major alterations or enlargements are referred to the SFPUC for a determination of whether the project would result in ground-level flooding during storms. The side sewer connection permits for these projects need to be reviewed and approved by the SFPUC at the beginning of the review process for all permit applications submitted to the Planning Department or the Department of Building Inspection. The SFPUC and/or its delegate (DPW, Hydraulics Section) will review the permit application and comment on the proposed application and the potential for flooding during wet weather. The SFPUC will receive and return the application within a two-week period from date of receipt. The permit applicant shall refer to PUC requirements for information required for the review of projects in flood-prone areas. Requirements may include provision of a pump station for the sewage flow, raised elevation of entryways, and/or special sidewalk construction and the provision of deep gutters.

No streams or rivers exist at the project site. Therefore, the proposed project would not alter the course of a stream or river. Furthermore, the proposed project would not substantially alter the existing drainage pattern of the project site or area.

During the proposed project's construction, the potential for erosion and transportation of soil particles would exist, but would be limited given that excavation would occur within the footprint of the existing building. The footprint of the building would not expand as a result of the proposed project. Therefore, due to the requirements of the existing regulations and the proposed project's lack of horizontal building expansion, the proposed project would not violate water quality standards, substantially degrade water quality, or provide substantial additional sources of polluted runoff.

As required, the sponsor for the proposed project would coordinate a review with SFPUC in order to determine if the project would result in ground-level flooding during storms and will incorporate any required design measures, as applicable. Therefore, the proposed project would not result in altered drainage patterns that would cause substantial erosion or flooding or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems and impacts would be less than significant.

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

Flood risk assessment and some flood protection projects are conducted by federal agencies including the Federal Emergency Management Agency (FEMA) and the U.S. Army Corps of Engineers. The flood management agencies and cities implement the National Flood Insurance Program (NFIP) under the jurisdiction of FEMA and its Flood Insurance Administration. Currently, the City of San Francisco does not participate in the NFIP and no flood maps are published for the City. However, FEMA is preparing Flood Insurance Rate Maps (FIRMs) for the City and County of San Francisco for the first time. FIRMs identify areas that are subject to inundation during a flood having a 1 percent chance of occurrence in a given year (also known as a "base flood" or "100-year flood"). FEMA refers to the flood plain that is at risk from a flood of this magnitude as a special flood hazard area (SFHA).

FEMA has tentatively identified SFHAs along the City's shoreline in and along the San Francisco Bay consisting of Zone A (in areas subject to inundation by tidal surge) and Zone V (areas of coastal flooding subject to wave hazards). On June 10, 2008, legislation was introduced at the San Francisco Board of Supervisors to enact a floodplain management ordinance to govern new construction and substantial improvements in flood prone areas of San Francisco, and to authorize the City's participation in NFIP upon passage of the ordinance. Specifically, the proposed floodplain management ordinance includes a requirement that any new construction or substantial improvement of structures in a designated flood zone must meet the flood damage minimization requirements in the ordinance. The NFIP regulations allow a local jurisdiction to issue variances to its floodplain management ordinance under certain narrow circumstances, without jeopardizing the local jurisdiction's eligibility in the NFIP. However, the particular projects that are granted variances by the local jurisdiction may be deemed ineligible for federally backed flood insurance by FEMA.

The project site is not located within the mapped 100-year Flood Hazard Boundary⁶⁵ or within a dam failure area.⁶⁶ The building is within an area identified by the SFPUC as a

⁶⁵ Federal Emergency Management Agency, "Draft Special Flood Hazard Areas (San Francisco)," September 21, 2007.

flood prone area, where storm-related flooding of sewers could occur. Through the building permit review process for this project, the SFPUC would require design features necessary to minimize the potential of a sewer backup during storm events as well as to minimize the potential of street storm flow from entering the property. The proposed project would not expand the footprint of the existing building. Aside from addition of elevator shafts, the project also would not expand or deepen the building's basement level. Additionally, the proposed project would not include housing units. Therefore, potential impacts from flooding would be less than significant.

Impact HY-5: The proposed would not expose people or structures to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow. (Less than Significant)

The project site is located within a tsunami hazard area.⁶⁷ A seiche is an oscillation of a water body, such as a bay, which may cause local flooding. A seiche could occur on San Francisco Bay due to seismic or atmospheric activity. The project site is approximately 200 feet from San Francisco Bay. The proposed project would involve adding a third floor to an existing building, and would not expose the structure to any additional risk of inundation by seiche or tsunami. No mudslide hazards exist at the project site because the project site is not located near any landslide prone areas.⁶⁸ Therefore, the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow. This impact would be less than significant.

Impact C-HY-1: The proposed project, in combination with the past, present, and reasonably foreseeable future projects in the site vicinity, would result in a less-than-significant cumulative impacts to hydrology and water quality. (Less than Significant)

Cumulative development in the project area could result in intensification of uses and thus a cumulative increase in wastewater generation. The SFPUC has accounted for such growth in its service projections. The cumulative development projects would be required to comply with construction-phase stormwater pollution control and dewatering water quality regulations, if necessary, similar to the proposed project. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable hydrology and water quality impact.

⁶⁶ City and County of San Francisco, "General Plan, Community Safety Element," June 2012, Map 6.

⁶⁷ *Ibid*, Map 5.

⁶⁸ *Ibid*, Map 4.

<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>
16. HAZARDS AND HAZARDOUS MATERIALS— Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<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"/>
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 fires?	<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 in the vicinity of a private airstrip. Therefore, topics 16e and 16f are not applicable.

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

The proposed project would involve adding a third story to an existing building and rehabilitating it for office and assembly uses. The building would likely contain relatively small amounts of hazardous materials, such as common types of cleaners and disinfectants. These products are labeled to inform users of potential risks and to

instruct them in appropriate handling procedures. Most of these materials are consumed through use, resulting in relatively little waste. Employers are required by law to ensure employee safety by identifying hazardous materials in the workplace, providing safety information to workers who handle hazardous materials, and adequately training workers. For these reasons, hazardous materials used during project operation would not pose any substantial public health or safety hazards related to hazardous materials. Thus, the proposed project would result in less-than-significant impacts related to routine transport, use, or disposal of hazardous materials.

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

Testing documented in the Phase 1 Environmental Site Assessment (ESA)⁶⁹ prepared for the project indicates the presence of low to moderate level contaminants (polynuclear aromatic hydrocarbons (PAH) and arsenic) in the soil, and asbestos and lead paint in the existing building. The presence of these materials could cause a potential health risk due to the proposed excavation and alteration of the building. However, the proposed project would be required to remove the potential hazardous materials in compliance with federal, state and local regulations.

Soil and Groundwater

The proposed project would require excavation of at least 50 cubic yards of soil on a site with known prior manufacturing use. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I ESA that meets the requirements of Health Code Section 22.A.6. The Phase I would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit. In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and a Phase I ESA has been prepared to assess the potential for site contamination.

⁶⁹ PES Environmental, Inc. "Phase I Environmental Site Assessment, 110 The Embarcadero, San Francisco, California," October 2, 2012. This document is available for review at 1650 Mission Street, 4th Floor, as part of Case No. 2011.1388E.

