SAN FRANCISCO
PLANNING DEPARTMENT

PUBLIC NOTICE
Availability of Draft Environmental Impact Report

1650 Mission St.
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San Francisco,
CA 94103-2479

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Date:	February 27, 2013
Case No.:	**2011.0119E**
Project Title:	**200-214 6th Street Affordable Housing with Ground-Floor Retail Project**
Zoning:	SoMa Neighborhood Commercial Transit (NCT) use district 85-X Height and Bulk District
Block/Lot:	3731/001
Project Sponsor:	Sharon Christen, Mercy Housing Corporation, (415) 355-7111
Staff Contact:	Rachel Schuett – (415) 575-9030 rachel.schett@sfgov.org

A draft environmental impact report (EIR) has been prepared by the San Francisco Planning Department in connection with this project. The report is available for public review and comment on the Planning Department's Negative Declarations and EIRs web page (http://tinyurl.com/sfceqadocs). CDs and paper copies are also available at the Planning Information Center (PIC) counter on the first floor of 1660 Mission Street, San Francisco. Referenced materials are available for review by appointment at the Planning Department's office on the fourth floor of 1650 Mission Street. (Call (415) 575-9030.)

Project Description: The proposed project would include demolition of the existing building, and construction of a nine-story, 85-foot-tall, approximately 68,540-square-foot mixed-use building with 67 affordable rental housing units. The proposed project would include approximately 47,710 square feet of residential space, 2,845 square feet of ground-floor commercial space, a 1,215-square-foot community room, and 2,589 square feet of private and 3,691 square feet of common open space (respectively), including a rear yard and roof terrace.

A temporary, site-specific art installation project known as "Defenestration" currently adorns the exterior of the extant vacant building on the project site. The art installation—consisting of colorful cartoon-like tables, chairs, a bathtub, and other household furnishings spilling out of windows and down the walls—was originally intended to be temporary, but has remained in place for 15 years. The installation has been determined not to be a significant cultural resource.

The Draft EIR found that implementation of the proposed project would lead to significant unavoidable impacts related to historical architectural resources resultant from demolition of the existing building, which is a contributor to a National-Register-eligible historic district. The project site contains hazardous materials as defined under Section 65962.5 of the Government Code.

A **public hearing** on this draft EIR and other matters has been scheduled by the City Planning Commission for April 4, 2013, in Room 400, City Hall, 1 Dr. Carlton B. Goodlett Place. (Call (415) 558-6422 the week of the hearing for a recorded message giving a more specific time.)

Public comments will be accepted from February 27, 2013 to 5:00 p.m. on April 15, 2013. Written comments should be addressed to Bill Wycko, Environmental Review Officer, San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103. Comments received

at the public hearing and in writing will be responded to in a draft EIR comments and responses document.

If you have any questions about the **environmental review** of the proposed project, please call Rachel Schuett at (415) 575-9030.

DRAFT ENVIRONMENTAL IMPACT REPORT

200-214 6th Street Affordable Housing with Ground-Floor Retail Project

PLANNING DEPARTMENT
CASE NO. 2011.0119E

STATE CLEARINGHOUSE
NO. 2012082052

Draft EIR Publication Date:	**February 27, 2013**
Draft EIR Public Hearing Date:	**April 4, 2013**
Draft EIR Public Comment Period:	**February 27, 2013 – April 15, 2013**

SAN FRANCISCO
PLANNING
DEPARTMENT

Written comments should be sent to:
Environmental Review Officer | 1650 Mission Street, Suite 400 | San Francisco, CA 94103

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DATE: February 27, 2013

TO: Distribution List for the 200-214 6th Street Affordable Housing with Ground-Floor Retail Project

FROM: Bill Wycko, Environmental Review Officer

SUBJECT: Request for the Final Environmental Impact Report for the 200-214 6th Street Affordable Housing with Ground-Floor Retail Project (Planning Department Case No. 2011.0119E)

This is the Draft of the Environmental Impact Report (EIR) for the 200-214 6th Street Affordable Housing with Ground-Floor Retail Project. A public hearing will be held on the adequacy and accuracy of this document. After the public hearing, our office will prepare and publish a document titled "Responses to Comments" that will contain a summary of all relevant comments on this Draft EIR and our responses to those comments. It may also specify changes to this Draft EIR. Those who testify at the hearing on the Draft EIR will automatically receive a copy of the Responses to Comments document, along with notice of the date reserved for certification; others may receive a copy of the Responses to Comments and notice by request or by visiting our office. This Draft EIR together with the Responses to Comments document will be considered by the Planning Commission in an advertised public meeting and will be certified as a Final EIR if deemed adequate.

After certification, we will modify the Draft EIR as specified by the Responses to Comments document and print both documents in a single publication called the Final EIR. The Final EIR will add no new information to the combination of the two documents except to reproduce the certification resolution. It will simply provide the information in one document, rather than two. Therefore, if you receive a copy of the Responses to Comments document in addition to this copy of the Draft EIR, you will technically have a copy of the Final EIR.

We are aware that many people who receive the Draft EIR and Responses to Comments have no interest in receiving virtually the same information after the EIR has been certified. To avoid expending money and paper needlessly, we would like to send copies of the Final EIR to private individuals only if they request them. If you would like a copy of the Final EIR, therefore, please fill out and mail the postcard provided to the Environmental Planning division of the Planning Department within two weeks after certification of the EIR. Any private party not requesting a Final EIR by that time will not be mailed a copy. Public agencies on the distribution list will automatically receive a copy of the Final EIR.

Thank you for your interest in this project.

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City and County of San Francisco
Planning Department

200-214 6th Street Affordable Housing with Ground-Floor Retail Project

DRAFT
ENVIRONMENTAL IMPACT REPORT

Planning Department Case No. 2011.0119E

State Clearinghouse No. 2012082052

EIR Publication Date: February 27, 2013
EIR Public Hearing Date: April 4, 2013
EIR Public Comment Period: February 27 to April 15, 2013

Send written comments on this document to:

Environmental Review Officer
200-214 6th Affordable Housing with Ground-Floor Retail Project (2011.0119E)
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

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200-214 6th Street Affordable Housing with Ground-Floor Retail Project
Draft Environmental Impact Report

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List of Abbreviations and Acronyms

6SL	Sixth Street Lodginghouse (district)
ABAG	Association of Bay Area Governments
APE	Area of Potential Effects
ARC	Architectural Review Committee
BAAQMD	Bay Area Air Quality Management District
bgs	below ground surface
BP	before present
CAL OSHA	California Occupational Safety and Health Administration
CAP	Clean Air Plan
CCR	*California Code of Regulations*
CEQA	California Environmental Quality Act
CHRSC	California Historic Resource Status Code
DBI	Department of Building Inspection
EIR	Environmental Impact Report
EN	Eastern Neighborhoods
ERO	Environmental Review Officer
FARR	Final Archeological Resources Report
HABS	Historic American Building Survey
HPC	Historic Preservation Commission
HRE	Historic Resource Evaluation
HRER	Historic Resource Evaluation Response
HMWP	Hazardous Materials and Waste Program
MLD	Most Likely Descendent
MSL	mean seal level
NAHC	Native American Heritage Commission
NCT	Neighborhood Commercial Transit (district)
NOP	Notice of Preparation
NWIC	Northwest Information Center
PCB	polychlorinated biphenyl
PDR	production, distribution, and repair
RSD	Residential Mixed Use District
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SAM	Sites Assessment and Mitigation Program
SFDPH	San Francisco Department of Public Health
SFMTA	San Francisco Municipal Transportation Agency
SFRA	San Francisco Redevelopment Agency
SoMa	South of Market (neighborhood)
SOMEP	South of Market Extended Preservation (district)
sq.ft.	square feet
SRO	single-room occupancy (hotel)
VDECS	Verified Diesel Emissions Control Strategy

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I. SUMMARY

This Environmental Impact Report (EIR) chapter summarizes the proposed 200-214 6th Street Affordable Housing with Ground-Floor Retail Project ("proposed project") and its potential environmental consequences. This chapter includes a summary description of the proposed project, a summary of potential environmental impacts and proposed mitigation measures, a summary of alternatives to the proposed project and their comparative significant environmental effects, and a summary of environmental issues to be resolved.

This summary should not be relied upon for a thorough understanding of the proposed project, individual impacts, and mitigation measures. Please refer to Chapter III for a more complete description of the proposed project, Chapter V for a more complete description of associated impacts and mitigation measures, and Chapter VII for a more complete description of identified alternatives to the proposed project and comparative significant impacts.

A. PROJECT SYNOPSIS

The 200-214 6th Street Affordable Housing with Ground-Floor Retail project site is on southwest corner of Howard and 6th Streets[1] in San Francisco's South of Market (SoMa) neighborhood the (Assessor's Block 3731, Lot 001). The rectangular site is on the block bounded by Howard Street (north), 7th Street (west), Folsom Street (south), and 6th Street (east). The project site is located within the SoMa Neighborhood Commercial Transit (NCT) use district and 85-X height and bulk district. The approximately 9,997-square-foot (0.23 acre) project site measures approximately 80 feet by 125 feet and contains a four-story hotel, currently vacant, and a 10-foot-wide gated open space along the west side of the building. The building is approximately 45 feet in height and was constructed in 1909.

The proposed project would include demolition of the existing building, and construction of a nine-story, 85-foot-tall, approximately 68,540-square-foot mixed-use building with 67 affordable rental housing units.

[1] For ease of reference throughout this document, the northwest/southeast alignment of Sixth Street is assumed to run in a north/south direction, and all other compass reference points are adjusted accordingly. Thus, while the project is located on the southwest side of Sixth Street, it is described as being on the west side of Sixth Street. All other reference points have been similarly simplified.

The proposed project would include approximately 47,710 square feet of residential space, 2,845 square feet of ground-floor commercial space, a 1,215-square-foot community room, and 2,589 square feet of private and 3,691 square feet of common open space (respectively), including a rear yard and roof terrace.

A temporary, site-specific art installation project known as "Defenestration" currently adorns the exterior of the extant vacant building on the project site. The art installation—consisting of colorful cartoon-like tables, chairs, a bathtub, and other household furnishings spilling out of windows and down the walls—was originally intended to be temporary, but has remained in place for 15 years. Several of its components, such as lamps, tables, beds, couches, and chairs have been removed as potential hazards to public safety.

There are three street trees in the sidewalk along the project site's frontage on 6th Street, including two palm trees, and there are two palm trees in the sidewalk along the project site's frontage on Howard Street.

Construction of the foundation would require excavation of up to 3,800 cubic yards of soil to accommodate the four-foot-thick replacement mat slab. It would include repairing or replacing the retaining walls in the existing building, and drilling 30 to 40 feet below the basement to construct soil-cement columns.

Project construction is estimated to take 20 months with a construction cost of approximately $18.8 million. Construction is anticipated to begin in mid-2013, with occupancy in early- to mid- 2014.

B. SUMMARY OF IMPACTS AND MITIGATION MEASURES

This EIR provides information on potential impacts of the proposed project on historic architectural resources. The Initial Study (Appendix A) provides information on all other potential impacts in the areas of land use and land use planning, aesthetics, population and housing, transportation and circulation, noise, air quality, greenhouse gas emissions, wind and shadow, recreation, utilities and service systems, public services, biological resources, geology and soils, hydrology and water quality, hazards and hazardous materials, mineral and energy resources, and agriculture and forest resources. This EIR identifies one significant and unavoidable historic architectural resource impact, and two potentially significant impacts on cultural resources that could be reduced to less than significant with implementation of mitigation measures identified in this EIR. The Initial Study identifies five potentially significant impacts (interior and exterior noise, construction noise, construction air emissions, toxic air contaminants, and hazardous materials) and proposes mitigation measures that would reduce those

impacts to less than significant as described below in Table S-1, Summary of Potentially Significant Impacts and Mitigation Measures, beginning on page 4.

Text continues on page 21.

Table S-1
Summary of Potentially Significant Impacts and Mitigation Measures

Impact	Impact Significance Without Mitigation	Mitigation Measures	Impact Significance With Mitigation
From the EIR:			
CP-2: Archeological Resources. Excavation for the proposed project could result in extensive physical effects on archeological deposits that may be present beneath the surface of the project site.	**Potentially Significant**	**M-CP-2: Testing**. Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archeological resource as defined in *CEQA Guidelines* Sect. 15064.5 (a)(c). *Consultation with Descendant Communities*: On discovery of an archeological site[2] associated with descendant Native Americans or the Overseas Chinese an appropriate representative[3] of the de-	**Less Than Significant**

[2] The term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

[3] 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.

Table S-1
Summary of Potentially Significant Impacts and Mitigation Measures

Impact	Impact Significance Without Mitigation	Mitigation Measures	Impact Significance With Mitigation
		scendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group. *Archeological Testing Program*. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes a historical resource under CEQA. At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either: A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.	

Table S-1
Summary of Potentially Significant Impacts and Mitigation Measures

Impact	Impact Significance Without Mitigation	Mitigation Measures	Impact Significance With Mitigation
		Archeological Monitoring Program. If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions: ▪ The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context; ▪ The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource; ▪ The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits; ▪ The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis; ▪ If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate	

Table S-1
Summary of Potentially Significant Impacts and Mitigation Measures

Impact	Impact Significance Without Mitigation	Mitigation Measures	Impact Significance With Mitigation
		evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO. Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO. *Archeological Data Recovery Program*. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical. The scope of the ADRP shall include the following elements: ▪ *Field Methods and Procedures*. Descriptions of proposed field strategies, procedures, and operations. ▪ *Cataloguing and Laboratory Analysis*. Description of selected cataloguing system and artifact analysis procedures. ▪ *Discard and Deaccession Policy*. Description of and rationale for field and post-field discard and deaccession policies.	

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Summary of Potentially Significant Impacts and Mitigation Measures

Impact	Impact Significance Without Mitigation	Mitigation Measures	Impact Significance With Mitigation
		▪ *Interpretive Program*. Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program. ▪ *Security Measures*. Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities. ▪ *Final Report*. Description of proposed report format and distribution of results. ▪ *Curation*. Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. *Human Remains and Associated or Unassociated Funerary Objects*. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (*CEQA Guidelines*. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. *Final Archeological Resources Report*. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.	

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Summary of Potentially Significant Impacts and Mitigation Measures

Impact	Impact Significance Without Mitigation	Mitigation Measures	Impact Significance With Mitigation
		Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.	
CP-3: Human Remains. Excavation during construction for the proposed project could disturb or remove human remains.	**Potentially Significant**	Implementation of **Mitigation Measure M-CP-2**, above, would reduce this impact to a less-than-significant level.	**Less Than Significant**

Table S-1
Summary of Potentially Significant Impacts and Mitigation Measures

Impact	Impact Significance Without Mitigation	Mitigation Measures	Impact Significance With Mitigation
CP-4: Historical Architectural Resources. The proposed demolition of the 200-214 6th Street building, a contributor building to a National Register-eligible historic district would result in a significant project-specific and cumulative historic architectural resource impact.	**Significant**	**M-CP-4 (HABS Documentation):** Implementation of this mitigation measure would reduce Impact CP-4 (historic architectural resources), but not to a less-than-significant level. Therefore, impacts related to the demolition of the 200-214 6th Street building would remain significant and unavoidable. However, to offset partially the loss of the building, the project sponsor shall, at a minimum, ensure that a complete survey meeting the standards of the Historic American Building Survey (HABS) is undertaken prior to demolition, as follows: • Prior to approval of the demolition permit, the Project Sponsor shall undertake HABS (Historic American Building Survey) documentation of the subject property. The documentation shall be undertaken by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the Secretary of the Interior's Professional Qualification Standards (36 CFR, Part 61). The documentation shall consist of the following: • *HABS-Level Photography*: Archival photographs of the interior and the exterior of subject property. Large format negatives are not required. The scope of the archival photographs shall be reviewed by Planning Department Preservation staff for concurrence, and all photography shall be conducted according to the latest National Park Service Standards. The photography shall be undertaken by a qualified professional with demonstrated experience in HABS Photography, and must be labeled according to HABS Photography Standards; and,	**Significant and Unavoidable**

Table S-1
Summary of Potentially Significant Impacts and Mitigation Measures

Impact	Impact Significance Without Mitigation	Mitigation Measures	Impact Significance With Mitigation
		• *HABS Historical Report*: A written historical narrative and report, per HABS Historical Report Guidelines. The professional shall prepare the documentation and submit it for review and approval by the San Francisco Planning Department's Preservation Technical Specialist. The final documentation shall be disseminated to the San Francisco Planning Department, San Francisco Library History Room, Northwest Information Center-California Historical Resource Information System, and San Francisco Architectural Heritage.	
		•	

Table S-1
Summary of Potentially Significant Impacts and Mitigation Measures

Impact	Impact Significance Without Mitigation	Mitigation Measures	Impact Significance With Mitigation
From the Initial Study (Appendix A):			
NO-1: Interior and Exterior Noise. The proposed project would not result in the exposure of persons to or generation of noise levels in excess of established standards, nor would the proposed project result in a substantial permanent increase in ambient noise levels or otherwise be substantially affected by existing noise.	**Potentially Significant**	**Mitigation Measure M-NO-1a: Interior and Exterior Noise.** For new residential development located along streets with noise levels above 75 dBA Ldn, the Planning Department requires the following: 1. The Planning Department requires the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within two blocks of the project site, and at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to completion of the environmental review. The analysis should demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained; and 2. To minimize effects on development in noisy areas, for new residential uses, the Planning Department shall, through its building permit review process, in conjunction with the noise analysis required above, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. One way that this might be accomplished is through a site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other	**Less Than Significant**

Table S-1
Summary of Potentially Significant Impacts and Mitigation Measures

Impact	Impact Significance Without Mitigation	Mitigation Measures	Impact Significance With Mitigation
		principles of urban design (see Mitigation Measure M-NO-1: Interior and Exterior Noise, San Francisco 2004 and 2009 Housing Element EIR). **Mitigation Measure M-NO-1b: Window and Wall Assemblies.** The project sponsor shall construct the proposed residential units with the following window and wall assemblies: Windows shall be Torrance 2500 windows with one-inch dual-glazed frames with 7/16-inch laminated glazing, 5/16-inch air space, and ¼-inch glazing; exterior walls shall consist of 3/8-inch plywood; 2x6-inch wood stud or 16-guage steel stud, 16 inches on center with fiberglass sheets in stud cavities; resilient channels[4]; and ½-inch gypsum board. **Mitigation Measure M-NO-1c:** If deviations from these assemblies are proposed, the alternative window and/or wall assemblies shall be evaluated by a qualified acoustical consultant to ensure that Title 24 standards are met.	
NO-2: Construction Noise. During construction, the proposed project would result in a temporary or periodic increase in ambient noise levels and vibration in the project vicinity above levels existing without the project,	**Potentially Significant**	**Mitigation Measure M-NO-2: General Construction Noise Control Measures.** To ensure that project noise from construction activities is minimized to the maximum extent feasible, the project sponsor shall undertake the following: • The project sponsor shall require the general contractor to ensure that equipment and trucks used for project construction utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible). • The project sponsor shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5.0 dBA. To further	**Less Than Significant**

[4] Sound vibration-absorbing strips for attaching sheetrock.

Table S-1
Summary of Potentially Significant Impacts and Mitigation Measures

Impact	Impact Significance Without Mitigation	Mitigation Measures	Impact Significance With Mitigation
but any construction-related increase in noise levels and vibration would be considered a less than significant impact.		reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible. • The project sponsor shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA. • The project sponsor shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to, performing all work in a manner that minimizes noise to the extent feasible; use of equipment with effective mufflers; undertaking the most noisy activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible. • Prior to the issuance of building permits, along with the submission of construction documents, the project sponsor shall submit to the Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise-generating activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity.	

Table S-1
Summary of Potentially Significant Impacts and Mitigation Measures

Impact	Impact Significance Without Mitigation	Mitigation Measures	Impact Significance With Mitigation
AQ-2: Construction air emissions. The proposed project's construction activities would generate toxic air contaminants, including diesel particulate matter, which would expose sensitive receptors to substantial pollutant concentrations.	**Potentially Significant**	**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 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 USEPA or ARB Tier 2 off-road emission standards, and ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).[5] 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,	**Less Than Significant**

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

Table S-1
Summary of Potentially Significant Impacts and Mitigation Measures

Impact	Impact Significance Without Mitigation	Mitigation Measures	Impact Significance With Mitigation

the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.

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

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

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 schedule: If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance

Table S-1
Summary of Potentially Significant Impacts and Mitigation Measures

Impact	Impact Significance Without Mitigation	Mitigation Measures	Impact Significance With Mitigation
		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.	

Table S-1
Summary of Potentially Significant Impacts and Mitigation Measures

Impact	Impact Significance Without Mitigation	Mitigation Measures	Impact Significance With Mitigation
		5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested. B. *Reporting.* Monthly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used. Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used. C. *Certification Statement and On-site Requirements*. Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.	
AQ-4: Toxic Air Contaminants. The proposed project would generate toxic air contaminants, including diesel particulate matter, and would expose	**Potentially Significant**	**Mitigation Measure M-AQ-4: Air Filtration Measures.** *Air Filtration and Ventilation Requirements for Sensitive Land Uses*. Prior to receipt of any building permit, the project sponsor shall submit a ventilation plan for the proposed building(s). The ventilation plan shall show that the building ventilation system removes at least 80 percent of the outdoor $PM_{2.5}$ concentrations from habitable areas and be designed by an engineer certified by ASHRAE, who shall provide a written report documenting that the system meets the 80 percent	**Less Than Significant**

Table S-1
Summary of Potentially Significant Impacts and Mitigation Measures

Impact	Impact Significance Without Mitigation	Mitigation Measures	Impact Significance With Mitigation
sensitive receptors to substantial air pollutant concentrations.		performance standard identified in this measure and offers the best available technology to minimize outdoor to indoor transmission of air pollution. *Maintenance Plan.* Prior to receipt of any building permit, the project sponsor shall present a plan that ensures ongoing maintenance for the ventilation and filtration systems. *Disclosure to buyers and renters.* The project sponsor shall also ensure the disclosure to buyers (and renters) that the building is located in an area with existing sources of air pollution and as such, the building includes an air filtration and ventilation system designed to remove 80 percent of outdoor particulate matter and shall inform occupants of the proper use of the installed air filtration system.	
HZ-2: Hazardous Materials. The proposed project may create a significant hazard to the public or the environment through reasonably foreseeable conditions involving the release of hazardous materials into the environment.	**Potentially Significant**	**Mitigation Measure M-HZ-2a: Hazardous Materials Contingency Plan and Health and Safety Plan** A Contingency Plan that describes the procedures for controlling, containing, remediating, testing and disposing of any unexpected contaminated soil, water, or other material is required by the San Francisco Department of Public Health (SFDPH) Contaminated Sites Assessment and Mitigation Program (SAM). The Contingency Plan shall include collection of two or three confirmation soil samples to verify earlier soil data. Construction-related documents to address dust control, run off, noise control, and worker health and safety shall also be prepared and submitted to the Planning Department with copies to the SFDPH SAM at least two weeks prior to beginning construction work. Should an UST be encountered, work will be suspended and the owner notified. The site owner will notify the SFDPH of the situation and the proposed response actions. The UST shall be	**Less Than Significant**

Table S-1
Summary of Potentially Significant Impacts and Mitigation Measures

Impact	Impact Significance Without Mitigation	Mitigation Measures	Impact Significance With Mitigation
		removed under permit with the SFDPH, Hazardous Materials and Waste Program (HMWP) and the San Francisco Fire Department. The project sponsor is required to submit the Contingency Plan at least 4 weeks prior to beginning construction or basement demolition work. In addition to the Contingency Plan, SFDPH and the California Occupational Safety and Health Administration (CAL OSHA) require the preparation of a Health and Safety Plan for this project. The project sponsor is required to submit the Health and Safety Plan to the Department of Public Health not less than two weeks prior to the beginning of construction field work. The project sponsor shall submit a final project report describing project activities and implementation of the Contingency Plan, Health and Safety Plan, etc. Report appendices should include copies of project permits, manifests or bills of lading for soil or groundwater disposed or discharged, copies of laboratory reports for any soil or water samples analyzed. Two confirmation samples from the basement are requested by SFDPH to complete the project report and verify earlier data. **Mitigation Measure M-HZ-2b: Other Hazardous Building Materials (PCBs, Mercury, Lead, and others)** The project sponsor shall ensure that pre-construction building surveys for polychlorinated bi-phenyl- (PCB-) and mercury-containing equipment, hydraulic oils, fluorescent lights, mercury and other potentially toxic building materials are performed prior to the start of any demolition or renovation activities. A survey for lead has been conducted and identified the presence of lead in the existing building. Any hazardous building materials discovered during surveys would be abated according to federal, state, and local laws and regulations.	

C. ALTERNATIVES

Two alternatives are evaluated in this EIR: Alternative A: No Project and Alternative B: Preservation Alternative.

ALTERNATIVE A: NO PROJECT

Under the CEQA-required No-Project Alternative, there would be no change on the project site, the extant vacant building would not be demolished, and the proposed 85-foot-tall mixed-use building would not be constructed. The No Project Alternative would avoid all impacts of the proposed project and the Preservation Alternative. The No Project Alternative would not preclude future proposals for development of the project site.

ALTERNATIVE B: PRESERVATION ALTERNATIVE

The Preservation Alternative would not demolish the 200-214 6th Street historical building and would restore it to the Secretary of Interior's Standards. This alternative would add a one-story vertical addition at the fifth floor that would be set back by 10 feet, and would have a total of 33 dwelling units and 2,571 square feet of ground-floor retail space. There would be no rear yard open space, unlike the proposed project. The Preservation Alternative would avoid the proposed project's impacts on archeological resources, and would have the same impacts as the proposed project relating to interior and exterior noise, construction noise, construction air emissions, toxic air contaminants, and hazardous materials, which would be less than significant with mitigation incorporated. All other impacts would remain less than significant.

Table S-2
Comparison of Significant Impacts – Proposed Project and Preservation Alternative

	Proposed Project	Preservation Alternative
Description:		
- Height	85 feet, 9 stories	55 feet, 5 stories
- Fifth Floor Setback	None	10 feet
- Residential	67 units, 47,710 sq. ft.	33 units, 32,880 sq. ft.
- Common Open Space	3,691 sq.ft.	None
- Private Open Space	2,589 sq. ft.	None
- Commercial Space	2,845 sq. ft.	2,571 sq. ft.
- Community Room	1,215 sq. ft.	None
- Service/Circulation	16,770 sq. ft.	None
- Total (excludes open space)	68,540 sq. ft.	35,451 sq. ft.
- Rear Yard Setback	14%	None
- Bicycle Parking	29 spaces	None
- Vehicle Parking	None	None
Impacts (Significance Level After Mitigation**):**		
Historical Resources	Significant and Unavoidable	Less than Significant
Archeological Resources	Less Than Significant	Less than Significant
Human Remains	Less Than Significant	Less than Significant
Interior and Exterior Noise	Less Than Significant	Less than Significant
Construction Noise	Less Than Significant	Less than Significant
Construction Air Quality	Less Than Significant	Less than Significant
Toxic Air Contaminants	Less Than Significant	Less than Significant
Hazardous Materials *(Existing Building Materials)*	Less Than Significant	Less Than Significant
Hazardous Materials *(Contaminated Soils)*	Less Than Significant	Less Than Significant

D. AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

The City distributed a Notice of Preparation (NOP) of an Environmental Impact Report with a Notice of Availability of an Initial Study on August 15, 2012, announcing its intent to prepare and distribute an EIR. Individuals and agencies that received these notices included owners of properties within 300 feet of the project site, tenants of properties adjacent to the project site, and other potentially interested parties, including various regional and state agencies.

Concerns and issues raised by the public regarding the environmental review include the following: construction-related noise and vibration, dust and traffic. These concerns were addressed and incorporated into this EIR or the Initial Study (Appendix A) where appropriate.

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II. INTRODUCTION

A. PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

This project Environmental Impact Report (EIR) has been prepared by the City of San Francisco Planning Department, the Lead Agency for the proposed project, in conformance with the provisions of the *CEQA Guidelines*.[6] The lead agency is the public agency that has the principal responsibility for carrying out or approving a project. As a project EIR, once certified, the California Environmental Quality Act (CEQA) requires no further environmental review unless the proposed project or the environmental setting or conditions were to change substantially prior to project construction.

As stated in the *CEQA Guidelines*, an EIR is an "informational document" intended to inform public agency decision-makers and the public of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. As defined in the *CEQA Guidelines* Section 15382, a "significant effect on the environment" is:

> …a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

This project EIR assesses potentially significant impacts concerning archeological resources, paleontological resources, human remains, historic architectural resources, and cumulative impacts to historic architectural resources.

An Initial Study was prepared and circulated for public review on August 15, 2012. The Initial Study evaluated the proposed project's potential impacts on land use and land use planning, aesthetics, population and housing, cultural and paleontological resources, transportation and circulation, noise, air quality, greenhouse gas emissions, wind and shadow, recreation, utilities and service systems, public

[6] CEQA, California Environmental Quality Act, Statutes and Guidelines, Guidelines as amended January 1, 2005, published by the Governor's Office of Planning and Research.

services, biological resources, geology and soils, hydrology and water quality, hazards and hazardous materials, mineral and energy resources, and agricultural resources. This project EIR, in combination with the Initial Study, provides an analysis of the proposed project's physical effects on the environment (both individually and cumulatively), including impacts from construction and operation.

CEQA provides that public agencies should not approve projects until all feasible means available have been employed to lessen substantially the significant environmental effects of such projects. "Feasible" means capable of being accomplished in a successful manner within a reasonable period taking into account economic, environmental, social, and technological factors.[7]

Although this project EIR does not control the ultimate approval decision for the proposed project, the City of San Francisco (City) must consider the information in this EIR in its deliberations over project approval and respond to each significant impact identified in this EIR. The City will use the certified EIR, along with other information and public processes, to determine whether to approve, modify, or disapprove the proposed project, and to specify any applicable environmental conditions as part of the project approvals.

B. PROJECT SUMMARY

The project sponsor, Mercy Housing Corporation, proposes to construct a 68,540-square-foot, 85-foot-tall, nine-story mixed-use building containing 67 residential units, 2,845 square feet of commercial space, a 1,215-square-foot community room, and 16,770 square feet of service/circulation space, on an approximately 9,997-square-foot site located on the southwest corner of Howard and 6th Streets[8] in San Francisco's South of Market (SoMa) neighborhood.

C. ENVIRONMENTAL REVIEW PROCESS AND PUBLIC COMMENTS

The environmental review process is generally composed of the following components: (1) a preliminary assessment of potential environmental impacts contained in an Initial Study that is distributed to the public with an NOP; (2) preparation of a Draft EIR; (3) public comments on the adequacy of the Draft

7 *Public Resources Code* Section 21061.1.

8 For ease of reference throughout this document, the northwest/southeast alignment of Sixth Street is assumed to run in a north/south direction, and all other compass reference points are adjusted accordingly. Thus, while the project is located on the southwest side of Sixth Street, it is described as being on the west side of Sixth Street. All other reference points have been similarly simplified.

EIR; and (4) preparation of responses to the comments in a Comments and Response Document. The revised Draft EIR and the Comments and Response Document comprise a Final EIR.

The Planning Department distributed a NOP and an Initial Study on August 15, 2012, announcing its intent to prepare and distribute an EIR. The NOP and Initial Study are included as Appendix A of this EIR. In response to the NOP, members of the public submitted comment letters to the Planning Department, which included the following concerns: construction-related noise and vibration, dust and traffic.

The Initial Study (Appendix A) found that the proposed project could have a significant impact on historical resources, archeological resources, paleontological resources, human remains, and cumulative impacts to cultural resources related to demolition of the existing 200-214 6th Street building. The evaluation of these cultural resources is in Chapter V of this EIR.

The Initial Study found that the proposed project would have potentially significant impacts related to noise, air quality, and hazardous materials. However, the proposed mitigation measures would reduce these impacts to a less-than-significant level. All other impacts identified in the Initial Study would be less than significant.

DRAFT EIR AND PUBLIC COMMENT

Following publication of this Draft EIR, there will be a 45-day public review and comment period, including a public hearing, to solicit public comment on the adequacy and accuracy of information presented in this Draft EIR, as described in more detail in the next section.

LOCATION OF DRAFT EIR AND REFERENCE MATERIALS

A copy of the Draft EIR is available for public review and comment at the Planning Department's Planning Information Counter at 1660 Mission Street, 1st Floor, or at the Department's website, at **http://tinyurl.com/sfceqadocs**.

The distribution list for the Draft EIR and referenced materials are available for review at the Planning Department's office at 1650 Mission Street, 4th Floor.

DRAFT EIR COMMENT PERIOD

During the 45-day public review and comment period for this Draft EIR (from February 27, 2013, to April 15, 2013), readers are invited to submit oral or written comments on the adequacy and accuracy of the Draft EIR.

Oral comments on this Draft EIR can be made at the public hearing before the Planning Commission scheduled for April 4, 2014 in Room 400 City Hall, Dr. Carlton B. Goodlett Place, beginning at 1:30 p.m. or later (call 558-6422 the week of the hearing for a recorded message giving a more specific time).

Written comments should be received no later than 5:00 p.m., April 15, 2013. Mail to:

> Bill Wycko, Environmental Review Officer
> (Re: 200-214 6th Street Affordable Housing with Ground-Floor Retail Project 2011.0119E)
> San Francisco Planning Department
> 1650 Mission Street, Suite 400
> San Francisco, CA 94103

CEQA Guidelines Section 15096(d) calls for responsible agencies to provide comments on those project activities within those agencies' areas of expertise and to support those comments with either oral or written documentation.[9]

FINAL EIR

Following the close of the public review and comment period, the Planning Department will prepare and publish a document titled "Responses to Comments." It will contain: (1) a summary of all relevant comments on this Draft EIR received in writing or during the public hearing, (2) the City's responses to those comments, and (3) copies of the letters received and a transcript of the public hearing before the Planning Commission.

This Draft EIR, together with the Responses to Comments document, will be considered by the Planning Commission at an advertised public meeting. If deemed adequate, the Planning Commission would move to certify the document as a Final EIR.

Following consideration of the environmental information in the certified Final EIR, the San Francisco Planning Commission will decide whether to approve the proposed project or one of its alternatives.

[9] CEQA Section 21069 defines a responsible agency as a public agency, other than the lead agency, which has responsibility for carrying out or approving a project.