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

Lead-Based Paint

Lead may cause a range of health effects, from behavioral problems and learning disabilities, to seizures and death. Children six years old and under are most at risk. Work must be conducted in compliance with Section 3425 of the San Francisco Building Code, Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Where there is any work that may disturb or remove interior or exterior lead-based paint on pre-1979 buildings, structures and properties and on steel structures use work practices that minimize or eliminate the risk of lead contamination of the environment.

Section 3425 contains performance standards, including establishment of containment barriers and identifies prohibited practices that may not be used in disturbance or removal of lead-based paint. Any person performing work subject to Section 3425 shall make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work, and any person performing regulated work shall make all reasonable efforts to remove all visible lead paint contaminants from all regulated areas of the property prior to completion of the work.

Section 3425 also includes notification requirements, contents of notice, and requirements for project site signs. Prior to commencement of exterior work that disturbs or removes 100 or more sf or 100 or more linear feet of lead-based paint in total, the responsible party must provide the Director of the DBI with written notice that describes the address and location of the proposed project; the scope and specific location of the work; whether the responsible party has reason to know or presume that lead-based paint is present; the methods and tools for paint disturbance and/or removal; the approximate age of the structure; anticipated job start and completion dates for the work; whether the building is residential or nonresidential; whether it is owner-occupied or rental property; the approximate number of dwelling units, if any; the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. Further notice requirements include: a Post Sign notifying the public of restricted access to work area, a Notice to Residential Occupants, Availability of Pamphlet related to protection from lead in the home, and Early Commencement of Work (by Owner, Requested by Tenant), and Notice of Lead Contaminated Dust or Soil, if applicable. Section 3425 contains provisions regarding inspection and sampling for compliance by DBI, and enforcement, and describes penalties for non-compliance with the requirements of the ordinance.

The proposed project would be subject to and would comply with the above regulations, therefore, impacts from lead-based paint would be less than significant.

Asbestos-Containing Building Material

People exposed to low levels of asbestos may be at elevated risk of lung cancer and mesothelioma. The risk is proportional to the cumulative inhaled dose (quantity of fibers) and increases with the time since first exposure. Although a number of factors influence the disease-causing potency of any given asbestos (such as fiber length and width, fiber type, and fiber chemistry), all forms are carcinogens. Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. The BAAQMD is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified ten days in advance of any proposed demolition or asbestos abatement work. The notification must include: (1) the names and addresses of the operations; (2) the names and addresses of persons responsible; and (3) the location and description of the structure to be altered, including size, age, and prior use, and the approximate amount of friable asbestos; (4) scheduled starting and completion dates of asbestos abatement work; (5) nature of the planned work and methods to be employed; (6) procedures to be employed to meet BAAQMD requirements; (7) and the name and location of the waste disposal site to be used. The BAAQMD randomly inspects asbestos removal operations. In addition, the BAAQMD will inspect any removal operation about which a complaint has been received. Any asbestos-containing building material disturbance at the project site would be subject to the requirements of BAAQMD Regulation 11, Rule 2: Hazardous Materials; Asbestos Demolition, Renovation and Manufacturing.

The local office of the State Occupational Safety and Health Administration must also be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow State regulations contained in California Code of Regulations, Title 8, Section 1529 and Title 8, Section 341.6 through 341.14 where there is asbestos-related work involving 100 sf or more of asbestos-containing building material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material are required to file a Hazardous Waste Manifest that details the hauling of the material from the site and the disposal of it. Pursuant to California Law, DBI would not issue the required permit until the applicant has complied with the notice requirements described above. The proposed project would be subject to and would

comply with the above regulations, therefore, impacts from asbestos-containing building material would be less than significant.

Conclusions

With the existing regulations in place, the proposed rehabilitation and vertical expansion of the existing building would not have the potential to pose a direct (through material removal) or indirect (through transport of materials or accidental release) public health hazard to the surrounding neighborhood. Compliance with existing regulatory requirements, and permits would ensure that the proposed project would not result in significant effects due to hazardous materials or wastes. Therefore, the proposed project would have less-than-significant impacts related to hazardous materials use.

Impact HZ-3: The project site is not included on a list of hazardous materials sites compiled pursuant to California Government Code Section 65962.5. (No Impact)

The Phase I ESA submitted for the proposed project included a search of environmental databases covered by California Government Code Section 65962.5. The project site was not listed on any of the environmental databases searched⁷⁰. As such, no impact related to hazardous material sites would occur.

Impact HZ-4: The proposed project would not expose people or structures to a significant risk of loss, injury, or death involving fires, nor interfere with the implementation of an emergency response plan. (Less than Significant)

San Francisco ensures fire safety primarily through provisions of the *Building* and the *Fire Codes*. In addition, the San Francisco Fire Department (as well as DBI) reviews the final building plans to ensure conformance with these provisions. In addition, the proposed project is not located within a fire hazard severity zone.⁷¹ The proposed project would conform to these standards, which (depending on building type) may also include development of an emergency procedure manual and an exit drill plan. Therefore, potential emergency response and fire hazard impacts of the proposed project would be less-than-significant.

Impact C-HZ-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would result in less-than-significant impacts related to hazards and hazardous materials. (Less than Significant)

Impacts from hazards are generally site-specific, and typically do not result in cumulative impacts. The proposed project would not have a significant impact due to hazardous material conditions on the project site or vicinity. There are no other existing,

⁷⁰ Ibid.

⁷¹ California Department of Forestry and Fire Protection (CalFire), "Draft Fire Hazard Severity Areas in LRA, San Francisco (Map)," September 17, 2007. Available online at: http://www.fire.ca.gov/fire_prevention/fhsz_maps_sanfrancisco.php. Accessed May 21, 2014.

proposed, or foreseeable developments in the project vicinity that would contribute considerably to cumulative effects. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable hazards and hazardous materials impact.

<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>
17. MINERAL AND ENERGY RESOURCES— Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<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"/>
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"/>

All land in San Francisco, including the project site, is designated Mineral Resource Zone 4 (MRZ-4) by the California Division of Mines and Geology (CDMG) under the Surface Mining and Reclamation Act of 1975.⁷² This designation indicates that there is inadequate information available for assignment to any other MRZ and thus the project site is not designated area of significant mineral deposits. No operational mineral resource recovery sites exist in the project area whose operations or accessibility would be affected by the proposed project. Therefore, topics 17a and 17b are not applicable to the proposed project.

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

Alterations to existing buildings in San Francisco are required to conform to green building (including fuel, water, and energy conservation) standards specified by Title 24 of the California Code of Regulations. Documentation showing compliance with these standards is submitted with the application for the building permit. Title 24 is enforced by DBI. Therefore, the proposed project would not cause a wasteful use of fuel, energy, or water and the effects related to such consumption would not be significant.

⁷² California Division of Mines and Geology, Open File Report 96-03 and Special Report 146 Parts 1 and II)

Impact C-ME-1: The proposed project, in combination with the past, present, and reasonably foreseeable future projects in the site vicinity, would result in less-than-significant cumulative impacts to energy and minerals. (Less than Significant)

No known minerals exist at the project site and thus, the proposed project would not contribute to any cumulative impact on mineral resources. The project-generated demand for electricity would be negligible in the context of overall demand within San Francisco, the greater Bay Area, and the State, and would not in and of itself require any expansion of power facilities. The City plans to reduce GHG emissions to 25 percent below 1990 levels by the year 2017 and ultimately reduce GHG emission to 80 percent below 1990 levels by 2050 which would be achieved through a number of different strategies, including energy efficiency. Therefore, the energy demand associated with the proposed project would not substantially contribute to a cumulative impact on existing or proposed energy supplies or resources. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable mineral and energy resources 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>
18. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.					
—Would the project					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)) or timberland (as defined by Public Resources Code Section 4526)?	<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"/>

<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>
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"/>

Impact AF-1: The proposed project would not result in the conversion of farmland or forest lands to non-farm or non-forest use, nor would it conflict with existing agricultural or forest use or zoning. (Not Applicable)

The project site is located within an urban area in the City and County of San Francisco. The California Department of Conservation’s Farmland Mapping and Monitoring Program identifies the site as Urban and Built-Up Land, which is defined as “... land [that] is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.” Because the project site does not contain agricultural uses and is not zoned for such uses, the proposed project would not convert any prime farmland, unique farmland, or Farmland of Statewide Importance to non-agricultural use, and it would not conflict with existing zoning for agricultural land or a Williamson Act contract, nor would it involve any changes to the environment that could result in the conversion of farmland or conversion of forest land to non-forest use. Therefore, topics 18a, 18b, 18c, 18d, and 18e are not applicable to the proposed project.

<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>
19. MANDATORY FINDINGS OF SIGNIFICANCE— Would the project:					
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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>
b) Have impacts that would be individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would 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"/>

The foregoing analysis identifies potentially significant impacts to archeological resources and air quality, which would all be mitigated through implementation of mitigation measures as described in this section. Mitigation measures are discussed in greater detail in Section F below.

- a. As discussed in Topic E.4 (Cultural and Paleontological Resources), it is possible that below-ground archeological resources may be present. Any potential adverse effect to CEQA-significant archeological resources resulting from soils disturbance from the proposed project would be reduced to a less-than-significant level by implementation of Mitigation Measure M-CP-2 (Archeological Monitoring Program), described in Section F of this Initial Study. Accordingly, the proposed project would not result in a significant impact on archeological resources through the elimination of examples of major periods of California history or prehistory.
- b. As discussed in Topic E.7, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would potentially have a cumulatively considerable air quality impact due to the addition of vehicle trips and construction activity in an area that already experiences poor air quality. With implementation of Mitigation Measure M-AQ-2 (Construction Emissions Minimization), the project’s contribution to cumulative air quality impacts would be reduced to a less-than-significant level. The proposed project would not result in any other cumulatively considerable impacts, as discussed in the preceding environmental topics in Section E of this Initial Study. Therefore, the proposed project would not result in significant cumulative impacts.
- c. As discussed in Topic E.7, the proposed project would have potential construction-related air quality impacts on nearby sensitive receptors due to equipment emissions. Mitigation Measure M-AQ-2 (Construction Emissions Minimization), described in Section F below, would reduce this impact to a less-than-significant level. Therefore, the proposed project would not result in a significant air quality impact.

F. MITIGATION MEASURES AND IMPROVEMENT MEASURES

The following mitigation measures have been adopted by the project sponsor and are necessary to reduce the potentially significant environmental impacts of the proposed project to less-than-significant levels. Improvement measures have also been adopted by the project sponsor to further reduce less-than-significant impacts.⁷³

Mitigation Measure M-CP-2: Archeological Monitoring Program

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

Consultation with Descendant Communities: On discovery of an archeological site⁷⁴ associated with descendant Native Americans or the Overseas Chinese an appropriate representative⁷⁵ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor

⁷³ *Agreement to Implement Mitigation and Improvement Measures – 110 The Embarcadero/115 Steuart Street*, June, 17, 2014. This document is available for review at 1650 Mission Street, 4th Floor, as part of Case No. 2011.1388E.

⁷⁴ By the term “archeological site” is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

⁷⁵ 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.

archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

Archeological monitoring program (AMP). 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 project archeologist 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 potential risk these activities pose to 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 archaeological 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 the 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 crews and heavy equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, present the findings of this assessment to the ERO.

If the ERO in consultation with the archeological consultant determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

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

If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The project archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP. The archeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. 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 archeological consultant, project sponsor, ERO, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects.

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

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The 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 or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

Mitigation Measure M-AQ-2: Construction Emissions Minimization

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

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:
 - a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;
 - b) All off-road equipment shall have:
 - i. Engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and
 - ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).⁷⁶
 - c) Exceptions:
 - i. Exceptions to A(1)(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.
 - ii. Exceptions to A(1)(b)(ii) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).

⁷⁶ Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

- iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in **Table 3**.

Table 3 – Off-Road Equipment Compliance Step-down Schedule

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

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

* Alternative fuels are not a VDECS.

- 2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
- 3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.
- 4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.

5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.
- B. *Reporting.* Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.
- Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.
- C. *Certification Statement and On-site Requirements.* Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.

Improvement Measure IM-TR-1a: Transportation Demand Management Program

The Proposed Project shall provide at least ten (10) secured bicycle storage locations in the basement for the employees to promote other modes of transportation. In addition, the project sponsor shall implement a Transportation Demand Management (TDM) Program for both employees and visitors that seeks to annually reduce the number of single occupancy vehicle (SOV) trips to and from the project site and encourage persons arriving/departing via alternative modes of transportation (e.g., walking, bicycling, transit). The project sponsor shall designate one or more TDM program managers/contacts, and provide training for these positions. Commonwealth Club shall document and make available upon request, biannually (every two years) monitoring reports, starting one year after certificate of occupancy for the building (baseline year), for review by the City, including the Planning Department. The biannual monitoring reports should include travel demand surveys (i.e., travel demand analysis information requested in the SF Guidelines⁷⁷) of employees and visitors arriving and leaving the building for up to seven days of the reporting period. Generally, the TDM program shall be considered effective if in two consecutive reporting periods that there is a 10

⁷⁷ City and County of San Francisco, Transportation Impact Analysis Guidelines for Environmental Review, October 2002, Chapter 3, Section 3.

percent reduction⁷⁸ in SOV trips to and from the project site from the baseline year. The project sponsor shall consider and include some or all of the following TDM measures:

- Provide ongoing local and regional transportation information (e.g., transit maps and schedules, maps of bicycle routes, internet links) for new and existing employees and patrons, including providing a transportation insert for the invitation packet that would provide information on transit service (Muni and BART lines, schedules and fares), car- and bike-share information, information on where transit passes could be purchased, and information on the 511 Regional Rideshare Program.
- Continue to participate in the Muni FastPass (loaded onto a Clipper card) program as part of the Commonwealth Club employee benefits package.
- Provide information on transportation options, including updates and a “ride board” through which employees and patrons can offer/request rides, on the website and/or lobby bulletin board.
- Encourage the use of bicycles by increasing the number of on-site and potentially on-street bicycle racks making them convenient and easy to use. Provide clear points of access to bicycle parking and storage through elevators and/or on the ground floor, and ensure signage indicates the location of these facilities (if public).
- Consider providing discounted bike share membership passes for employees as part of the Commonwealth Club employee benefits package.
- Promote the nearby bike share stations as part of travel information, providing links to additional information on use and membership.
- Similarly, provide information regarding local car share programs.