III. PROJECT DESCRIPTION

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This chapter describes the proposed 200-214 6th Street Affordable Housing with Ground-Floor Retail project (proposed project), which is evaluated in this EIR. A description of the proposed project's regional and local contexts, project objectives and required project approvals and entitlements are also included. For the purposes of this EIR, Mercy Housing Corporation is considered the project sponsor and project developer. As noted previously, the San Francisco Planning Department is the Lead Agency for this EIR. The project architect is Kennerly Architecture & Planning.

A. PROJECT OBJECTIVES

The project sponsor, Mercy Housing, has identified the following objectives of the proposed project:

- Increase the supply of affordable housing in San Francisco.
- Develop a project with minimal environmental disruption.
- Increase the supply of affordable housing with ground floor retail opportunities to help activate the Sixth Street corridor.
- Develop affordable housing that complements the existing urban character of the area.
- Complete the project on schedule and within budget.

B. PROJECT LOCATION

The rectangular 9,997-square-foot project site is located on the southwest corner of Howard and 6th Streets[10] in San Francisco's South of Market (SoMa) neighborhood (Assessor's Block 3731, Lot 001). The

[10] For ease of reference throughout this document, the northwest/southeast alignment of Sixth Street is assumed to run in a north/south direction, and all other compass reference points are adjusted accordingly. Thus, while the project is located on the southwest side of Sixth Street, it is described as being on the west side of Sixth Street. All other reference points have been similarly simplified.

rectangular site is on the block bounded by Howard Street (north), 7th Street (west), Folsom Street (south) and 6th Street (east) (see Figure 1, page 31).

The level project site is at an elevation of approximately 18 feet above mean sea level (MSL), and is within the SoMa Neighborhood Commercial Transit (NCT) district, the SoMa Youth and Family Special Use district, and the 85-X height and bulk district. As described in *Planning Code* Section 725.1, the SoMa NCT district is intended to provide a limited selection of convenience goods for residents of the SoMa Area, with eating and drinking establishments contributing to the street's mixed-use character and activity in the evening hours. The SoMa NCT district has a pattern of ground-floor commercial use with upper-story residential units. Most commercial uses are prohibited above the second story, though offices and general retail sales may occupy the second story or above in new buildings. In new buildings housing is encouraged above the ground story. Housing density is controlled by bedroom counts rather than density controls, and parking is not required, due to the area's central location and accessibility to the City's transit network.

The project site is also located in the SoMa Youth and Family Special Use district; which is generally bounded by Natoma Street to the north, Harrison Street to the south, 4th Street to the east, and 7th Street to the west. The purpose of this district is to expand the provision of affordable housing.

The approximately 9,997-square-foot project site measures 125 feet along 6th Street by 80 feet along Howard Street for a total of 0.23 acres. The vacant, four-story, approximately 45-foot tall, masonry Hugo Hotel, which was built in 1909, occupies most of the site, and a 10-foot-wide gated open space runs along the west side of the building. The existing building is built to the lot line on the north, east, and south sides, and has one basement level that extends beneath the open space to the west.

The proposed residential and retail uses are principally permitted in the SoMa NCT district; the potential restaurant use is conditionally permitted. The residential density permitted in the SoMa NCT zoning district is not controlled by lot area, but by physical constraints established in the *Planning Code*, including controls on height, bulk, setbacks, open space, and dwelling unit exposure. The proposed 67 dwelling units would be within the permitted density on the site.

Source: During Associates

6-22-11

Proposed Project Location Figure 1

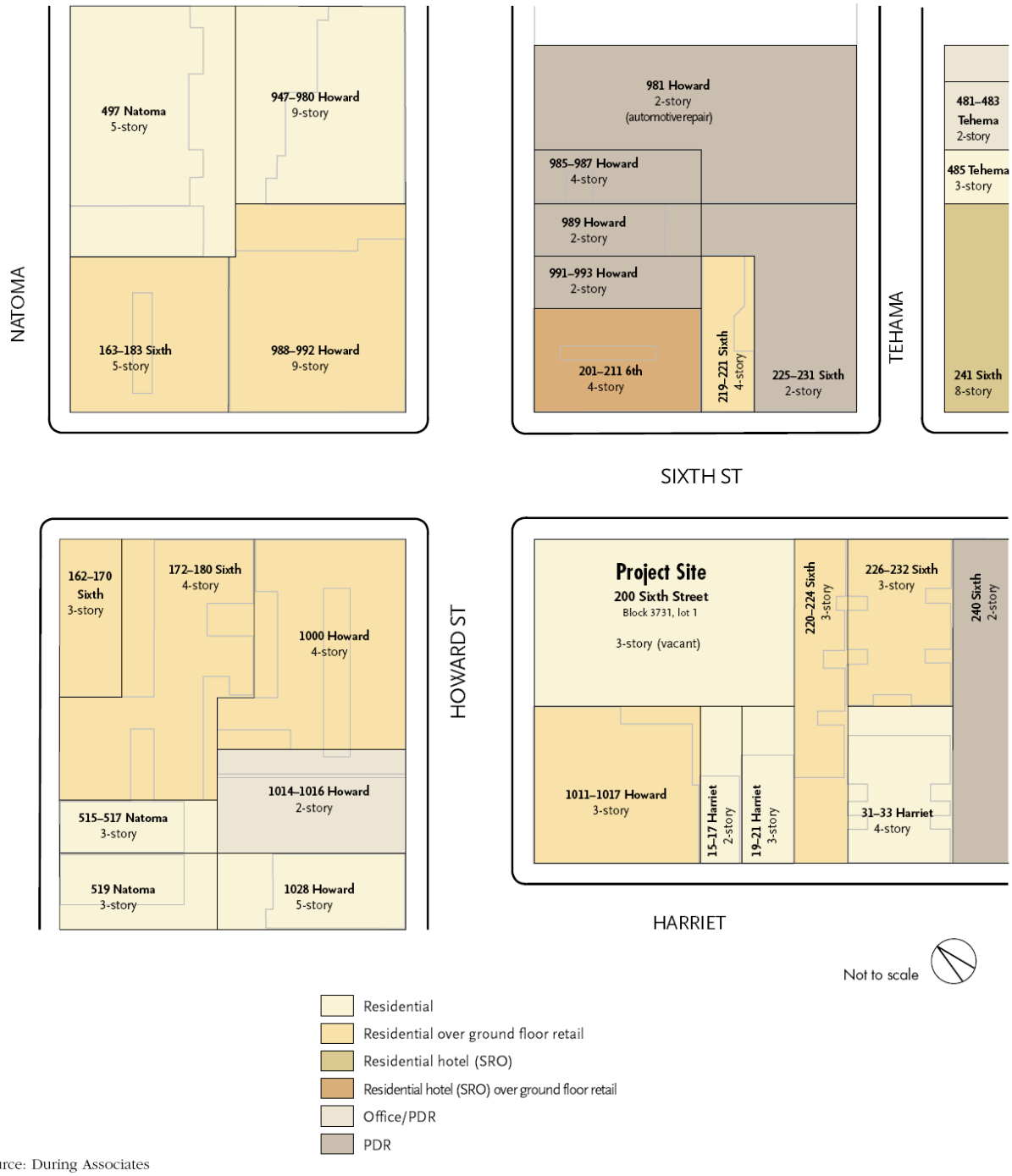
A. View Looking North on 6th Street

B. View Looking East on Howard Street

Source: During Associates

2-13-13

Existing Site Views Figure 2



Source: During Associates

11-3-11

Existing Site Plan Figure 3

Buildings in the vicinity are mixed in terms of land use type and height, with a wide variety of commercial, office, and residential uses. While the majority of buildings in the immediate vicinity range from two to four stories in height, there are numerous five- and six-story buildings in the vicinity, along with several buildings between seven and nine stories tall. This is illustrated by the intersection on which the project site is situated, 6th Street at Howard Street. The existing four-story vacant building on the project site occupies the southwest corner. A five-story brick building containing residences over a ground-floor art gallery occupies the northwest corner, and the opposite corner hosts a nine-story cement and wood building housing a Subway fast-food restaurant and the Northeast Community Credit Union on the ground floor and residences in the upper stories. The southeast corner of the intersection is developed with a five-story wood building occupied by the Yerba Buena Market on the ground floor and residential units on the upper floors.

The preponderance of taller (i.e., more than four stories) buildings in the vicinity are located on the blocks to the north and east of the project site; the project block is occupied by lower profile development. Immediately to the south of the project site are two three-story wood buildings with residential uses in the upper stories. The closest building has an unidentified office on the ground floor, while the adjacent building's ground floor is a boarded-up former retail space. Continuing south along 6th Street, the next building is a two-story concrete building housing Euro Motorcars auto repair facility. The last building on the block is a two-story cement block building housing the Gene Friend Recreation Center. A large yard and playground, including a basketball court, occupies the south end of the project block, extending to Harriet Street, which defines the west side of the project block.

The west side of the project block, along Harriet Street, is developed predominantly with residential uses. At the southeast corner of Harriet and Howard, the four-story Raman Hotel occupies a wood building that has vacant ground-floor retail space. To the south of the hotel are a two-story residential duplex; a three-story, six-unit wood apartment building; private parking enclosed behind a solid wood fence; a four-story wood shingle building with seven residential units; and the Bee Automotive Collision Center, in a two-story concrete building. The west side of Harriet Street on this block is similarly developed with somewhat taller buildings. The Refuge Ministries and City of Refuge United Church of Christ occupies a broad 1-1/2-story cement building at the southwest corner of Harriet and Howard Streets. Next door, to the south, the Yvette A. Flunder Community Center is a two-story cement block building, followed by the Nisei Rug Cleaners in a two-story cement building. The remainder of the block is devoted to residential use: a five-story wood triplex; two three-story wood structures housing a duplex and a triplex, respectively; a modern four-story stucco building with approximately 20 live/work units; a wood three-story single-

family residence; and a three-story modern wood and stucco building, at the end of the block, with 14 residential units.

On the west side of this block, along Russ Street, a large three-story cement and glass warehouse occupies the southeast corner of Russ and Howard Streets; a fenced storage yard is at the rear (south end) of the building. After a one-story stucco garage, there are three three-story buildings (one stucco, the other two wood) that house three, seven, and four residential units, respectively. The next building to the south is a five-story modern stucco live/work structure with approximately 24 units, followed by a three-story boarded-up wood residential building. A two-story stucco building occupies the southeast corner of the block (at Folsom Street) that appears to house unidentified offices.

The block north of the project site has several five- and six-story buildings. In addition to the five-story mixed-use building at the northwest corner of 6th and Howard Streets, previously identified, a five-story stucco and wood mixed-use building with residential over ground-floor office space is separated from the corner building by a two-story stucco building housing offices for an architectural firm. To the west of the mid-block mixed-use building is a two-story stucco structure occupied by the United Playaz Clubhouse. Next to the clubhouse is a three-story wood residential building with eight units. The northwest corner of the Howard Street and Russ Street intersection is occupied by a one-story cement block building with a t-shirt store.

In the same block, along 6th Street, the sole mid-block building is a six-story structure housing The Dudley Apartments over the City Produce market. The northeast corner of the block, which is the southwest corner of the intersection of 6th Street and Natoma Street, is developed with an aging three-story wood Victorian building occupied by CityTeam Ministries on the ground floor and residential units on the upper floors. Across the street, on the northwest corner of the intersection, is a similar two-story wood Victorian building housing the Outpost Church on the ground floor and, apparently, residential use on the second floor. West of these two buildings, Natoma Street is lined on both sides of the next block (down to Russ Street) almost entirely with residential uses. A ground-floor flower shop is located in a six-story brick and wood building adjacent to the CityTeam Ministries building on the corner; residential units occupy the upper floors of this mixed-use building. The middle of this block is occupied on both sides by about a dozen two- and three-story residential buildings of varied construction with two to six units. In addition, there is a one-story cement single-family home, a four-story brick and wood building with twelve residential units, a vacant lot, a four-story cement and metal building with seven residential units, and a two-story cement building with a ground-floor flower shop, Natalini Flowers. At Russ Street, a two-story ce-

ment building houses the Oriental and American Food market on the ground floor, with residential use above.

The north side of this block, along Minna Street, is also developed predominantly with residential uses. It includes four three-story residential buildings, one a triplex, two housing four apartment units each, and the fourth, a much larger building providing approximately 21 units. The east end of the block is occupied by the four-story Pontiac Hotel in a wood Victorian structure. Along 6th Street, this block between Natoma and Minna Streets, is developed midblock with a four-story wood mixed-use building with the Split Pea Seduction café and Mission Cleaners on the ground floor and residential units in the upper stories. Next door to the building is a fenced vacant lot.

The smaller-scale residential development lining Natoma and Minna Streets north of the project block give way to larger-scale residential and commercial uses in the blocks to the north. The north side of Minna Street west of 6th Street includes a large five-story stucco building housing 30 residential units, with the Rancho Parnassus food market on the ground floor, and a five-story cement and metal live/work building with multiple units. The opposite side of the block, along Mission Street, includes the South of Market Residences in a large four- and five-story building (with Starco Market on the ground floor) and a Big O Tires facility in a one-story cement plaster structure. This block of Mission Street is also lined with surface parking lots, miscellaneous commercial uses, mixed-use buildings, and several office buildings between two and five stories in height. The James R. Browning United States Courthouse is housed in a large three-story cement building at the west end of the block, at the northwest corner of Mission and Seventh Streets.

The blocks to the east of the project block include a mix of uses, with the interiors of the blocks dominated by residential and live/work uses. The east side of 6th Street is more dominated by commercial and mixed-use buildings. The five-story wood building at the southeast corner of Howard and 6th Streets was previously described. At the northwest corner of 6th and Tehama Streets is Econ Glass in a two-story stucco building. In between these two buildings is a four-story wood building with residential units over the Jesus Cares Gospel Mission on the ground floor. An eight-story stucco building at the southeast corner of 6th and Tehama Streets houses the Knox Hotel, a single-room occupancy (SRO) low-income housing development. The southern half of this block along 6th Street is developed with two two-story stucco commercial buildings, one housing Perfect Paws, and on the corner, Rite-Way Electric.

The third narrow block abutting the project block along 6th Street is defined by Clementina Street on the north and Folsom Street on the south. The north end, at the southeast corner of 6th and Clementina

Streets, is occupied by a two-story cement block building housing Vehicle SF offices. A small two-story cement block building housing Golden Auto Muffler and Brake is on the south end of the block, at the northeast corner of 6th and Folsom Streets. Two small, private, fenced parking lots are located between Vehicle SF and Golden Auto Muffler and Brake, and presumably provide parking for the respective adjacent businesses.

Aside from the corner uses already described, Howard Street east of 6th Street is developed on the south side with numerous small, mostly two-story buildings with some three-story buildings housing predominantly commercial uses. Businesses in this block include Ray Color Lab, California Office Print Service, Hello! Lucky stationary and printing, and offices for Timeline Construction and other unidentified businesses. Along the north side of Howard Street in this block are the 15-unit Leland Apartments in a five-story stucco building, a public parking lot, AutoEuropa auto repair in a two-story cement block building, and three two-story buildings (two cement, one brick), two of which house unidentified offices and the third is occupied by a retail sales business called Moving Sale.

Tehama Street east of 6th Street[11] is lined by many small two- to four-story buildings of varied construction housing residential, live/work, office, and commercial uses. Identifiable businesses include MM Caster and Industrial Supply, De Jani Construction, and J. Gibbs Sons Mechanical Contractors. The north side of the street includes two five-story stucco residential buildings, one with twelve units and the other with an undetermined number of units. There are also several private surface parking lots.

Development along Clementina Street east of 6th Street is mixed, but more dominated by residential development than the block of Tehama Street described in the preceding paragraph. Most structures are two- to four-story buildings constructed of wood or brick. In addition, there is a six-story stucco building with 20 residential units over a ground-floor private parking garage. There are also three one-story buildings (of cement, cement block, and wood, respectively) housing unidentified warehouses and/or workshops. About four two-story buildings appear to be occupied by office uses, including an architectural office. There are also two four-story stucco residential buildings with six units and twelve units, respectively, over ground-floor private garages.

Folsom Street, east of 6th Street, is developed along the north side entirely with one- to three-story wood and stucco commercial buildings: the Golden Auto Muffler and Brake building is at the northeast corner

[11] The uses described along Tehama, Clementina, and Folsom streets do not encompass the entire blocks, but just to the extent surveyed, which extended for approximately 600 feet east of Sixth Street. The survey area was defined on the east by a line extending south of Mary Street, located a few blocks to the north.

of Folsom Street and 6th Street, followed by Prestige Auto Service, Carlos Arroyo & Sons auto body shop, the Bryant Auto Body building, an office building, the PopSex960 store, the European Motor Works building, Bay Area Auto Body, and the Boyd Lighting building. At the east end of the block is a Priority Parking public parking lot.

The blocks to the northeast of the project site, including Natoma, Minna, and Mission Streets between 6th Street and Mary Street, are developed with a mix of commercial, office, and mixed-use (residential and retail) buildings. Buildings along 6th Street not previously described include the five-story cement Alder Hotel at the southeast corner of Natoma and 6th Streets, which houses the Hospitality House Community Center on the ground floor; the four-story brick Sunset Hotel (SRO) with a shuttered ground-floor storefront, on the east side of 6th Street north of Natoma Street; and the four-story brick Sunnyside Hotel, north of the Sunset Hotel, with DA Arts on the ground floor. North of Minna Street, 6th Street is lined with the four-story cement block Rose Hotel, with Chico's Pizza on the ground floor; the Room Ultra Lounge and Don's XXX Movie Arcade in a two-story brick building; and a three-story stucco building with residential use over the Miss Saigon Vietnamese restaurant.