Improvement Measure IM-TR-1b: Construction Deliveries

To further minimize the construction-related disruption of the general traffic flow on adjacent streets during the AM and PM peak periods, truck movements and deliveries shall be restricted to off-peak hours (generally outside of 7 AM to 9 AM and 4 PM to 6 PM on weekdays, but restrictions may include other times during Giants game days), or other times, as determined by SFMTA and its Transportation Advisory Staff Committee (TASC).

⁷⁸ The 10 percent reduction aligns with the reduction required between 2010 and 2018 for the San Francisco Municipal Transportation Agency to meet their 50 percent private automobile mode share goal outlined in the Strategic Plan, Fiscal year 2013 – Fiscal Year 2018.

Improvement Measure IM-TR-1c: Construction Management Plan – Additional Actions

The project sponsor shall be required to develop and implement a Construction Management Plan (CMP), addressing transportation-related circulation, access, staging, and potential lane and sidewalk closures. In addition to these requirements, the project sponsor shall consider implementing the following measures as part of the CMP:

Construction and Transit Access for Construction Workers – to minimize parking demand and vehicle trips associated with construction workers, include methods to encourage carpooling and transit use to the project site by construction workers.

- Project Construction Coordination and Updates for Adjacent Businesses, the Public and Residents: The project sponsor shall be required to consult with surrounding community members, including business and property owners near the project site to assist coordination of construction traffic management strategies as they relate to the needs of those adjacent to the project site. The project sponsor shall develop a public information plan to provide adjacent residents and businesses with regularly-updated information and a construction-management contact person who shall provide information on project construction activities and schedule, peak construction vehicle activities (e.g. concrete pours), travel detours or other lane closures.

G. PUBLIC NOTICE AND COMMENT

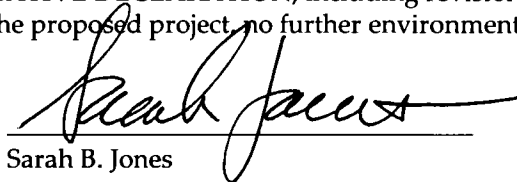
A “Notification of Project Receiving Environmental Review” was mailed on January 13, 2014 to owners of properties within 300 feet of the project site, adjacent occupants, and community organizations. One commenter expressed concern regarding recognition of the building as a historic resource, and the potential effects of adding a third story and roof deck. Analysis done to support this Initial Study finds that the subject building is a historic resource.⁷⁹ The project sponsor, in consultation with Planning Department preservation staff, has included a setback and other context-sensitive design features in the proposed project to preserve the Steuart Street façade and ensure that the project would not have significant impacts on the historic building. Other responses to the notice included requests to receive the environmental document upon completion and requests to view public records.

⁷⁹ San Francisco Planning Department, *Historic Resource Evaluation Response, 110 Embarcadero/113-115 Steuart Street*, Case No. 2011.1388E December 13, 2013. This report is available for review at 1650 Mission Street, 4th Floor, as part of Case No. 2011.1388E.

H. DETERMINATION

On the basis of this Initial Study:

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



Sarah B. Jones
Environmental Review Officer
for
John Rahaim
Director of Planning

DATE June 25, 2014

I. INITIAL STUDY PREPARERS

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

Environmental Review Officer: Sarah B. Jones
Senior Environmental Planner: Rick Cooper
Environmental and Transportation Planner: Kansai Uchida
Preservation Planner: Gretchen Hilyard
Archeologist: Allison Vanderslice

July 15, 2014

Sarah B. Jones
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 110 The Embarcadero appeal

Via email and hand delivery on 7-15-14

Dear Ms Jones:

I have met with the President and CEO of the Commonwealth Club, and we welcome their organization to our neighborhood. We do have several concerns about the plans for their new home at 110 The Embarcadero/115 Stuart Street.

The Board of Supervisors expressed many of these same concerns when they voted against another project that was proposed for the same location (specifics listed on page four). We simply want to improve, not stop, the club's project.

We are particularly concerned about the proposed destruction of four large trees on Stuart Street, the removal of the building's historic façade at a prominent location on the Embarcadero, and the installation of a modern glass façade that would clearly be out of place with almost all other buildings in the area.



These actions would violate sound planning practices. They would also obviously clash with San Francisco's objectives to:

- increase and appreciate trees,
- design buildings – particularly in SoMa and at prominent locations – that fit in with the existing neighborhood, and
- protect and enhance historic structures.

We also believe the city should not be encouraging floor to ceiling glass walls that waste energy.

Historic concerns:

The Commonwealth Club wants to honor the labor history of the building by restoring the west façade on Stuart Street. Meanwhile they would be removing the matching and

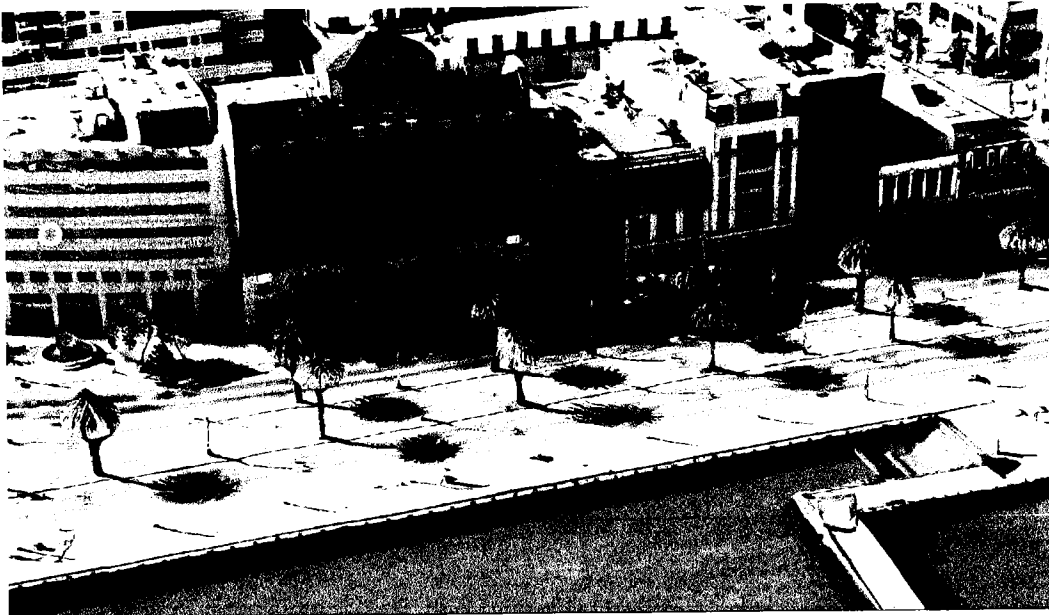
historic east façade and replacing it with an ugly glass curtain wall at a very prominent location on the Embarcadero. The building is not historic on only one side.

The PMND is clearly incorrect when it states the project would not cause a substantial adverse change in a historical resource.

Design concerns:

This historic Classical Revival building has handsome columns flanking five large windows. It is the same design on both sides of the building. Though poorly painted at this time, the historic design needs to be maintained to stay in sync with the rest of the block.

The PMND is incorrect when it states, "The proposed project would not have a significant impact upon the existing character of the Project's vicinity."



This is a wonderful and rare block of mostly post-earthquake buildings that should become a historic district. It is even more important because it faces the open waterfront. One building on the block survived the earthquake and fire and still exists at the north end (the Audiffred Building). Many of the others are nearly 100 years old and need to be maintained, such as the YMCA. (The block can be compared to the buildings of Amsterdam that face the canals (right). That city requires them to be either preserved or designed to maintain the historic look.) The rest of the buildings were designed with a dignified, classic look including the streamline moderne office building at the south end of the block. None have the uninteresting glass curtain wall appearance that the club is proposing.



Environmental concerns:

- **Destruction of trees:** Contrary to what the PMND states, the project would substantially damage a scenic resource which includes trees. Current plans call for the removal of four, two-story high trees in the sidewalk on the Steuart side. They would plant four new trees that they call replacements. Nothing represents the green movement more than trees, but unfortunately the city seems to be considering them as an inconvenient nuisance to be easily discarded. They should instead be celebrating the fact they are moving to a location with large, healthy, carbon dioxide-eating shade trees, instead of waiting years for new ones to mature. Any talented architect and qualified contractor know how to incorporate existing trees into a project. It is a fundamental rule of good architecture that projects be designed to fit the site – not the opposite. There are only three other trees on this side of this long SoMa block. Of course city planners are cut and pasting the usual abused boilerplate claim, without evidence, that the trees are diseased and at the end of their life cycle.



- **Glass walls:** The city needs to discourage floor to ceiling glass walls. They waste energy year round and are not necessary to enjoy views. While they may add some curb appeal to a building, people actually do not like them. They are cold in winter and hot in summer, even in SF.

It should be noted that the San Francisco Board of Supervisors found on March 31, 2009 that some of the same issues were significant. Their motion stated the following about this existing building:

- “There is substantial evidence that the existing building at 110 The Embarcadero, which also fronts 113-115 Steuart Street, is an historical resource.”
- “...there is substantial evidence in the record that the building retains integrity...”
- “...the building remains in its original location, the historic Audiffred Building remains next door and five of the buildings in the vicinity visible from a 1934 photograph still stand, resulting in a blockface the retains integrity. The massing and scale of the building, the shaped parapet with coping and the stucco cladding of the building remain the same as they were in 1934. Bradley Wiedmaier states that the second floor window opening dimension, the number of openings, the depth of the glazing from the wall surface and framing remain the same.”
- “...alterations (already made) to the façade details mentioned by Page and Turnbull are largely reversible.”
- “Given the substantial evidence in the record to support a determination that the building is an historical resource because it retains integrity associated with important historic events, there is a fair argument that the project, which proposed the demolition of the resource, may result in a substantial adverse change in the significance of an historical resource requiring the preparation of an EIR.”
- “Planning Department staff found the project inconsistent with Planning Code Section 101.1(b)(2), which calls for conserving and protecting ... neighborhood character.”
- “Written and oral testimony presented at the hearing identified the potentially significant impact on birds flying into the “mostly glass” walls....”

There is no reason demolition of the east façade of the building which faces the heavily traveled (pedestrian, bike, auto, streetcar) Embarcadero should be allowed now.

The Rincon Point Neighbors Association and the Rincon Center Tenants Association have been tracking neighborhood projects since the 1990s. I can be reached by phone at 415/777-2185. Thank you.

Sincerely,



David Osgood
President

Enclosure

On Tuesday, July 15, 2014 2:34 PM, Bradley Wiedmaier <bradley_wiedmaier@yahoo.com> wrote:

On Tuesday, July 15, 2014 2:33 PM, Bradley Wiedmaier <bradley_wiedmaier@yahoo.com> wrote:

* Statement Not Appeal we will join Rincon - Neighbors

Honorable ~~Supervisor Jim and Stan~~
Sarah B. Jones 1650 Mission # 400

113 Steuart Street (115 Steuart Street) is one of the most important historic sites in San Francisco and our District 6. The Commonwealth Club is proposing a reconstruction of the landmark. Five years ago the SF Board of Supervisor ruled on the significance of this landmark. That ruling serves as the lead document for this project. The Mitigated Negative Declaration proposed for the current project ignores the ruling of the Board, the historic record and has treated 113 Steuart Street as less than a landmark. I ask that an ~~Supervisor King~~ appeal the PMND which is based on one news article from a 1980s

entertainment page of the SF EXAMINER, to counter the entire 1930s-contemporary historic record. This Preliminary Mitigated Negative Declaration due today is a mockery of the historic process and a slight to the SF Board of Supervisor's ruling of March 31 2009 (File No. 090340, Motion No. M09-62)

The labor community is once again amazed that the SF Planning Department is insisting against the documented historical record that "Subsequent owners and occupants (of 113/115 Steuart) include a variety of commercial tenants serving the waterfront uses and none appear to have made a significant contribution to local, state or national history." pg. 25 2nd paragraph, Case no. 2011.1388E, PMND) This is simply not so. The July 1934 SF Phonebook lists the strike committee phone at 113/115 Steuart (the committee which Harry Bridges, HEADED).

The entire planning process has handle the proposed project in a manner which is not appropriate to the category of landmark criterion that should have been persued. This PMND must be appealed to correct the error. I urge ~~Supervisor King~~ appeal the PMND today, to set the process right, so that planning can be trusted in San Francisco. And so that one of our most Historic treasures is not treated as less that the landmark that it is and was found so by the SF Board of Supervisors in 2009. These issues are central in how we evaluate the changes proposed. This Appeal includes the historic block, and other numerous issues; Please see Attached.

Sincerely
Bradley Wiedmaier
Architectural Historian
Member SEIU-UHW

"An Affront to San Francisco"

An Affront to San Francisco, an Assault upon Organized Labor and Working People Everywhere

by

Bradley Wiedmaier and Ralph Schoenman

A landmark building, emblematic of a defining moment in the history of organized labor for San Francisco and working people across this nation, faces vandal-like desecration. On Tuesday, March 17th at 4:00 p.m., the San Francisco Board of Supervisors has an opportunity to prevent this from happening

The International Longshoremen's Association Local 38-79 Hall from 1933 through 1935 at 113 Steuart Street is targeted for demolition. The agenda item is camouflaged, listed as 110 The Embarcadero - the address to be assigned its intended replacement, a ten-story office building that is part of an illicit over-development planned in its place.

The Board of Supervisors can overturn the "Negative Determination" of the Planning Commission and save the ILA Hall at 113 Steuart Street.

We call upon all friends of labor to show up on March 17th and urge them to do so.

A Negative Determination

The key document on which the Planning Commission has based its "Negative Determination" [Case Number 2006. 1294E] regarding the appropriate survival of the ILA building and Hall was prepared by the architectural firm of Page and Turnbull, Inc., a firm retained, revealingly, by the developer, Hines Interests Limited Partnership, that presents itself as follows:

Hines is ... involved in real estate investment, development and property management worldwide ... (and) includes more than 1,100 properties representing ... 457 million square feet. ... With offices in more than 100 cities in 16 countries and controlled assets valued at approximately \$25.6 billion, Hines is one of the largest real estate organizations in the world."

Hines and his Hired Hands

Hines is a contributor to the Democratic and Republican parties, depending on who is in power, in cities across the US. and has enjoyed a major role in the profiteering resulting

from the high-rise development of San Francisco, the runaway cost of housing in the city and, inevitably, the current capitalist crisis that has engulfed the nation and the world.

The developer's political consultant and lobbyist, David Looman, set up meetings with each Supervisor to lobby him or her individually for the destruction of the ILA building and the Hall at 113 Steuart Street. Looman's mandate was to secure the replacement of labor's historic site with a huge development at 110 Embarcadero, re-packaged by this hired lobbyist as "the GREENEST building in the world."