East of 6th Street, Natoma Street is developed primarily with small two- to four-story office buildings and surface parking lots. There is also a large vacant lot about 90 feet east of 6th Street. Minna Street east of 6th Street functions primarily as a back alley to the commercial and other uses fronting on Natoma Street or Mission Street. Along with the rear of buildings, it also has several surface parking lots, a one-story brick woodworking shop, the three-story brick Auburn Hotel (SRO), and a four-story unmarked brick building that appears to provide residential units.

C. PROJECT CHARACTERISTICS

The proposed project includes demolition of the existing building and construction of an approximately 85 feet tall, 9-story residential mixed-use building with a total of approximately 68,540 square feet of developed space, covering the entire lot. Table 1, page 39, summarizes the characteristics of the project. Figures 4 through 15, pages 40-51, depict floor plans, elevations, and sections. The new building would include 67 affordable rental housing units (studio and one-, two-, and three-bedroom units) in about 47,710 square feet of residential space, approximately 2,845 square feet of ground-floor commercial space (retail, likely restaurant), a community room with approximately 1,215 square feet of space, and about 2,589 square feet of private open space and 3,691 square feet of common open space, including a rear yard

and roof terrace. There would be 29 bicycle parking spaces; no vehicle parking spaces are included. The residential units would be affordable to very low income households.[12]

Table 1
Project Characteristics

Building Uses	Measurement
Residential (floors 2-9)	47,710 sf
Commercial (retail, likely restaurant) (1st floor)[1]	2,845 sf
Community Room	1,215 sf
Service/Circulation	16,770 sf
Total (excludes open space)[2]	**68,540 sf**
Common Open Space	3,691 sf
1st Floor (rear yard)	1,388 sf
9th Floor (roof terrace)	2,303 sf
Private Open Space (balconies for 30 units)	2,589 sf
Dwelling Units	67 units
Studio	8 units
1-BR	24 units
2-BR	25 units
3-BR	10 units
Height of Building	85 feet
Number of Stories	9
Bicycle Parking	29 spaces

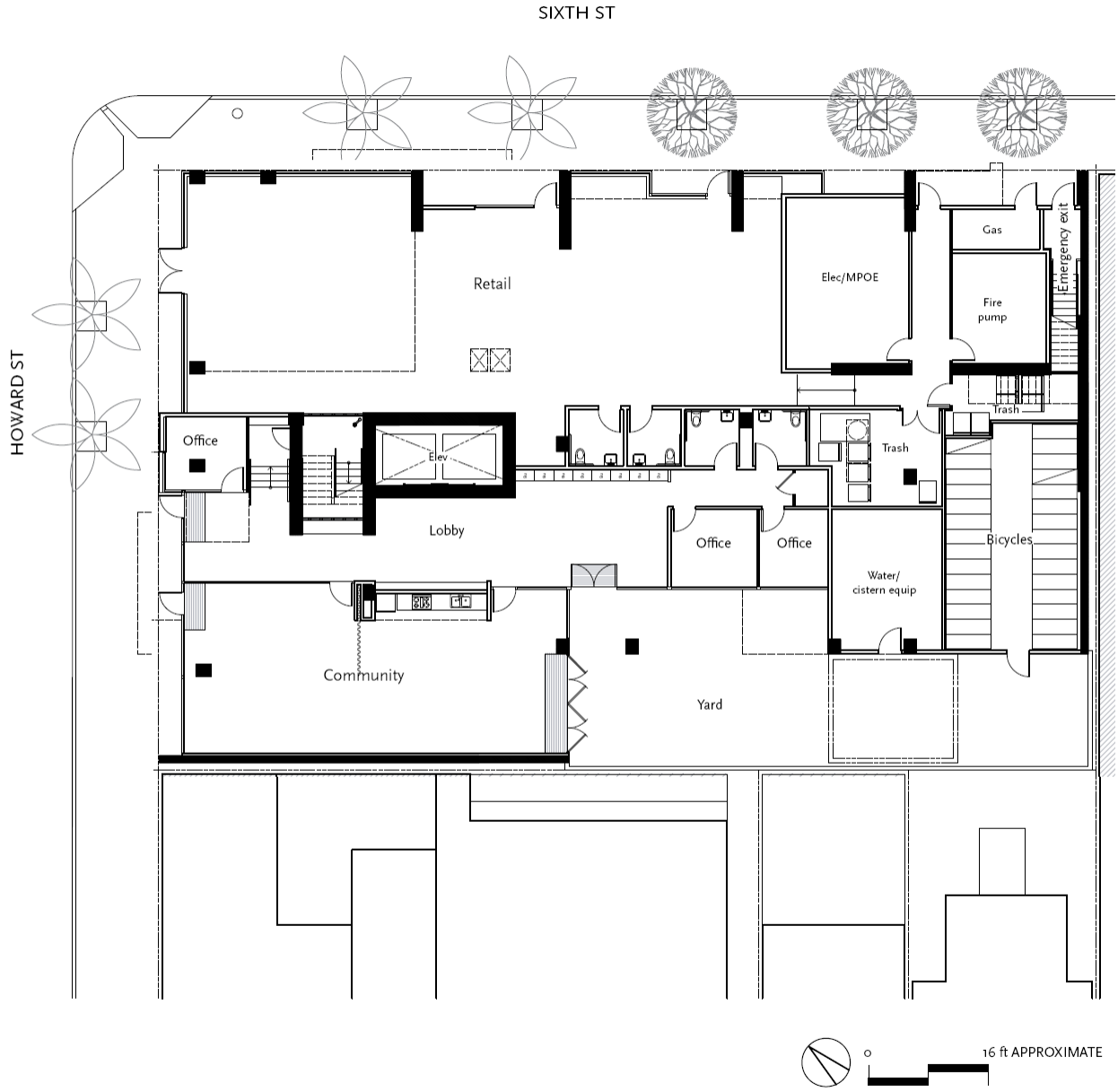
Notes: sf = gross square feet; BR = bedroom

1 Includes restrooms, trash room, and corridor leading to trash room.

2 Per *Planning Code* 102.9 excludes mechanical penthouse, open spaces, and double-height areas at commercial, lobby, and flex rooms.

Source: Kennerly Architecture & Planning, January 31, 2012.

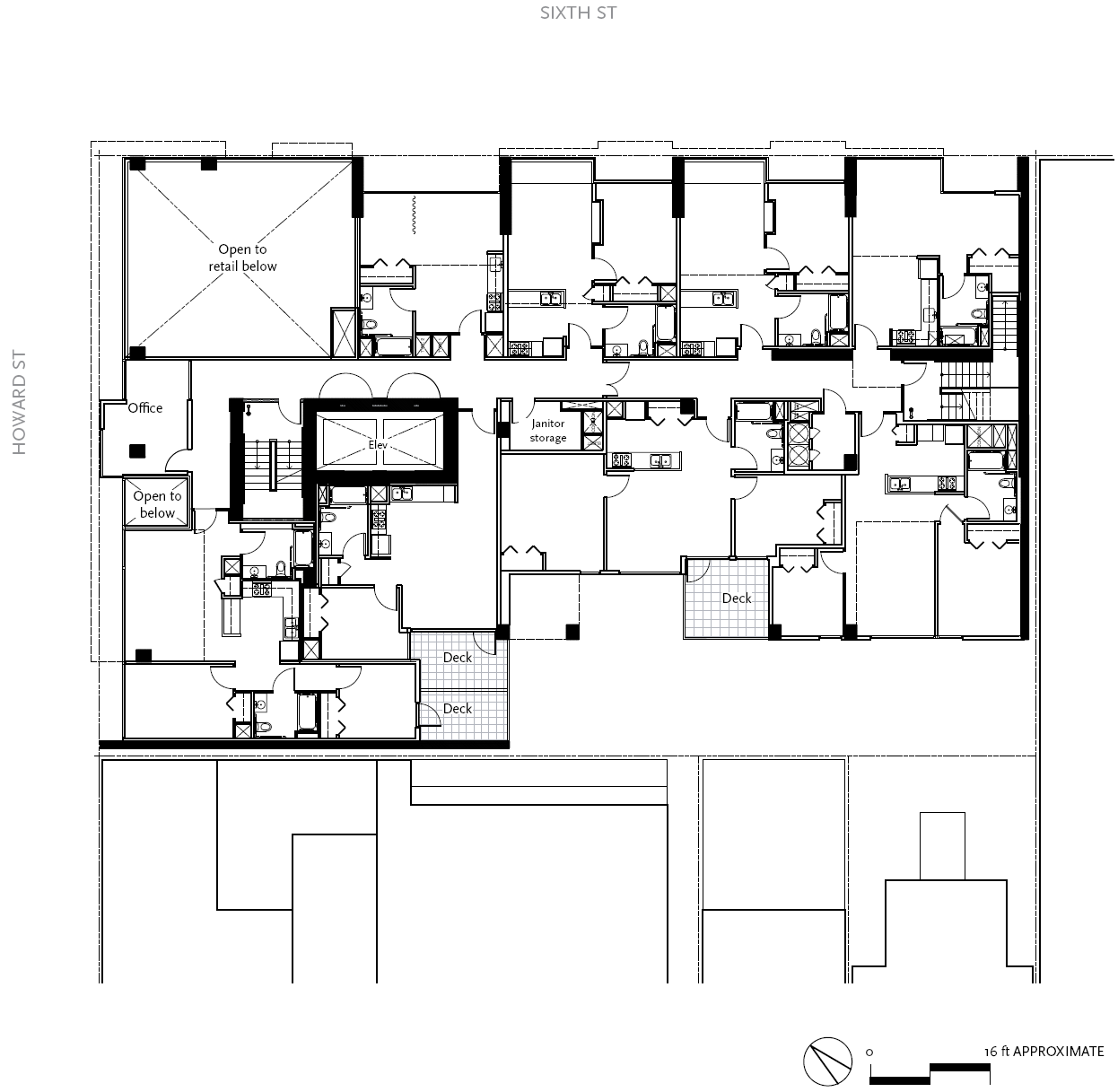
[12] Very low income households have an income of 30 to 50 percent of the Area Median Income (AMI).