Hines' hired hands, Page and Turnbull, Inc. prepared dutifully a study entitled "Historic Resource Analysis." In setting forth its criteria for preserving an existing building, the Page and Turnbull, Inc. document asserted baldly "neither the building nor any of the early tenants contributed significantly to ... the development of the San Francisco waterfront. ..."

It added, *inter alia*, the following *coup de grace*:

"None of the early owners or tenants associated with the building appear to have played a significant role in the development of San Francisco." (emphasis added)

The Class Agenda

Nothing so clearly manifests the agenda of the forces behind this classical speculators' undertaking, their manipulation of the Planning Department and Commission and, by intention, the San Francisco Board of Supervisors. The "development" of San Francisco and those who "contribute to it" is meant literally. Language, no less than history and the needs of the people who inhabit our city, has been perverted by speculators.

It is real estate speculators who "develop" our cities and "contribute" to the political parties in office to do so. The destruction of an affordable living environment for working people is the cost of "development," rapacious profiteering the criterion for "progress."

If ever the class issues that define the significance and history of 113 Steuart Street and the plot to destroy it were crystallized for all with eyes to see, it is in this cynical assault upon the lives and struggles of working people and upon the "labor town" of San Francisco.

Whose History — Theirs or Ours?

Whose history is embodied by the ILA Hall at 113 Steuart Street and what is the social and historical replacement that Hines has engineered with the Planning Department and Commission, pursuant to the Board of Supervisors meeting on March 17?

The ILA Hall (now ILWU) was the nerve-center of the 1934 Maritime Strike from May 9, 1934 through the General Strike of 1934. This building and this very Hall on the second floor served as the headquarters of the ILA and of the Strike Committee that prepared, coordinated and led these seminal struggles.

It is the site where Harry Bridges displayed his leadership of the ILA (ILWU) to which he devoted his life. It is in this very Hall that working people across the West Coast found their voice.

From it emerged Harry Bridges, Henry Schmidt, Dutch Dietrich and John Schomaker. It was in the Hall that they honed their leadership and coordinated the workers' response to State repression. It was here that the General Strike was born.

ILA Hall as Ground Zero for the Struggle

The Hall was the center of the month-long Waterfront Maritime Strike. It was ground zero on Bloody Thursday (July 5, 1934) when police and deputies shot on orders scores of union members, where Howard Sperry was martyred in front of the adjoining building.

The bodies of Brothers Howard Sperry and Nick Bordoise, killed in the next block, lay in state in the Hall for four days. The massive Funeral Procession of the ILA Martyrs on Monday, July 9th led from the Hall to Market Street and across the city.

Electrifying Working People, Galvanizing Labor

This great silent march electrified working people across the world. It galvanized organized labor and the broadest support for the General Strike. The march did not begin until the personal funeral service for the families and friends of labor's martyrs was concluded in the Hall.

Word of these solemn services spread everywhere by word of mouth and the vast outpouring that led to the General Strike served, as well, to abort police plans to shoot down strikers *en masse* in San Francisco as the Hearst and established press urged in hysterical and thinly veiled language.

The Hall was the birthplace of the seminal struggles that impelled the bitter, bloody and ongoing quest for workplace justice and organization for workers in every walk of life. It began on the Waterfront. It was nurtured by the ILA (now ILWU) and it was enacted in the Hall.

Bloody Thursday and 113 Steuart: Fierce Battle Rages All Day

On July 6, 1934, Hearst's *San Francisco Examiner* ran a front-page headline: "Fierce Fight Rages All Day Over Length of Waterfront."

"Two men shot to death. One near death from bullets. Twenty-seven suffering from gunshot wounds. Forty-five beaten, clubbed and gassed. A woman and two other passengers shot as they met on a streetcar.

"Such was the toll yesterday in the marine strike as the bloodiest and most widespread rioting and fighting in the recent history of San Francisco raged all over the waterfront.

"The riots raged from early morning until after dark. They raged from the Third and Townsend streets station to Fisherman's Wharf, from the Embarcadero several blocks uptown. The strikers numbered as high as 5,000 infuriated, slugging, rock-throwing, club-wielding men.

"The rioting crowds were opposed by practically the whole police department of more than 1,000 men, led personally by Police Chief Quinn. And for the first time since the strike began, the police poured solid lead into crowds as they emptied their revolvers time and time again into mobs of strikers who refused to fall back, refused to obey any police orders, attacked police automobiles and buried bricks and scrap iron back at the police bullets, gas shells and tear-gas bombs.

"The rioting grew in intensity as the day aged ... then the police poured lead from their revolvers into the jammed streets. Men fell left and right.

"Both police and State troops will employ a newly developed type of gas today recommend to them by Ignatius McCarthy, chemical warfare expert. The new gas ... affects its inhalers violently and renders them immediately unfit for action and leaves them ailing. ..."

Center of the Battle, Eye of the Storm

Where was the center of the battle, the eye of the storm?

Here is the *Examiner* fixing the location:

"The most terrific part of the battle raged about Mission and Steuart Streets. The ILA Hall is at 113 Steuart Street and reinforcements for the brick-throwing army came continually out of the hall as the police jammed them back up Steuart toward Market and out

Mission Street. Police finally threw several long range shells through the windows of the hall and it was reported several shots were fired through the windows.

“At least two and possibly more strikers were later carried out of the hall to the street wounded. One striker was placed in a police car, but when he saw where he was, despite his wounds, he snarled defiance of the police. ...”

Later in this gripping account, sanitized as it is by the *San Francisco Examiner*, the central role of the ILA Building and Hall at 113 Steuart Street is manifest:

“Police poured volleys of tear gas projectiles through the windows and doors until the strikers swarmed out.

“The fight was carried up to the doors and inside of the International Longshoremen’s Association headquarters. Several strikers were shot down at the door and were carried inside.

“Tear gas shells were fired into the building. The choking fumes drove the men out. One striker, stripped to the waist, staggered from the door carrying a wounded man in his arms.”

The Hottest Part of the Battle

The *Examiner’s* irrefutable documentation of the pivotal and heroic role in these historic events of the brothers and sisters centered at ground zero: the ILA Building and Hall is amplified by the *Los Angeles Times* account of July 6, 1934:

“Here’s the hottest part of the battle from now on, along Steuart Street from Howard to Market. No mistake about that. It centers near the ILA headquarters.

“See the Mounties ride up toward that front of strikers. It’s massed across the street, a solid front of men. Take a pair of opera glasses and look at their faces. They are snarling and jeering the on-coming Mounties.

“This is war, boys”

“The men in front are kneeling like sprinters at the mark.

“Clatter, clatter, clatter come the bricks. Tinkle goes a window. *THIS IS WAR, BOYS, AND THIS STEUART STREET BETWEEN HOWARD AND MISSION IS ONE OF THE WARMEST SPOTS AMERICAN INDUSTRIAL CONFLICT EVER SAW.* (emphasis added)

“Crack and boom! Sounds just like a gas bomb, but no blue smoke this time. Back scrambles the mob, and two men lie on the sidewalk. Their blood trickles in a crimson stream away from their bodies.

“Over it all spreads an air of unutterable confusion. Sirens keep up a continual screaming in the streets, you can hear them far away.

Many Men Shot

“Now it is 2 o’clock. The street battle has gone on for an hour. *How many are shot, no one knows. Maybe they dragged some of the wounded up to ILA headquarters. Yes they did exactly that. ... Police consolidate their position at Mission and Steuart. ...They still have the machine guns. ... Perhaps the troops will come. All afternoon the militia has been mobilizing. (emphasis added)*

Win or Die Decision

“Now it is apparently win or die for the strikers in the next few hours. The time from 2 o’clock to 3 o’clock drags for the police; it goes on the wings of the wind for the rioters.

“*At 3 o’clock they start again, the fight surging once more about Steuart and Mission Streets.*

“*Here is a corner the police have to hold. It is the key to the waterfront, the strategic key, and it is in the shadow of ILA headquarters. The rocks start filling the air again. ... (emphasis added)*

“The police start firing again, pistol shots, rifle shots ... a blast or two from a shotgun. Again men fall in the streets. Again blood trickles slowly down the slanting sidewalks.

“Panic grips the east end of Market Street. The ferry crowds are being involved. The troops are coming. ...”

The Cloud-Cuckoo Land of the Planning Department

Neither the Planning Commission nor, it must be noted, the Board of Supervisors can ignore properly the documentary record of Harry Bridge’s association and that of the entire leadership of the ILA Local 38-73 9 with 113 Steuart Street. Harry Bridges appeared in the local Press for the first time in the *San Francisco News* on May 19, 1934. By the end of June 1934, Harry Bridges and those associated with him in the Hall were household names in San Francisco.

In the Press and in the minds of the public, Harry Bridges' name was synonymous, both with the ILA and with the great strike.

Nothing is more graphic in this regard than the article in the *San Francisco Chronicle* of July 7, 1934. It was accompanied by a map delineating the events of "Bloody Thursday," July 5, 1934. It is highlighted by shading "THE AREA OF CONFLICTS DURING AFTERNOON. CROSS INDICATES CENTER OF RIOTS AND GUN BATTLES."

The *sole* buildings labeled are the Ferry Building and the ILA Headquarters. The "cross" indicated is placed exactly at the ILA Headquarters on 113 Steuart Street.

The description of the passion and intensity of emotion infusing the outrage over the slaughter of the martyrs of the Longshoreman and Maritime Workers Strike is captured by the description of the key meeting of the Teamsters Union on July 11, 1934:

Bridges, Bridges, Bridges

"A deafening chant of 'Bridges, Bridges, Bridges' brought Harry Bridges onto the program and the platform to speak."

Harry Bridge's speech was met by a tumultuous response from the assembled Teamsters. It led not only to the Teamsters joining the General Strike but appealing to other major unions to follow their example.

Three years later, on July 17, 1937, Harry Bridges full page photo appeared on the cover of *Time Magazine* under the caption "Labor's Harry Bridges: A Trotsky to Lewis' Stalin?"

The long article was the focal point of the issue and addressed his "rise to national fame" and his entry "to the C.I.O. high command, taking rank with men like Philip Murray of the Steel Workers Organizing Committee, Sidney Hillman of the Amalgamated Clothing Workers, Harvey Fremming of the Oil Field, Gas Well & Refinery Workers, Charles P. Howard of the Typographical Union."

Time Magazine, detailing Harry Bridges' rise to leadership and of the premier role of the ILA under his inspiration at 113 Steuart Street, added:

"So great is his prestige among the rank and file of insurgent maritime labor that he towers above both rivals and loyal allies. Nor is his power confined to the West Coast. Even tall, tattooed Joe Curran and his Atlantic Coast deck hands take orders from dour-faced (*sic*) Harry Bridges. ... Harry Bridges' position in the new C.I.O. drive was clearly indicated ...

when John Lewis closeted himself with the San Francisco leader for an hour just before the Maritime Conference assembled.”

The Continuing Role of 113 Steuart Street

In 1935, the ILA moved into a larger space at 27 Clay Street. The importance of the 113 Steuart Street ILA Hall space to San Francisco’s labor movement continued. It housed other maritime unions, including the Shipwright, Jointers and Boat Builders Local 1149 and the Ship Caulker’s Union Local 554.

Right next door, moreover, the historic Audiffred Building had a legacy of being the headquarters of waterfront workers on its second floor. Both 150 Steuart and the adjacent building housed waterfront union offices. The history of the entire site that the Planning Commission would reduce to rubble is tied intimately to the maritime unions and the waterfront workers of San Francisco.

It is, moreover, across the street from the Waterfront Historic District and the building next to it is already “landmarked” as the Landmark Audiffred Building, the latter the location of the International Seaman’s Union offices and hall.

Thus, the report of the developer’s hired hands is false, not merely by omission, but in failing to note that the buildings adjacent had already been granted Landmark status and, hence, the exclusion of 113 Steuart from such protection is at once specious and contrived.

The Planning Commission Embraces Deception

The Planning Commission failed not only to make the most elementary inquiry into the accuracy and credibility of the claim in the Historic Resource Evaluation Report that the ILA Hall lacked historical significance.

The Report outright fabricates the nature of 113 Steuart Street:

“The project site building is located immediately to the right (south) from where the strikers were gunned down on July 5, 1934. ... The project site building was not a union labor hall, but was a restaurant and marine supply shop which was frequented by the longshoremen during this period. Although the building was part of the backdrop for the ‘Great Strike of 1934,’ it does not appear to have a strong association with this historical event. ...”

The Planning Commission deployed improperly its baseless negative finding regarding historical significance for the site. It aborted the required Environmental Impact Report stipulated by the California Environmental Quality Act.

The significance of this sleight of hand is that Environmental Impact Reports are more meticulous and thorough in assessing the issue of historic significance.

The Physical State of the ILA Hall Today

The Planning Commission “determined that there is no historic, social or cultural significance” to the structure itself. It claims falsely, as well, that the building is so altered that there are no historic resources present.

In fact, the current state of the 113 Steuart Street ILA Local structure, contrary to the Planning Board’s baseless assertion, possesses a high degree of continuity and integrity with regard to its period of significance. The exterior of the second floor and the parapet match the way the building appeared in 1934.

The second floor is where the ILA Hall was located at the level of the existing second story windows. The following features comprise a virtually unaltered record of the building as it appeared in 1934 during the Great Maritime and General Strike: the window opening dimensions, the number of openings, the depth of the glazing from the wall surface, framing and pilaster wall detail, and the crowning silhouette of the parapet.

The ground floor alone, containing the door to the stairs going to the second floor ILA Hall and has been slightly altered. This modest walk-up to the upper floor of the humble initial accommodation of the fledgling ILA Local – the very Local and location that made labor history and led a struggle that resonated throughout the city, state, nation and the world – is wholly preserved by the 113 Steuart structure.

It is, in any event, a bogus criterion, since the ILA Hall remains *in situ*; but even that criterion is met fully, contrary to the determination by the Planning Commission and the Report on which this conclusion is based.

Falsifying the Architectural Record

The abiding issue, of course, is the falsification by the Historic Resource Analysis Report on page 6 of the importance of the ILA Hall for organized labor and working people. This glaring fact exposes the real purpose of the Report, as it does the Developer who paid for it: it is to remove the ILA and its heroic leadership from living memory and from history.