Source: Kennerly Architecture

2-6-12

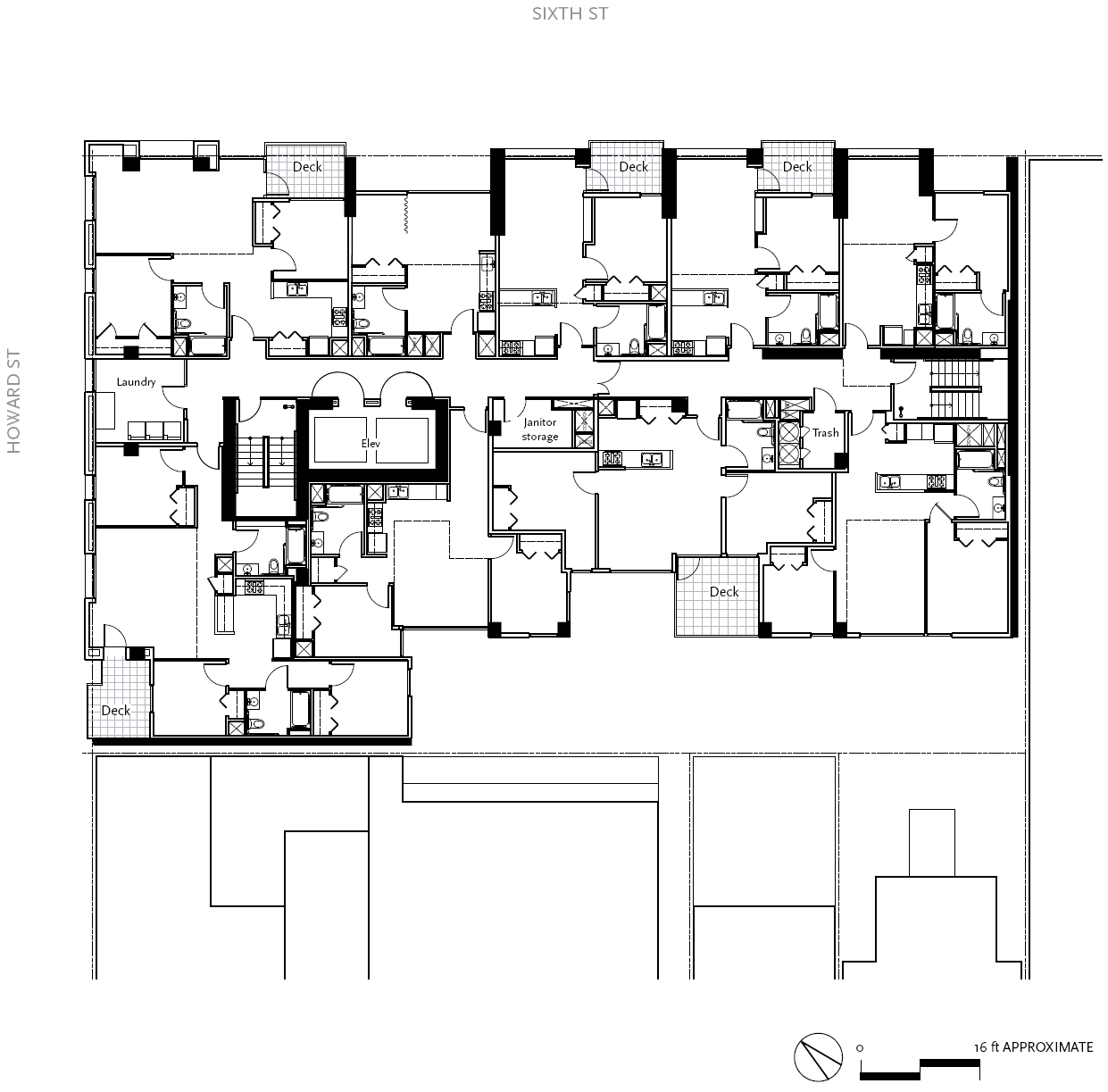
Proposed Ground Floor Plan Figure 4



Source: Kennerly Architecture

2-6-12

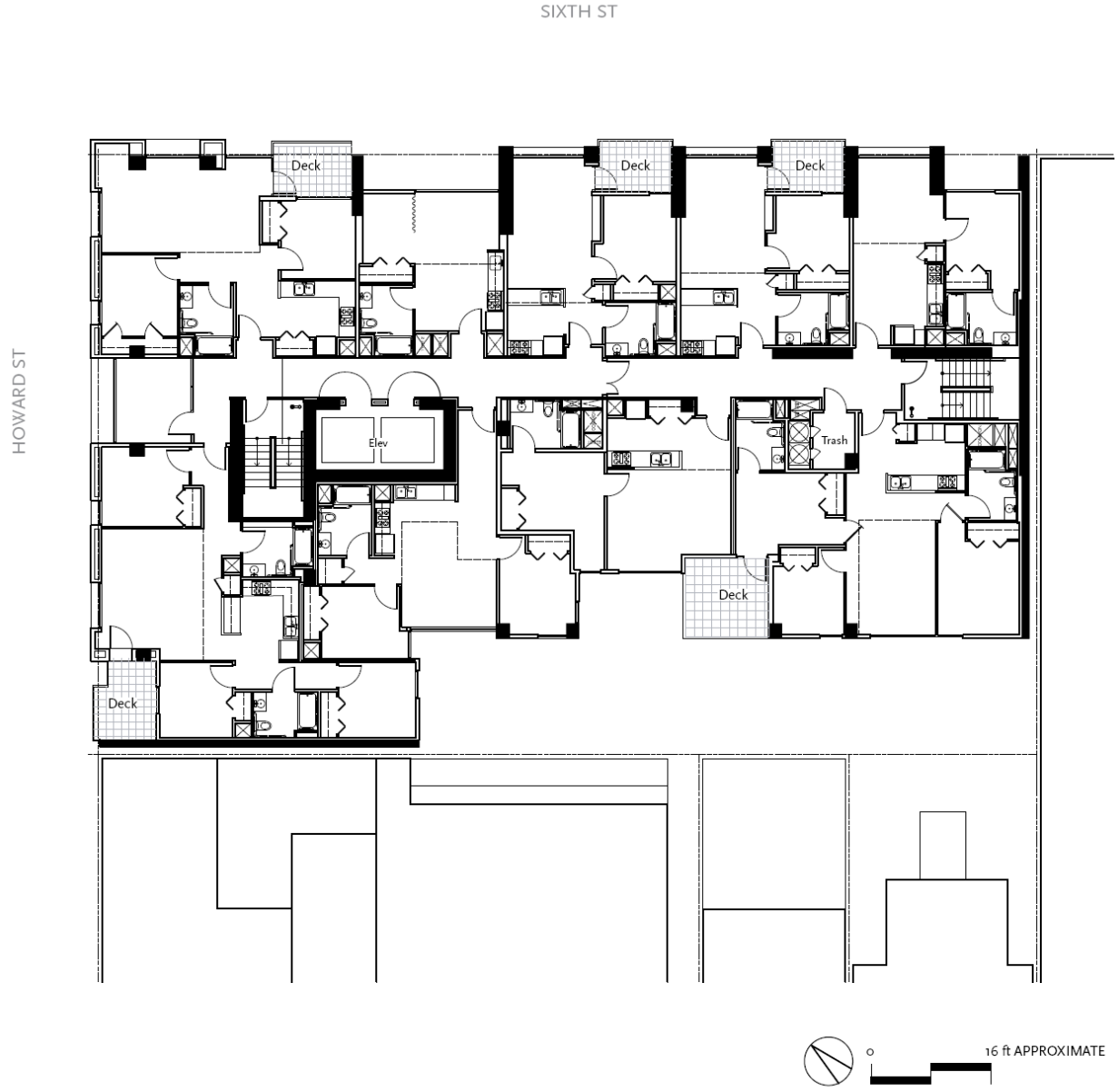
Proposed Second Floor Plan Figure 5



Source: Kennerly Architecture

2-6-12

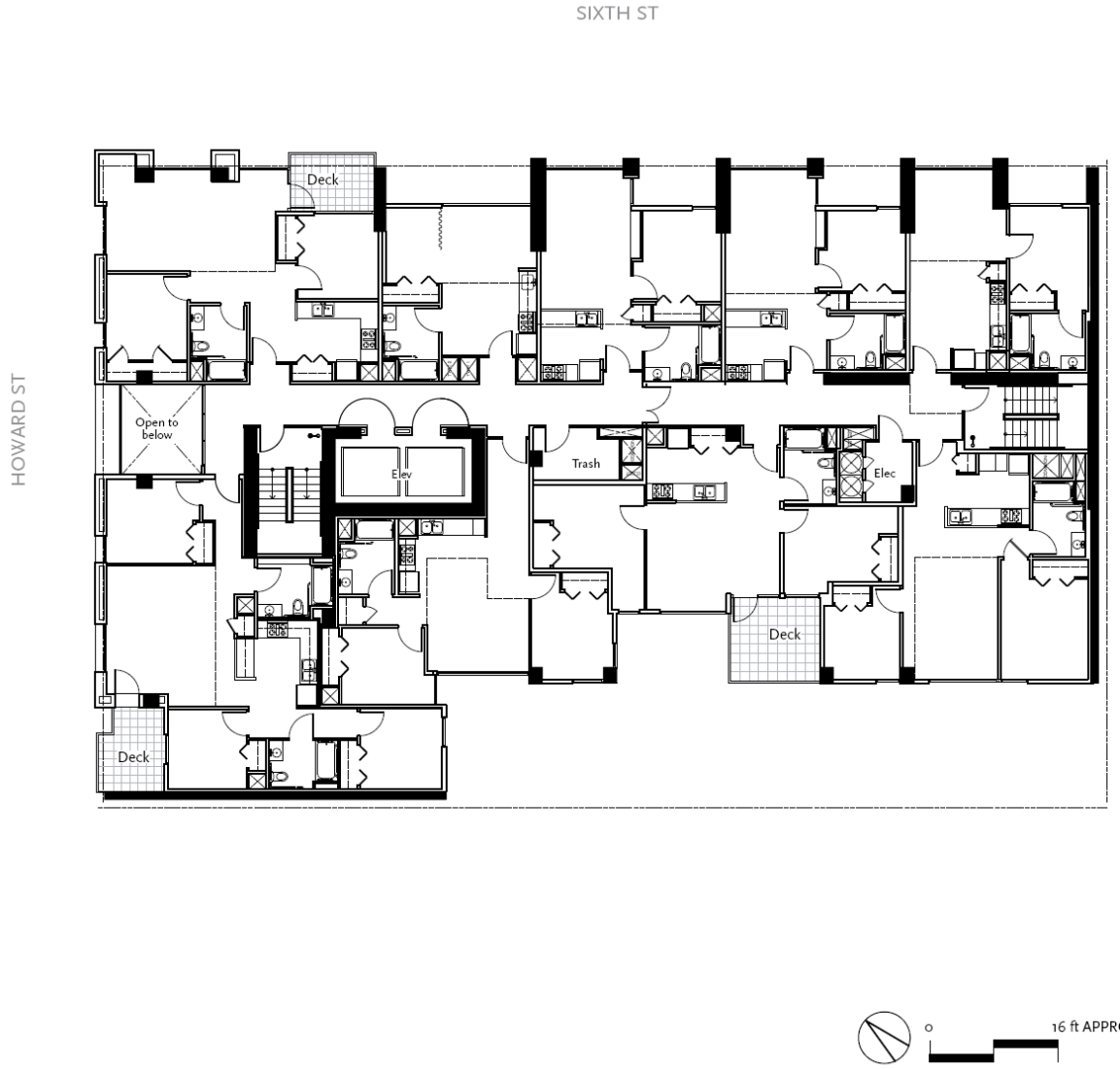
Proposed Third Floor Plan Figure 6



Source: Kennerly Architecture

2-7-12

Proposed Fourth Floor Plan Figure 7



Source: Kennerly Architecture

2-7-12

Proposed Fifth Floor Plan Figure 8

Source: Kennerly Architecture

2-7-12

Proposed Sixth Floor Plan Figure 9

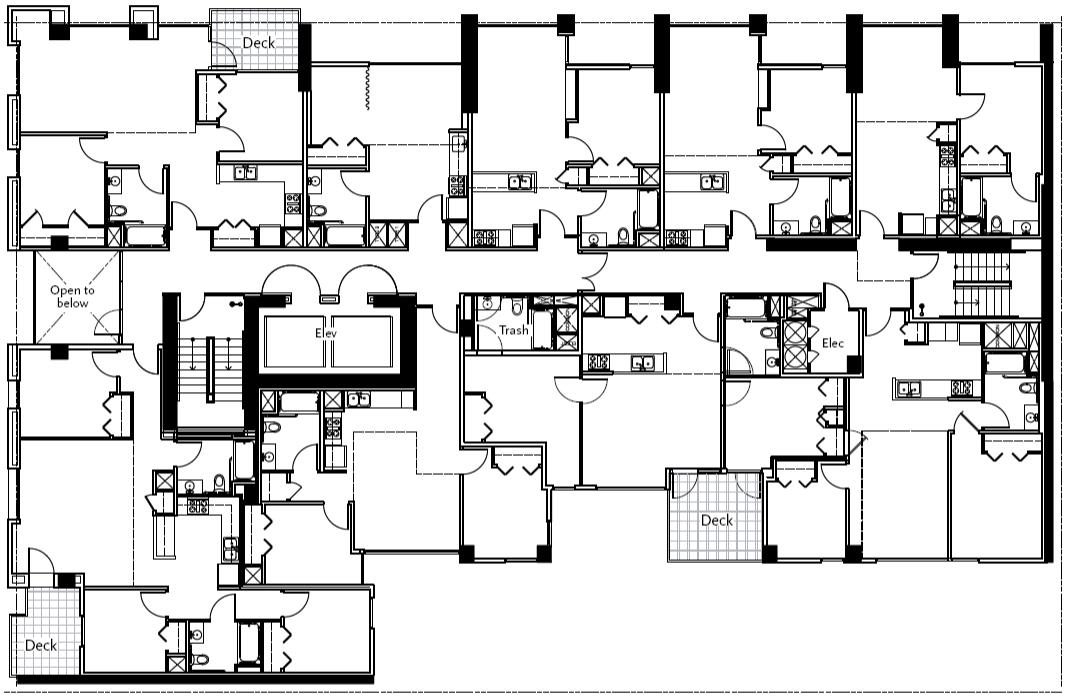
Source: Kennerly Architecture

2-7-12

Proposed Seventh Floor Plan Figure 10

SIXTH ST

HOWARD ST

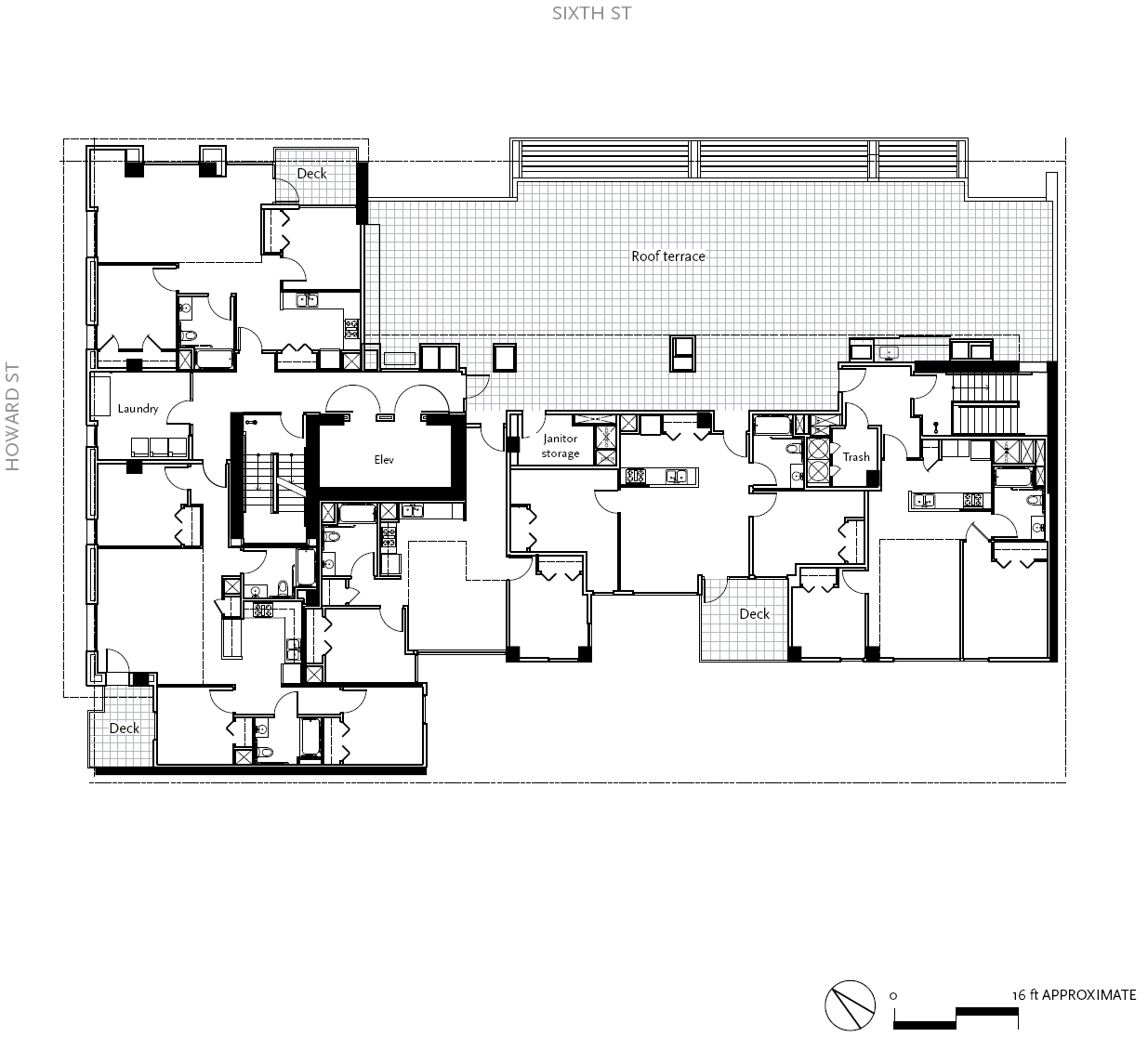


0 16 ft APPROXIMATE

Source: Kennerly Architecture

2-7-12

Proposed Eighth Floor Plan Figure 11



Source: Kennerly Architecture

2-7-12

Proposed Ninth Floor Plan Figure 12

Source: Kennerly Architecture

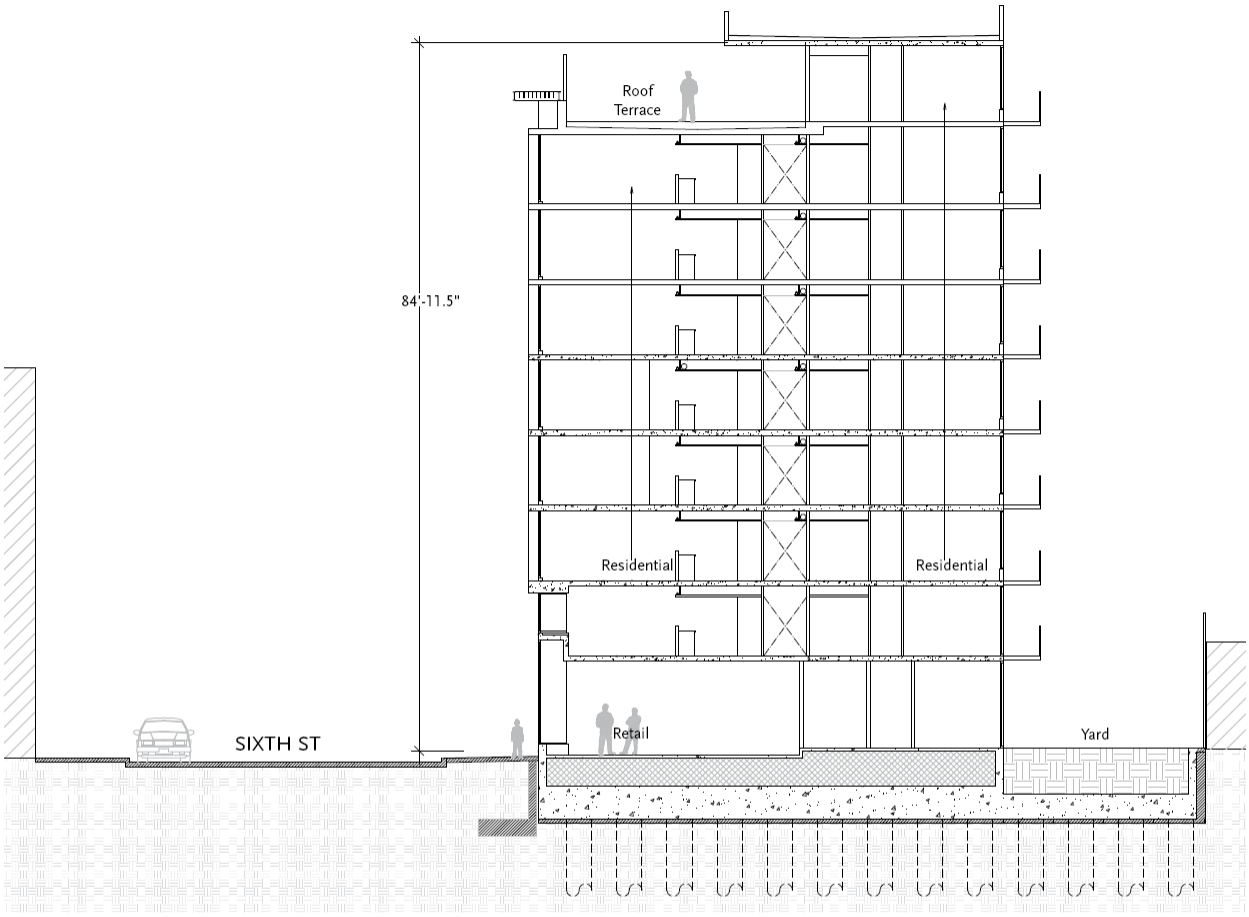
2·7·12

Proposed Sixth Street Elevation Figure 13

Source: Kennerly Architecture

2·7·12

Proposed Howard Street Elevation Figure 14



Source: Kennerly Architecture

2·13·12

Proposed Section Figure 15

A temporary, site-specific art installation project known as "Defenestration" (Figure 16, page 53) currently adorns the exterior of the existing vacant building on the project site. Defenestration was developed in 1997 by artist Brian Goggin and a team of about 100 artist collaborators.[13] The art installation—consisting of colorful cartoon-like tables, chairs, a bathtub, and other household furnishings spilling out of windows and down the walls—was originally intended to be temporary, but has remained in place for 15 years and has drawn visitors from around the world.[14] It has been recognized internationally, and has won numerous awards, including one from San Francisco Beautiful.[15] The installation was originally expected to be up for only a year, and it has deteriorated over the 15 years it has remained in place.[16] Several of its components, such as lamps, tables, beds, couches, and chairs have been removed as potential hazards to public safety.[17] Through an agreement with the San Francisco Redevelopment Agency (SFRA), the artist Brian Goggin has agreed to remove the installation prior to the proposed demolition of the existing former hotel building.[18] Since no historical, as distinguished from aesthetic, importance has attached to the Defenestration installation and it is not associated with the historical context of the building itself, it is not eligible for consideration for listing on the California Register.[19]

The residential lobby would have two elevators and access to residential service office space and restrooms. A stairway providing pedestrian access to the upper floors would be located off the lobby. A second emergency stairway would provide pedestrian access from 6th Street on the south side of the building. Access to utilities, bicycle parking, and residential trash containers would be from 6th Street.

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13 Kenneth Baker, *San Francisco Chronicle*, "Brian Goggin Seeks to Revive 'Defenestration,'" March 5, 2010, http://articles.sfgate.com/2010-03-05/entertainment/18376907_1_san-francisco-component-works-of-public-art, accessed January 20, 2012.

14 *Ibid*.

15 Project Restore Defenestration, http://www.metaphorm.org/works/defenestration/project-restore-defenestration/, accessed January 20, 2012.

16 Kenneth Baker, *op cit*.

17 *Ibid*.

18 Jeff White, Development Specialist, San Francisco Redevelopment Agency, *Re 200 Sixth Street and the SOMA Historical Resources Survey Area*. Letter to Tim Frye, Acting Preservation Coordinator, Planning Department, November 24, 2010. This document is available for public review at the Planning Department, 1650 Mission Street Suite 400, San Francisco, as part of Case No. 2011.0119E.

19 City and County of San Francisco Planning Department, *200-214 Sixth Street, Historic Resource Evaluation Response,* January 18, 2012. This document is available for public review at the Planning Department, 1650 Mission Street Suite 400, San Francisco, as part of Case No. 2011.0119E.

Source: Brian Goggin, 1997

2-7-12

Defenestration Project Figure 16

The 1,215-square-foot community room would be located on the ground floor, along with a 1,388-square-foot rear yard, utilities, and bicycle parking. A portion of the area above the ground-floor commercial and community space would be an open atrium/double-height space. A 2,303-square-foot rooftop terrace at the ninth floor, facing 6th Street (i.e., at the southeast corner of the building), would provide additional common open space. The two common open space areas on the second floor and the roof would provide a total of 3,485 square feet of common open space.

The proposed project would either replace or retain and reinforce the existing basement walls for seismic stability. Adjacent buildings would be underpinned as necessary. The building would be constructed on a four-foot-thick concrete mat slab supported by soil-cement columns 22 to 33 feet long and four feet in diameter. The columns would be spaced at 6.5-foot intervals in a square matrix.

The steel-frame podium-based building would be clad in a mixture of brick veneer, dark patinated metal panels, and dark anodized aluminum windows. The balconies would be enclosed with translucent glass panels and guardrails. The flat-roofed building would be topped with an exposed structural concrete cornice with a stained and sealed overhanging slab edge.

The building would be highly articulated by a geometric pattern of projecting rectangular bays on the 6th Street façade, as well as by the larger building massing consisting of a taller vertical element at the front corner/Howard Street façade, and a shorter element extending along 6th Street. The taller massing of the Howard Street façade would be distinguished by an articulated façade of vertical columns of connected floor-to-ceiling windows. These vertical window columns would be one to three stories in height, and each would be offset from those above and below, creating a rhythmic pattern. A recessed central bay window would extend from the fourth through eighth stories, providing additional building articulation. In addition, the first two floors would be set back from the rest of the façade. The ninth-floor apartment unit at the northwest corner of the building would have an additional setback above the balcony, creating a void defined by the enclosing concrete slab on the side and roof. Figures 17 and 18, pages 55–56 include photosimulations of the proposed project.

Existing view

View with Proposed Project

Source: Square One Productions

8-8-12

View Looking North on Sixth Street Figure 17

Existing view

View with Proposed Project

Source: Square One Productions

8-8-12

View Looking West on Howard Street Figure 18

Construction of the foundation would require excavation of up to 3,800 cubic yards of soil to accommodate the four-foot-thick replacement mat slab. It would require repairing or replacing the retaining walls in the existing building, and drilling 30 to 40 feet below the basement to construct soil-cement columns.

Planning Code Section 138.1 requires new building construction to include one street tree for every 20 feet of frontage of the property.

There are three street trees in the sidewalk along the project site's frontage on 6th Street, including two palm trees, and there are two palm trees in the sidewalk along the project site's frontage on Howard Street. If these street trees need to be removed, the project sponsor would obtain a tree removal permit in accordance with *Public Works Code* Section 806 and would plant appropriate replacement street trees in compliance with *Planning Code* Section 138.1, the *Better Streets Plan,* and in accordance with the MBTA. *Planning Code* Section 138.1 requires new construction, significant alterations, or relocation of buildings within any zoning district to plant one 24-inch box tree for every 20 feet along the property street or alley frontage, with any remaining fraction of 10 feet or more requiring an additional tree. For projects in some districts, including NC districts (such as the project site), planted street trees must also have a minimum two-inch caliper as measured at breast height and branch a minimum of 80 inches above sidewalk grade. The trees must be planted in conformance with the City's recently adopted *Better Streets Plan*, including conformance with the street tree goals for a particular street type. The *Better Streets Plan* took effect on January 13, 2011.

Project construction is estimated to take 20 months, , including two months for demolition of the existing building, with a construction cost of approximately $18.8 million. Construction is anticipated to begin in mid-2013, with occupancy in early- to mid-2014. The project sponsor and developers is Mercy Housing Corporation, and the project architect is Kennerly Architecture & Planning.

D. INTENDED USES OF THIS EIR

This EIR is a project EIR that evaluates the environmental effects of a specific project, the proposed 200-214 6th Street Affordable Housing with Ground-Floor Retail Project. The purpose of this EIR is to provide the City, public agencies and the public in general with detailed information about the environmental effects of implementing the proposed project, to examine and institute methods of mitigating any adverse environmental impacts should the project be approved, and to consider alternatives to the project as proposed.

This EIR will undergo a public comment period as noted on the cover of this report, including a public hearing before the Planning Commission on the Draft EIR. Following the public comment period, responses to written and oral comments will be prepared and published in a Responses to Comments document, presented to the Planning Commission for certification as to accuracy, objectivity, and completeness. Because it involves demolition of a historical resource, the project would require a hearing before the Historical Preservation Commission to solicit formal comments on the Draft EIR. No approvals or permits may be issued before the Planning Commission certifies the Final EIR. The Planning Commission will use the certified Final EIR in connection with the discretionary approval action that the proposed development at 200-214 6th Street would require.

In addition to the discretionary approval hearing at the Planning Commission, the proposed project would require conditional use authorization by the Planning Commission for the following:

- The construction of a building on a site equal to or exceeding 10,000 square feet (*Planning Code* Section 121.1)
- Establishment of a possible full service restaurant (*Planning Code* Section 249.40A)
- Demolition of existing dwelling units in the NCT (*Planning Code* Sections 207.7 and 317)

The project would also require three variances or modifications granted by the Zoning Administrator:

- A rear yard variance or Zoning Administrator modification pursuant to *Planning Code* Section 134(e): the proposed rear yard setback does not meet the 25 percent of lot area required for a compliant rear-yard; as currently proposed, the rear yard is only 14 percent of the lot area.
- An open space variance for "locational requirements:" 80 square feet per unit of open space is required if provided as private open space, and 1.33 x 80 = 106.4 square feet of open space is required per unit if provided as common open space. The project would be required to provide 5,360 square feet of private open space (if it included no common open space), or 7,129 square feet of common open space (if it included no private open space). The proposed project is providing 2,589 square feet of private open space for 30 units and 3,691 square feet of common open space, not meeting the locational requirements of *Planning Code* Section 134.
- A dwelling unit exposure variance: of the 67 units in the proposed design, about one-third face exclusively onto the rear yard setback area that would provide an exposure with southern light and views over lower (45-foot height limit) neighborhoods to the south and west. The proposed rear-yard setback would have an area of 1,388 square feet, with an 85-foot long north-south length, a 25-foot x 25-foot area in the middle, and would overlook rear yards on two adjacent parcels. However, this area would not comply with the provision of *Planning Code* Section 140 that requires each dwelling unit to front on a public street, code-complying rear yard, or an open area that has a minimum dimension of at least 25 feet at the first and second level, and increases 5-feet in each direction for every upper level.

The proposed project may include the following additional approvals from the San Francisco Municipal Transportation Agency (SFMTA):

- The project sponsor would apply for a white passenger loading zone in front of the building's lobby on Howard Street.
- The project sponsor would apply for a yellow commercial loading zone along 6th Street.

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IV. PLANS AND POLICIES

This chapter identifies inconsistencies the proposed project might have with applicable plans and policies.

Project-related policy conflicts and inconsistencies do not constitute, in and of themselves, significant environmental impacts. Such conflicts or inconsistencies result in environmental impacts only when they would result in direct physical effects. All physical impacts of the proposed project are discussed in this EIR in Chapter V Environmental Setting, Impacts, and Mitigation and Improvement Measures; or they are discussed in the Initial Study (Appendix A), where they were found to be less than significant.

Development of the 200-214 6th Street Affordable Housing with Ground-Floor Retail Project is subject to San Francisco's plans, objectives, and policies, such as the San Francisco *General Plan*, the San Francisco *Bicycle Plan*, the San Francisco *Congestion Management Program*, the *Better Streets Plan*, the *Sustainability Plan*, the *Climate Action Plan*, the San Francisco *Planning Code* (Zoning Ordinance). The proposed project is also subject to other adopted City policies such as Proposition M (the Accountable Planning Initiative).

SAN FRANCISCO GENERAL PLAN

The San Francisco *General Plan,* which provides general policies and objectives to guide land use decisions, contains some policies that relate to 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 compatibility of the project with *General Plan* policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision to approve or disapprove the proposed project. Any potential conflicts between the proposed project and policies that result in physical environmental impacts are discussed in Chapter V. Any potential conflicts identified as part of the process would not alter the physical environmental effects of the project.

EASTERN NEIGHBORHOODS REZONING AND AREA PLANS AND ENVIRONMENTAL IMPACT REPORT

In December 2008, after several years of analysis, community outreach, and public review, the Eastern Neighborhoods Area Plans were adopted, including a plan for East SoMa, where the project site is located. The Eastern Neighborhoods Area Plans were adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The East SoMa Area Plan changed the height limit on the project site from 40 feet to the current 85 feet.

During the Eastern Neighborhoods adoption phase, the Planning Commission held public hearings to consider the various aspects of the proposed area plans, and and *Planning Code* and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods Final EIR by Motion 17659 and adopted the "Preferred Project" for final recommendation to the Board of Supervisors.[20]

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods rezoning and *Planning Code* amendments.

The Eastern Neighborhoods Final EIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a "No Project" alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the Final EIR.

A major issue of discussion in the Eastern Neighborhoods rezoning process was the degree to which existing industrially-zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for PDR employment and businesses. Among other topics, the Eastern Neighborhoods Final EIR assesses the significance of the cumulative land use effects of

[20] San Francisco Planning Commission Motion 17659, August 7, 2008, http://www.sf-planning.org/index.aspx?page=1366, accessed January 20, 2012.

the rezoning by analyzing its effects on the City's ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City's General Plan.

The project site, as a result of the Eastern Neighborhoods, has been rezoned to the SoMa Neighborhood Commercial Transit (NCT) district, from a Residential Mixed Use District (RSD).

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, Master Plan Consistency and Implementation, to the City *Planning Code* to establish eight Priority Policies. These policies, and the sections of this Environmental Evaluation addressing the environmental issues associated with the policies are: (1) preservation and enhancement of neighborhood-serving retail uses (Section E.1, Land Use and Land Use Planning in the Initial Study); (2) protection of neighborhood character (Section E.1, Land Use and Land Use Planning in the Initial Study); (3) preservation and enhancement of affordable housing (Section E.3, Population and Housing in the Initial Study, with regard to housing supply and displacement issues); (4) discouragement of commuter automobiles (Section E.5, Transportation and Circulation in the Initial Study); (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Section E.1, Land Use and Land Use Planning in the Initial Study); (6) maximization of earthquake preparedness (Section E.14, Geology and Soils in the Initial Study); (7) landmark and historical building preservation (Chapter V.A, Cultural Resources in this EIR); and (8) protection of open space (Section E.9, Wind and Shadow, and Section E.10, Recreation in the Initial Study).

Prior to issuing a permit for any demolition, conversion, or change of use for any project that requires an EIR under CEQA, and prior to taking any action that requires a finding of consistency with the *General Plan*, the City decision-makers are required to find that the proposed project or legislation would be consistent with the Priority Policies. The consistency of the proposed project with the environmental topics associated with the Priority Policies is discussed in Chapter V of this EIR and in Appendix A, Initial Study, as detailed in the preceding paragraph. The case report and approval motions for the proposed project will contain the Department's comprehensive project analysis and findings regarding consistency of the proposed project with the Priority Policies. The proposed demolition of the 200-214 6th Street building would be inconsistent with Policy 7 of the Proposition M Priority Policies, which calls for the preservation of historical buildings.

PLANNING CODE

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

The project site is located within the SoMa Neighborhood Commercial Transit (NCT) district. Housing density is controlled by bedroom counts rather than density controls, and parking is not required, due to the area's central location and accessibility to the City's transit network. The proposed residential and retail uses are principally permitted uses in the SoMa NCT district; the potential restaurant use would be conditionally permitted.

The project site is located in an 85-X height and bulk district. Within this height and bulk district, new construction is allowed to a height of 85 feet, and there are no bulk restrictions. At approximately 85 feet in height, the proposed project would comply with the provisions of the 85-X height and bulk district.

No vehicle parking spaces would be required for the proposed project and none are proposed. The project would include 29 bicycle spaces on the ground floor, as required by code. The project would not require any off-street loading spaces and none are proposed.

The minimum rear yard in the NCT district is 25 percent of lot area. The proposed project's rear yard, as currently proposed, is only about 14 percent of the lot area. Therefore, the project would require a rear yard variance or Zoning Administrator modification pursuant to Planning Code Section 134(e).

Open space requirements in the NCT district are 80 square feet per residential unit if provided as private open space, and 106.4 square feet per unit (1.33 x 80) if provided as common open space. The project would be required to provide 5,360 square feet of private open space (if it included no common open space), or 7,129 square feet of common open space (if it included no private open space). The proposed project would provide 2,589 square feet of private open space for 30 units and 3,691 square feet of common open space. This would not meet the "locational requirements" of Planning Code Section 134, and an open space variance would be required.

Planning Code Section 140 requires each dwelling unit to front on a public street, code-complying rear yard, or an open area that has a minimum dimension of at least 25 feet at the first and second levels, and

increases five feet in each direction for every level above. Of the 67 units proposed, about one-third face exclusively onto the rear yard setback area that would provide an exposure with southern light and views over lower buildings given the 45-foot height limit to the south and west. The proposed rear-yard setback would have an area of 1,388 square feet, with an 85-foot long north-south length and a 25-foot x 25-foot area in the middle, and would overlook the rear yards on two adjacent parcels. However, this would not comply with the requirement that each dwelling unit front onto a public street, code-complying rear yard, or an open area with the minimum dimensions described above. Therefore, the project would require a dwelling unit exposure variance.

Due to San Francisco's continuing housing shortage, *Planning Code* Section 317 requires discretionary review for all projects that would demolish dwelling units. Because the project includes residential demolition, it would require review by the Planning Commission. The discretionary review for residential demolition would follow the provisions of the *Planning Code*.

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 (1) the Association for Bay Area Governments' *A Land Use Policy Framework* and *Projections 2005*; (2) the Bay Area Air Quality Management District's (BAAQMD's) *Clean Air Plan (CAP), Bay Area 2005 Ozone Strategy*, and *Bay Area Air Quality Plan;* (3) the Metropolitan Transportation Commission's *Regional Transportation Plan (RTP)—Transportation 2030*; (4) the San Francisco Regional Water Quality Control Board's (RWQCB's) *San Francisco Basin Plan*; (5) the San Francisco Bay Conservation and Development Commission's *San Francisco Bay Plan*; and (6) the Association of Bay Area Governments' (ABAG) *2007-2014 Resource Housing Needs Allocations, A Land Use Policy Framework,* and *Projections 2009*. The proposed project would not conflict with these regional plans or policies.

Environmental plans and policies like those noted above directly address physical environmental issues and/or contain targets or standards that would preserve or improve specific components of the city's physical environment. The proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy. (See Initial Study, Appendix A, Compatibility with Existing Zoning and Plans, page 29.)

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V. ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION AND IMPROVEMENT MEASURES

Based on the Initial Study published on August 15, 2012, the San Francisco Planning Department determined that an EIR was required. The Initial Study determined that the following effects of the project would either be less than significant or would be reduced to a less-than-significant level by mitigation measures included in the project and thus required no further analysis. These topics are Land Use and Land Use Planning; Aesthetics; Population and Housing; Transportation and Circulation; Noise; Air Quality; Greenhouse Gas Emissions; Wind and Shadow; Recreation; Utilities and Service Systems; Public Services; Biological Resources; Geology and Soils; Hydrology and Water Quality; Hazards/ Hazardous Materials; Mineral/Energy Resources; and Agriculture and Forest Resources. CEQA does not require further assessment of the environmental effects that would be less than significant; therefore, the EIR does not discuss these effects (see Appendix A for the Initial Study). The Initial Study determined that the proposed project would have potentially significant Cultural and Paleontological Resources impacts, and that topic is analyzed in this EIR.

A. CULTURAL AND PALEONTOLOGICAL RESOURCES

This section includes the following topics: Paleontological Resources, Archeological Resources, and Historical (Architectural) Resources. The Initial Study (see Appendix A) determined that there is a possibility for encountering buried archeological resources, including human remains, and paleontological resources, during project construction, and that further evaluation of these topics in an EIR would be necessary. As discussed in the Initial Study, the Planning Department has determined that the extant former hotel building on the project site (200-214 6th Street) is within the potential Sixth Street Lodginghouse (6SL) district. The Initial Study found that the proposed demolition of this building, which was constructed in 1909, could potentially contribute to significant cumulative impacts to cultural resources, and that further evaluation in an EIR would be necessary.

This section summarizes information on paleontological resources and archeological resources, and also summarizes information on the history, architecture, and significance of the building on the project site based on a Historical Resource Evaluation (HRE) by the San Francisco Planning Department and three historical resource documents prepared by independent architectural historians.[21,22] This section addresses the impacts of the proposed project on archeological resources, paleontological resources, human remains, historical resources, and cumulative impacts to cultural resources.