What then of the developer's project that would wipe off the map the ILA Hall at 113 Steuart? It entails a ten-story office building that fronts on 110 The Embarcadero – and will continue throughout the block, removing the entire structure of which the 113 Steuart ILA Hall site is but a portion.

The Planning Commission, in approving a ten-story building on this site, has, without authority or explanation, sanctioned a structure that violates the San Francisco City Plan Height Limit for this location. These height restrictions, designed to preserve the integrity of historic sections of San Francisco, apply with particular force to the abutting Waterfront Historic District and the Landmark Audiffred Building.

The Most Important Historic Site in San Francisco

The entire area comprises one of the most important historic locations in San Francisco, the reason why San Francisco is regarded still, in spite of all the developer predation, as a city of historic beauty that has preserved its past and its own integral character.

The Planning Commission has thus betrayed its legal mandate on two counts: it has sanctioned the decimation of an icon of the struggle of working people and of organized labor, betraying the legacy of San Francisco as a “labor town,” and it has ignored the City's very standards for preserving the integrity of an irreplaceable resource and legacy.

The San Francisco Maritime Strike that forged the General Strike of 1934 is a decisive moment in the history of San Francisco, like the Earthquake and Fire of 1906. The Maritime Strike and the General Strike that emerged from it are more important than the events of 1906, for these extraordinary struggles represent a historic coming of age of organized labor that became an epiphany for working people across the world.

It had global impact. It has international significance. It is a defining moment in the class struggle in America. The glorious battles of 1934 are featured in every subsequent book on labor history.

We must preserve and celebrate our past. May it be prologue to the future.

**ALL OUT ON MARCH 17 AT 4:00 P.M. TO THE HEARING OF THE SAN
FRANCISCO BOARD OF SUPERVISORS**

We call upon the ILWU and all of organized labor in San Francisco to rise in defense of our fallen martyrs.

Let us learn the lessons that our greatest leaders taught us by example.

The financial speculators, developers and exploiters of society have created a crisis only working people can resolve.

Never more than now do our martyrs and leaders of 1934 summon us to draw the balance sheet of these past 75 years.

In the words of our anthem, we are approaching the final battle and we had better wage it to win.

We can turn the tide. It is not too late to save Labor's Historic ILA Hall at 113 Steuart Street and to demand that the Board of Supervisors act appropriately in this matter.

Bradley Wiedmaier

Ralph Schoenman

Bradley Wiedmaier is an architectural historian and a long time activist in the workers' movement. He has uncovered and identified countless long-lost San Francisco and Bay Area architectural treasures.

Ralph Schoenman is co-producer with Mya Shone of the national radio program *Taking Aim*, heard internationally. He was communications director of the Million Worker March, initiated by ILWU Local 10 and is a life-long activist in movements for social justice.

110 Embarcadero/115 Steuart Street – PMND Phone Comments

Phone Call, July 15, 2014 (Voicemail received 10:28AM, returned call 11:00AM). Bradley Wiedmaier, 415-694-3605, bradley_wiedmaier@yahoo.com.

- Requested information about appeal process, whether an appeal has been received, and whether a hearing would be held.
- Historic analysis downplays the historic value of the building and its association with Harry Bridges.
- Historic analysis cites documents, such as a 1980 newspaper article, which do not effectively convey the building's historic value or the events that occurred there.

THIS PAGE INTENTIONALLY LEFT BLANK



July 17, 2014

Submitted by email

Mr. Kansai Uchida
Environmental and Transportation Planner
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
kansai.uchida@sfgov.org

Re: 110 The Embarcadero/115 Steuart Street

Dear Mr. Uchida:

On behalf of San Francisco Heritage (Heritage), thank you for granting an extension to submit comments on the Mitigated Negative Declaration for the 110 The Embarcadero/115 Steuart Street project proposed by The Commonwealth Club of California. Heritage fully supports the proposed use at this location, and submits these comments to inform and expand mitigation measures intended to reduce impacts on historic resources. Heritage met with representatives of the project team on October 28, 2013 to informally discuss the process for review by our Issues Committee, although formal review was not ultimately requested. Given the size of the addition and the proposed removal of historic fabric, Heritage believes that the existing mitigation program should be augmented to reduce adverse impacts on cultural resources to a less-than-significant level. Our recommendations for enhanced mitigation are described below.

We agree with the MND's finding that the building is individually eligible for listing in the California Register of Historical Resources under Criterion 1. It is highly significant as the International Longshoreman's Association union hall from 1932 to 1934 and, in particular, for its association with the 1934 Longshoreman's Strike, when two men were shot outside the hall on "Bloody Thursday." The proposed project would replace all remaining historic fabric on the Embarcadero facade with a glass curtain wall, add a one-story addition, and restore the Steuart Street elevation. The MND correctly notes that the building has seen numerous alterations over the years that diminish its physical integrity, underscoring the need to be respectful of what remains given the property's cultural significance. The existing scale, visual character, and historic integrity of the building and block facing the Embarcadero will be largely transformed. Indeed, the MND concludes that the project "would include removal or all character-defining features of the Embarcadero façade" and "would not comply with the [Secretary's] Standards overall" (p.28). Although the Embarcadero elevation is of secondary significance, it is nonetheless part of the historic resource.

As the primary entrance to The Commonwealth Club, we understand that the applicant considers the glass curtain wall facing the Embarcadero to be an essential element of the design; we therefore focus our comments on opportunities to fully restore and reconstruct the Steuart Street façade to its original appearance during

the period of significance and respectfully commemorate the events of 1934. Appropriately, the currently-prescribed mitigation measures would retain the Steuart Street façade, set back the third-story addition on Steuart Street, and install a plaque and interpretive display curated by The Commonwealth Club. Given the extent of changes to the Embarcadero side, Heritage recommends that the mitigation program be augmented to more faithfully restore and reconstruct the Steuart Street elevation in conformity with the *Secretary of the Interior's Standards for Treatment of Historic Properties*, including an increase in the third-story setback.

The *Secretary of the Interior's Standards for Reconstruction* establish the professional standard for the re-creation of a non-surviving historic building with new material.¹ The goal of reconstruction is to make the building appear as it did at a particular time in its history, with priority placed on keeping the original portions of the building. Therefore, all remaining original elements on the Steuart Street façade would be retained. The reconstruction should be based on documentary evidence to ensure an accurate re-creation with minimal conjecture. Fortunately, there is ample evidence of the historic appearance of 113 Steuart Street in 1934, including many photos of "Bloody Thursday" and its aftermath.

In addition, we believe that the third-story setback should be increased to at least 11'-6" across the entire length of the Steuart Street elevation to more clearly differentiate the historic façade from the third-story addition. With regard to the plaque and curated materials, we strongly encourage The Commonwealth Club to closely consult with ILWU, members of the local labor community, and labor historians in developing historical content and associated programming.

Thank you for the opportunity to comment on the Mitigated Negative Declaration for the 110 The Embarcadero/115 Steuart Street project. Please feel free to contact me at 415/441-3000 x15 or mbuhler@sfheritage.org should you have any questions.

Sincerely,



Mike Buhler
Executive Director

cc: Piper Kujac, Owner's Representative and Building Project Manager, The Commonwealth Club of California
David Cannon, Chair, SF Heritage Issues Committee

¹ See http://www.cr.nps.gov/local-law/arch_stnds_8_2.htm.