SETTING

PALEONTOLOGICAL RESOURCES

There are no known paleontological resources (fossils) at the project site. As described in the geotechnical investigation prepared for the 200-214 6th Street site, the site lies on the northern edge of an old tidal flat area known as Sullivan's Marsh. The land was reclaimed in the late 1800s by placing fill. The existing building basement is underlain by 9 to 22 feet of sand, geologically referred to as Dune sand. The sand is underlain by a thin Marsh deposit (shallow water deposit) at the north side of the property that pinches out to the south, consisting of peat and soft clay. Beneath the Marsh deposit in the north and the sand in

[21] ARG Consultants, *Historic Resource Evaluation*, March 2007; Sharon Christian, Mercy Housing Corporation, *Supplemental Information Form*, January 2011; and Tim Kelley Consulting, *Historic Resource Evaluation*, May 2011. These document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco as part of Case No. 2011.0119E.

[22] City and County of San Francisco Planning Department, *200-214 Sixth Street, Historic Resource Evaluation Response,* January 18, 2012, *op.cit.*

the south is an 8- to 12-foot-thick weak and compressible marine clay deposit, locally known as Bay Mud. The Bay Mud is underlain by a hard sandy clay layer that is about eight feet thick at the north side of the property and pinches out to the south. The sandy clay layer and Bay Mud are underlain by dense to very dense silty sand and sand, referred to as the Colma Formation. The Colma Formation is underlain by Old Bay Clay, a very stiff to hard clay layer that is approximately 10 feet thick. Beneath the Old Bay Clay is dense to very dense silty sand to the maximum depth explored (150 feet below street grade). The high groundwater level at the site is at a depth of about 3½ feet below the existing basement slab, about 11 to 12 feet below ground surface.

ARCHEOLOGICAL RESOURCES

CEQA considers archaeological resources as an intrinsic part of the physical environment and, thus, requires for any project subject to CEQA-review that its potential to adversely affect an archaeological resource be analyzed (*CEQA* Sect. 21083.2). For a project that may have an adverse effect on a significant archeological resource, CEQA requires preparation of an environmental impact report (*CEQA and Guidelines*. Sect. 21083.2, Sect. 15065). CEQA recognizes two different categories of significant archeological resources: a "unique" archeological resource (*CEQA* Sect. 21083.2) and an archeological resource that qualifies as a "historical resource" under CEQA (*CEQA and Guidelines* Sect. 21084.1, 15064.5).

Significance of Archeological Resources

An archeological resource can be significant as both or either a "unique" archeological resource and a "historical resource" but the process by which the resource is identified, under CEQA, as either one or the other is distinct (*CEQA and Guidelines* Sect. 21083.2(g) and 15064.5(a)(2)).

An archeological resource is a "*historical resource*" under CEQA if the resource is:

1) listed on or determined eligible for listing on the California Register of Historic Resources (CRHR) (*CEQA Guidelines* Sect. 15064.5). This includes National Register of Historic Places (NRHP)-listed or –eligible archeological properties.

2) listed in a "local register of historical resources"[23]

3) listed in a "historical resource survey". (*CEQA Guidelines* Sect. 15064.5(a)(2))

Generally, an archeological resource is determined to be a "historical resource" due to its eligibility for listing on the CRHR/NRHP because of the potential scientific value of the resource, that is it "has yielded,

[23] A "local register of historical resources" is a list of historical or archeological properties officially adopted by ordinance or resolution by a local government.(Public Resources Code 5020.1 (k).

or may be likely to yield, information important in prehistory or history" (*CEQA and Guidelines* Sect. 15064.5 (a)(3)). An archeological resource may be CRHR-eligible under other Evaluation Criteria, such as Criterion 1, association with events that have made a significant contribution to the broad patterns of history; Criterion 2, association with the lives of historically important persons; or Criterion 3, association with the distinctive characteristics of a type, period, region, or method of construction. Appropriate treatment for archeological properties that are CRHR-eligible under Criteria other than Criterion 4 may be different than for a resource that is significant exclusively for its scientific value.

Failure of an archeological resource to be listed in any of these historical inventories is not sufficient to conclude that the archeological resource is not a "historical resource". When the lead agency believes there may be grounds for a determination that an archeological resource is a "historical resource", then the lead agency should evaluate the resource for eligibility for listing to the CRHR (*CEQA Guidelines* Sect. 15064.5(a)(4)).

A "*unique archeological resource*" is a category of archeological resources created by the CEQA statutes (*CEQA Guidelines* Sect. 21083.2(g)). An archeological resource is a unique archeological resource if it meets any of one of three criteria:

1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information;

2) Has a special and particular quality such as being the oldest of its type or the best available example of its type; or

3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Under CEQA, evaluation of an archeological resource as a "historical resource" is privileged over the evaluation of the resource as a "unique archaeological resource", in that, CEQA requires that "when a project will impact an archaeological site, a lead agency shall first determine whether the site is a historical resource" (*CEQA* Sect. 15064.5 (c)(1).

Evaluation of Archeological Resources as Historically Significant

In requiring that a potentially affected archeological resource be evaluated as a historical resource, that is as an archeological site of sufficient scientific value to be CRHR-eligible, CEQA presupposes that the published guidance of the California Office of Historic Preservation (OHP) for CEQA providers is to serve as the methodological standard by which the scientific, and thus, the CRHR-eligibility, of an archeological resource is to be evaluated. As guidance for the evaluation of the scientific value of an archeological re-

source, the OHP has issued two guidelines: *Archaeological Resource Management Reports* (1989) and the *Guidelines for Archaeological Research Designs* (1991).

Integrity of Archeological Resources

Integrity is an essential criterion in determining that a resource, including an archeological resource, is a historical resource. In terms of CEQA "integrity" can, in part, be expressed in the requirement that a historical resource must retain "the physical characteristics that convey its historical significance" (CEQA § 15064.5 (b)).

For an archeological resource that is evaluated for CRHR-eligibility under Evaluation Criterion 4, "has yielded or may be likely to yield information important to prehistory or history", integrity is conceptually different than how it is usually applied to the built environment. For a historic building, possessing integrity means that the building retains the defining physical characteristics from the period of significance of the building. In archeology, an archeological deposit or feature may have undergone substantial physical change from the time of its deposition but it may yet have sufficient integrity to qualify as a historical resource. The integrity test for an archeological resource is whether the resource can yield sufficient data (in type, quantity, quality, diagnosticity) to address significant research questions. Thus, in archeology "integrity" is often closely associated with the development of a research design that identifies the types of physical characteristics ("data needs") that must be present in the archeological resource and its physical context to adequately address research questions appropriate to the archeological resource.

Significant Adverse Effect to an Archeological Resource

The determination of whether an effect on an archeological resource is significant depends on the effect of the project on those characteristics of the archeological resource that make the archeological resource significant. For an archeological resource that is a historical resource because of its prehistoric or historical information value, that is, its scientific data, a significant effect is impairment of the potential information value of the resource.

The depositional context of an archeological resource, especially soils stratigraphy can be informationally important to the resource in terms of datation and reconstructing the characteristics of the resource present at the time of deposition and interpreting the impacts of later deposition events on the resource. Thus, for an archeological resource eligible to the CRHR under Criterion 4, a significant adverse effect to its significance may not be limited to impacts on the artifactual material but may include effects on the soils matrix in which the artifactual matrix is situated.

Mitigation of Adverse Effects to Archeological Resources

Preservation in place is the preferred treatment of an archeological resource (*CEQA* and *Guidelines* Sect. 21083.2(b); 15126.4 (b)(3)(a)). When preservation in place of an archeological resource is not feasible, data recovery, in accord with a data recovery plan prepared and adopted by the lead agency prior to any soils disturbance, is the appropriate mitigation (*CEQA* 15126.4 (b)(3)(C)). In addition to data recovery, under CEQA , the mitigation of effects to an archeological resource that is significant for its scientific value, requires curation of the recovered scientifically significant data in an appropriate curation facility (*CEQA* 15126.4(b)(3)(C), that is a curation facility compliant with the *Guidelines for the Curation of Archaeological Collections* (California Office of Historic Preservation. 1993). Final studies reporting the interpretation, results, and analysis of data recovered from the archeological site are to be deposited in the California Historical Resources Regional Information Center (*CEQA Guidelines* 15126.4(b)(3)(C).

Effects to Human Remains

Under State law, human remains and associated burial items may be significant resources in two ways: they may be significant to descendant communities for patrimonial, cultural, lineage, and religious reasons and human remains may also be important to the scientific community, such as prehistorians, epidemiologists, and physical anthropologists. The specific stake of some descendant groups in ancestral burials is a matter of law for some groups, such as Native Americans (*CEQA Guidelines* 15064.5 (d), Public Resources Code Sect. 5097.98). In other cases, the concerns of the associated descendent group regarding appropriate treatment and disposition of discovered human burials may become known only through outreach. Beliefs concerning appropriate treatment, study, and disposition of human remains and associated burial items may be inconsistent and even conflictual between descendent and scientific communities. CEQA and other State regulations concerning Native American human remains provide the following procedural requirements to assist in avoiding potential adverse effects to human remains within the contexts of their value to both descendant communities and the scientific community:

- When an initial study identifies the existence or probable likelihood that a project would impact Native American human remains, the lead agency is to contact and work with the appropriate Native American representatives identified through the Native American Heritage Commission (NAHC) to develop an agreement for the treatment and disposal of the human remains and any associated burial items (*CEQA Guidelines* 15064.5 (d), Public Resources Code Sect. 5097.98)

- If human remains are accidentally discovered, the county coroner must be contacted. If the county coroner determines that the human remains are Native American, the coroner must contact the NAHC within 24 hours. The NAHC must identify the most likely descendant (MLD) to provide for the opportunity to make recommendations for the treatment and disposal of the human remains and associated burial items. If the MLD fails to make recommendations within 24 hours of notification or the project applicant rejects the recommendations of the MLD, the Native Ameri-

can human remains and associated burial items must be reburied in a location not subject to future disturbance within the project site (Public Resources Code Sect. 5097.98).

- If potentially affected human remains/burial may have scientific significance, whether or not having significance to Native Americans or other descendant communities, then under CEQA, the appropriate mitigation of effect may require the recovery of the scientific information of the remains/burial through identification, evaluation, data recovery, analysis, and interpretation (CEQA *Guidelines* 15064.5(c)(2)).

Consultation with Descendant Communities

Although not a requirement derived from CEQA, the cosmopolitan nature and history of San Francisco necessitates cultural management sensitivity to archeological remains associated with local indigenous, ethnic, overseas, and religious communities. On discovery of an archeological site[24] associated with descendant Native Americans, the Overseas Chinese or, as appropriate any other community, the ERO should seek consultation with an appropriate representative[25] of the descendant group with respect to appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. Documentary products resulting from archeological research of the descendant community associated with the site should be made available to the community.

The proposed project was subject to Preliminary Archeological Review (PAR)[26] as required by the Department's Environmental Review Guidelines (ERG)[27] and the *Eastern Neighborhoods Rezoning and Area Plan FEIR* (certified June 6, 2008)[28]. In the late Holocene era, the proposed project site was located partially on the margin and partially within a large high tidal marsh that broadly opened out into the estuary of Mission Bay. From other geoarcheological studies undertaken in the SoMa Area, it is clear that Bay waters extending much further inland as wells and adjoining marshlands during the Middle Holocene as is archeologically evidenced by the discovery of nearly 6,000-year-old, deeply buried human remains in

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24 The term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

25 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.

26 Randall Dean/Don Lewis. *Preliminary Archeological Review 200-214 6th Street* 7 July 2011.

27 *Environmental Planning Division Environmental Review Guidelines* (5 October 2012)

28 Eastern Neighborhoods Rezoning and Area Plans FEIR Archeological Mitigation Measure J-2: Properties with No Previous Studies) requires for projects for which no archeological assessment has been prepared or for which the archeological documentation is incomplete or inadequate either the preparation of a Preliminary Archeological Sensitivity Study (PASS) by a qualified archeological consultant (as specified in the FEIR and the ERG) or Preliminary Archeological Review by the Department archeologist.

marsh/peat deposits at 8th and Market Streets. Many of the former bay and wetland environments were blanketed by sand dunes during the period of active sand movements across the peninsula especially within the SoMa area during the last 2,000 years. During the periods of relative sand dune stability, sometimes of several hundred years, dune hollows and surfaces were humanly occupable as evidenced by several prehistoric midden sites north of former Mission Bay.

In the last thirty years, it has been learned that the variably hospitable terrain of sand dune ridges and hollows north of Mission Bay were relatively heavily occupied by prehistoric shell middens and large shellmounds, food and tool processing areas, and cemeteries for at least the last 2,000 years, even into the early historic period. Within recent years, recognition has been made of an archeological prehistoric midden district (the *Prehistoric Native American Shellmiddens on Mission Bay, San Francisco*) in the SoMa area determined to be eligible for listing in the National Register under Evaluation Criteria A (the significance of these prehistoric sites to Native American communities) and D (contribution to the body of scientific knowledge). The prehistoric shellmidden district is an open archeological district, that is, as new prehistoric sites are discovered or known prehistoric sites are re-evaluated they must be evaluated for inclusion in the district as contributing elements. The currently documented prehistoric sites in SoMa have a considerable range in age from approximately 5,000 years BP (before present) to a Native American site with a possible historic component that might make it contemporaneous with the Mission Period. These prehistoric sites have also varied greatly in depth from 1.8 meters (6 feet) to 22.9 meters (75 feet) below existing grade. Because of the high density of prehistoric archeological sites in the vicinity of the project site a preliminary assumption of the potential for prehistoric deposits to be present within the project site is warranted. The likelihood of prehistoric deposits within the project site is additionally supported by the geology of the project site[29], namely native sand dune deposits underlie the existing basement at depths ranging from approximately seven to twenty feet. These sand dune deposits generally overlie late Bay Mud deposits in the southern portion of the site but overlie marsh deposits in the northern part of the site. Bay Mud deposits are not archeologically sensitive for prehistoric material. Marsh deposits generally have a low sensitivity for prehistoric deposits except for when they occur near former shorelines (paleoshores) or in the case of informationally significant isolate finds such as CA-SFR-28. In the absence of a more definitive geoarcheological context for the project site, it is reasonable to assume that marsh deposits within the project site could have moderate sensitivity for prehistoric deposits. Prehistoric midden sites in the SoMa area with one or less certainly two exceptions have been found within native sand dune deposits, thus, the native sand dune sediments underlying the existing basement must be regarded as sensitive for prehistoric remains, especially in the northern part of the site where they overlay a peat layer

[29] Treadwell & Roll *Geotechnical Investigation 200 Sixth Street*. 26 April 2012.

associated with former wetlands. We cannot assume from the current geological documentation of the project site that the sand dune layers within the project site may not in certain locations directly rest on the Colma Formation (which otherwise is known to be approximately 30 ft bgs) or possibly alluvial deposits which also are regarded as sensitive for prehistoric deposits[30]. The potential for historical period archeological deposits within the project site is considered to be reduced by the installation of the basement of the current building on the project site.

HISTORICAL RESOURCES

Eastern Neighborhoods Community Planning Process

The project site is located within the *East SoMa Area Plan*, a planning area of the Eastern Neighborhoods (EN) program. The EN community planning process began in 2001 in response to rapid transformation of the area caused by a dramatic increase in demand for office space in the mid- to late-1990s, largely as a result of the "dot-com" boom of software and internet companies. This demand resulted in conversion of many former industrial properties to office space and live/work developments. The rapid escalation in property values and rental prices forced many artists and low- and middle-income workers from the area as production, distribution, and repair (PDR) jobs were displaced.

For purposes of historical architectural resources, the *East SoMa Area Plan*, (adopted December 2008) establishes historic preservation objectives and policies that provide for identification, retention, reuse, and sustainability of the area's historic properties. Per the Plan:

> As the area changes and develops, historic features and properties that define it should not be lost or their significance diminished through demolition or inappropriate alterations. New construction should respect and relate to the East SoMa's historical contexts. The Plan regulates sound treatment of historic resources according to the Secretary of the Interior's Standards, it encourages rehabilitation of resources for new compatible uses, and it allows for incentives for qualifying historic projects. As greater understanding of the East SoMa's important historic and cultural resources is gained through ongoing surveys and property evaluations, the preservation policies of

[30] In the case of the Colma Formation, which dates from the Pleistocene era, only the upper 3-5 ft of its surface is to be considered as archeologically sensitive.

> the East SoMa Area Plan may be revised or augmented to incorporate the new information. (Page 69.)

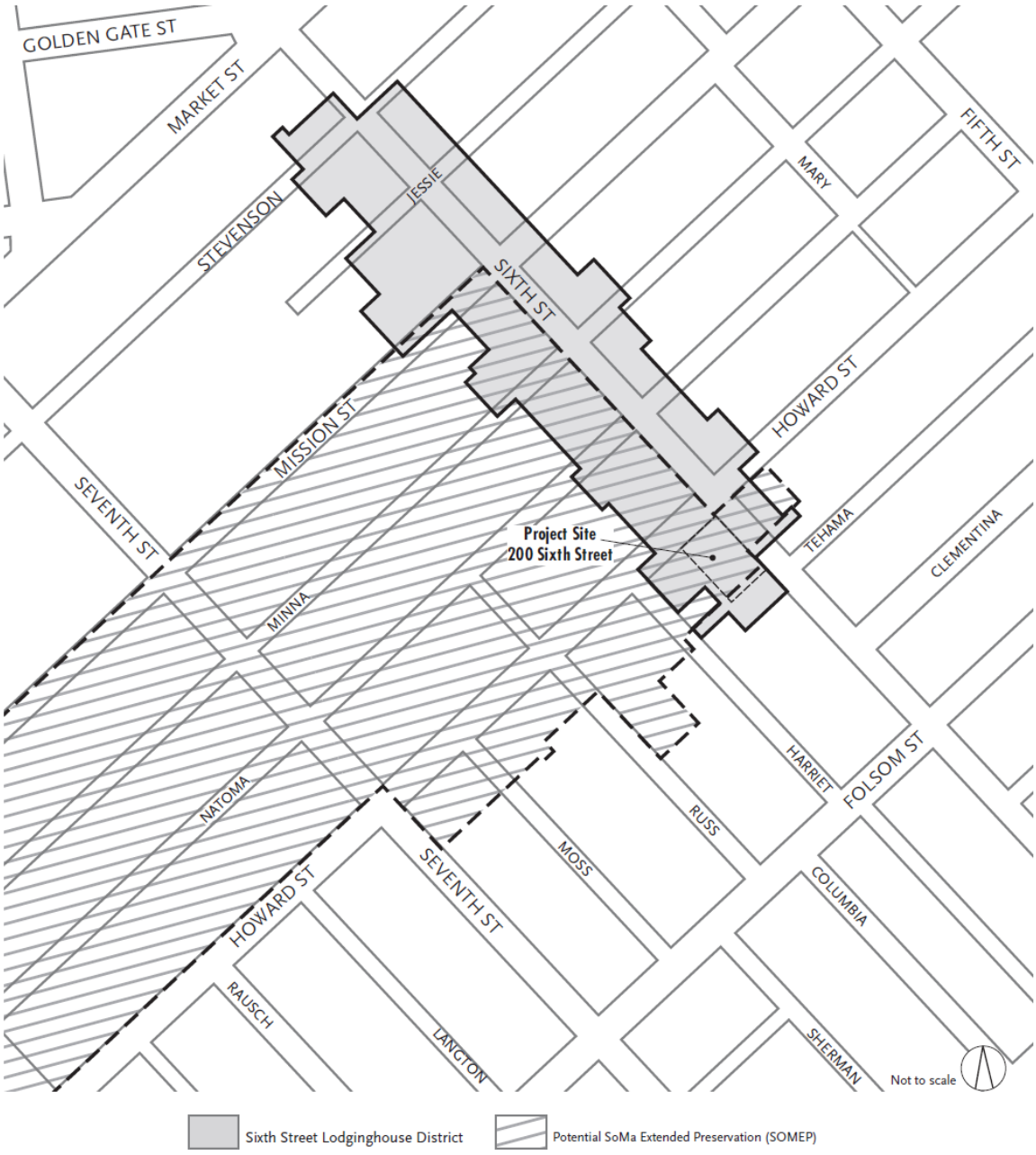
As described below under "Building History" the existing hotel at 200-214 6th Street was included in the recently adopted South of Market Historic Resource Survey.

Historic Districts

The project site is within or in close proximity to one potential historic district, the Sixth Street Lodging-house (6SL) district; and one preservation district, the SoMa Extended Preservation (SOMEP) district (see Figure 19, page 77). The project site is within the boundaries of the 6SL historic district. Located along 6th Street between Market and Folsom Streets, the 6SL district consists of a contiguous group of 33 low-budget residential hotels, or lodginghouses, and a few low-rise commercial buildings built from 1906 to 1913, primarily to serve the relatively large number of single male workers involved in rebuilding San Francisco after the 1906 Earthquake and Fire.

Nineteen, or about 60 percent of the district buildings, are unreinforced masonry structures; the rest are wood frame or concrete. Most are three or four stories tall, a few are five stories, one is seven stories, and two commercial structures are only one story. Ground floors are commercial, with understated entrances to the single-room units above. Most of the buildings are clad in brick; they have deep window reveals and cornice designs borrowed from the classical vocabulary. Ornamentation is usually minimal. Residential entries are inconspicuous, lobbies are minimal and plumbing scarce.

The SOMEP district, designated under Section 819 of the *Planning Code*, covers an area generally south of Mission Street to Howard Street, between 6th and 10th Streets. Section 819 calls for preservation, appropriate re-use and seismic upgrading of City landmarks and Article 11 listed historic structures in the district. However, the SOMEP is a preservation district, and not a historic district for the purpose of CEQA.



Source: During Associates
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Historic and Preservation Districts in the Project Vicinity Figure 19

Also, the 200-214 6th Street building is not City landmark or an Article 10 historic structure, therefore no further discussion of the SOMEP district is included.

Project Site

Building History and Description

The building on the project site was built in the South of Market neighborhood during a time of reconstruction after the 1906 Earthquake and Fire. Originally completed in 1909, 200–214 6th Street was constructed as a mixed-use (residential-above–ground–floor–commercial) building, designed by architect Theo W. Lenzen, and constructed by contractor Kiernan Robson, et al for a cost of $66,000. The building is constructed of brick masonry and has a three–story round bay window at the corner. On the ground floor, the building is covered with plywood, though a continuous transom is apparent. The building is capped by a flat roof defined by a simple molded cornice.

When occupied, the building had commercial units on the ground floor and a residential hotel on the three upper floors. The single–room occupancy residential hotel was originally known as the Hayston Apartments, and Mrs. Jack Hayes (original owner) served as the proprietor. By 1920, the residential hotel was known as the Hugo Apartments, and functioned as such through the early 1970s. During this time period, various retail tenants occupied the ground-floor commercial units, including a market, a radio and television repair shop, a café, a bookstore, and a bar/club. By the 1980s, the subject building was vacated and boarded up.

In 1998, Brian Goggin and approximately forty other artists converted 200–214 6th Street into a base for an art installation entitled "Defenestration". Using the building as their canvas, Goggin and these artists collected approximately thirty pieces of furniture from the streets of San Francisco, strengthened them with internal steel, contorted them to appear animated, and affixed them to the exterior of 200–214 6th Street. Although considered temporary, the art installation is still present on the building.

Historic Status

As noted by the original building permit, the Hugo Hotel was constructed in 1909. The building is not currently listed in any local, state or national historical register. It is included in the recently adopted South of Market Historic Resource Survey area, and was assigned a California Historic Resource Status Code (CHRSC) of "3D," which designates it as "Appears eligible for NR as a contributor to a NR eligible district through survey evaluation." According to the Planning Department's San Francisco Preservation

Bulletin No. 16: City and County of San Francisco Planning Department CEQA Review Procedures for Historic Resources, properties with a CHRSC of "3" are considered to be "Category A.2" resources (resources listed on adopted local registers, and properties that have been determined to appear or may become eligible, for the California Register) for the purposes of the Planning Department's CEQA review procedures.

POLICY AND REGULATORY FRAMEWORK

Federal

The City of San Francisco treats properties listed in the National Register of Historic Places (National Register) as historical resources subject to protection pursuant to CEQA (see the following discussions of State and Local regulations for additional information). The National Register is the nation's comprehensive inventory of known historical resources, including buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archeological, or cultural significance at the national, state, or local level. Typically, resources over fifty years of age are eligible for listing in the National Register if they meet any one of four significance criteria and if they retain historic integrity. However, resources under fifty years of age can be listed if they are of "exceptional importance," or if they are contributors to a potential historic district. The four basic criteria under which a structure, site, building, district, or object may be determined eligible for listing in the National Register are:

> **Criterion A (Event):** Properties associated with events that have made a significant contribution to the broad patterns of our history;
>
> **Criterion B (Person):** Properties associated with the lives of persons significant in our past;
>
> **Criterion C (Design/Construction):** Properties that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant distinguishable entity whose components lack individual distinction and;
>
> **Criterion D (Information Potential):** Properties that have yielded, or may be likely to yield, information important in prehistory or history.

A resource can be determined eligible based on its significance to American history, architecture, archeology, engineering, or culture at the national, state, or local level. As discussed below, the *CEQA Guidelines* establish similar criteria for historical resources. The National Register is administered by the National Park Service.

The Secretary of the Interior has established standards for preserving historic buildings and other properties for reuse without significantly compromising the historic integrity of the resource. The

Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (*Secretary's Standards*) provide guidance for working with historic properties and are used by Federal agencies and local government bodies across the country (including the San Francisco Historic Preservation Commission) to evaluate proposed rehabilitative work on historic properties. Although the standards are not prescriptive, and compliance with the *Secretary's Standards* does not definitively determine that a project would not cause a substantial adverse change in the significance of a historical resource, projects that comply with the *Secretary's Standards* benefit from a regulatory presumption under CEQA that they would have a less-than-significant adverse impact on a historical resource. Projects that do not comply with the *Secretary's Standards* may or may not cause a substantial adverse change in the significance of a historical resource.

The *Secretary's Standards* identify four general approaches to the treatment of historic properties: preservation, rehabilitation, restoration, and reconstruction. For each approach, the *Secretary's Standards* identify specific standards and criteria that should be met, and provide instructive guidelines for how to achieve the standards.

State

Under CEQA, evaluation of historical resource impacts is a two-step process. The first step determines whether the property is a historical resource. If necessary, the second step evaluates whether the proposed project would cause a substantial adverse change to the character-defining features of the historical resource. These steps are discussed in detail in the Planning Department's Preservation Bulletin No. 16, entitled CEQA Review Procedures for Historical Resources. [31]

CEQA Statutes, Section 21084.1 defines a historical resource as, "… a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources," properties included in a local register of historical resources, or properties deemed significant pursuant to criteria set forth in *Public Resources Code* Section 5024.1(g). According to *CEQA Guidelines*, Section 15064.5(a)(3), a lead agency can determine that a resource is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided that the determination is supported by substantial evidence in light of the whole record.

[31] San Francisco Preservation Bulletin No. 16.

Under *CEQA Guidelines* Section 15064.5(a),[32] generally a historical resource that is not formally listed or identified as eligible in an adopted state or local survey will be considered historically significant if the resource meets the criteria for listing on the California Register of Historical Resources (*Public Resources Code*, Section 5024.1, Title 14 *California Code of Regulations* (CCR), Section 4852) including the following:

- ***Criterion 1:*** Is associated 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;
- ***Criterion 2:*** Is associated with the lives of persons important in our local, regional or national past;
- ***Criterion 3:*** Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values;
- ***Criterion 4:*** It yields, or may be likely to yield, information important in prehistory or history.

To be eligible for the California Register, a property must not only meet at least one of the criteria of significance but must also retain enough of its historic character or appearance to be recognizable as a historical resource and to convey the reasons for its significance [CCR Section 4852 (c)]. According to National Register Bulletin 15, the seven aspects of integrity are location, design, setting, materials, workmanship, feeling, and association.

Local

To support historical resource evaluation, the San Francisco Planning Department has organized some twenty-seven criteria into three major categories that classify properties based on their evaluation and inclusion in specified registers or surveys, as outlined in San Francisco Preservation Bulletin 16 and summarized here (Category A is divided into two subcategories):

- *Category A.1 - Resources Listed on or Formally Determined to be Eligible for the California Register of Historical Resources*. These properties are historical resources.
- *Category A.2 - Adopted Local Registers, and Properties That Have Been Determined to Appear or May Become Eligible for the California Register*. These properties are presumed to be historical resources for purposes of CEQA, unless a preponderance of the evidence demonstrates that the resource is not historically or culturally significant.
- *Category B - Properties Requiring Further Consultation and Review*. Properties that do not meet the criteria for listing Categories A.1 or A.2, but for which the City has information indicating that further consultation and review will be required to evaluate whether a property is a historical resource for the purposes of CEQA.

[32] The California Environmental Quality Act (CEQA) was originally enacted in 1970 in order to inform, identify, prevent, and disclose to decision-makers and the general public the effects a project may have on the environment. Historical resources are included in the comprehensive definition of the environment under CEQA.

- *Category C - Properties Determined Not To Be Historical Resources or Properties For Which The City Has No Information Indicating that the Property is a Historical Resource*. Properties that have been affirmatively determined not to be historical resources, properties less than 50 years of age, and properties for which the City has no information indicating that the property qualifies as a historical resource.

The Planning Department considers a listing of historical resources approved by ordinance or resolution of the Board of Supervisors or the Planning Commission to be a local register of historical resources for purposes of CEQA evaluation. These lists include Articles 10 and 11 of the *Planning Code* as well as other adopted historical resource surveys, including the Here Today survey, the 1976 *Citywide Architectural Quality Survey*, the 1977-78 *Downtown Survey (Splendid Survivors),* the Dogpatch Survey, the Central Waterfront Survey, and the North Beach Survey. Other historical resource surveys, such as the Architectural Heritage surveys and the 1990 Unreinforced Masonry Building survey are not approved by ordinance or resolution, but contain useful initial information as the basis for further study.

Historic Preservation Commission

The proposed project was presented to the Architectural Review Committee (ARC) of the Historic Preservation Commission (HPC) for review and comment on June 15, 2011. The ARC commented on the historic district's character-defining features and the compatibility of the proposed project with the surrounding historic district (as defined by the Secretary of the Interior's Standards for Rehabilitation), as follows:[33]

1. The ARC concurs with staff regarding the 6th Street Lodginghouse Historic District's character-defining features, and would add to the features developed by staff and the independent consultant the following feature, "Simple, repetitive punched window openings."

2. The ARC is open to further refinement by the project architect, and did not want to be prescriptive in its recommendations.

3. Overall, the ARC supports the proposed design and found it compatible with the eligible Sixth Street Lodginghouse Historic District, including the massing, height, corner articulation, material palette (brick, concrete, limestone, terracotta, and metal), and the tall storefront height and articulation.

[33] Rich Sucre, Historic Preservation Technical Specialist, RE: Meeting Notes from the Review and Comment at the June 15, 2011 ARC-HPC Hearing for 200-214 6th Street, Case No. 2011.0119E, Memo to Sharon Christen and Owen Kennerly, June 20, 2011. This document is available for public review at the Planning Department, 1650 Mission Street Suite 400, San Francisco, as part of Case No. 2011.0119E.

4. The ARC recommends simplifying areas of the exterior facade in order for the proposed project to be fully compatible with the surrounding eligible historic district as defined by the Secretary's Standards. Commission feels that the existing facade design has many competing visual elements and that it has an overly cluttered visual appearance in comparison to the simplicity and regularity found with the eligible historic district.

Information regarding the historical resource evaluation and analysis of potential impacts pursuant to the CEQA that was conducted for the proposed project as well as the Planning Department findings regarding identification of historical resources and potential impacts are discussed under Impacts below.

IMPACTS

SIGNIFICANCE CRITERIA

A project would have a significant effect on the environment in terms of cultural or paleontological resources if it would:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5, including those resources listed in Article 10 or Article 11 of the *San Francisco Planning Code*;
- Cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5;
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- Disturb any human remains, including those interred outside of formal cemeteries.

CEQA Guidelines Section 15064.5 defines a "substantial adverse change" as "demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired." The significance of a historical resource is "materially impaired," according to *Guidelines* Section 15064(b)(2), when a project demolishes or materially alters, in an adverse manner, those physical characteristics of the resource that:

- convey its historic significance and that justify its inclusion in, or eligibility for inclusion in, the California Register of Historical Resources (including a determination by the lead agency that the resource is eligible for inclusion in the California Register);
- account for its inclusion in a local register of historical resources adopted by local agency ordinance or resolution (in accordance with *Public Resources Code* Section 5020.1(k)); or
- account for its identification in a historical resources survey that meets the requirement of *Public Resources Code* Section 5024.1(g), including, among other things, that "the resource is evaluated

> and determined by the [State Office of Historic Preservation] to have a significance rating of Category 1 to 5 on DPR Form 523," unless the lead agency "establishes by a preponderance of evidence that the resource is not historically or culturally significant."

In general, a project that is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties (including the Standards for Rehabilitation) is considered mitigated to a less-than-significant level.[34]

HISTORIC ARCHITECTURAL RESOURCE EVALUATION

As part of the environmental review for this project, a Historic Resource Evaluation (HRE) report was prepared for 200 6th Street by an independent historic architectural consultant.[35] Following review of the HRE, the Planning Department prepared a Historic Resource Evaluation Response (HRER)[36] that includes a determination regarding the historical resource status of the building and regarding potential project impacts to off-site historical resources.[37]

The HRER evaluates the 200-214 6th Street building for potential individual historic significance, significance as a contributor to a historic district, and/or the significance of the "Defenestration" art installation. Although the 200-214 6th Street building meets the age criteria for listing on the National Register, the California Register and any local registers, the building has not been individually listed. The Defenestration art installation is less than fifty years old, and does not meet the required age criteria.

In terms of local register listings, based on a search of the Planning Department's database, the 200-214 6th Street building was not included in either the survey files or the published book *Here Today: San Francisco's Architectural Heritage*. Further, the building was not included in the *1976 Citywide Architectural Quality Survey*. The property was surveyed by Architectural Heritage and given a "C" rating. As mentioned above, Category C refers to properties for which the City has no information indicating that the property is a historical resource, or properties determined not to be historical resources.

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34 Public Resources Code 14(3) Section 15064.5(b)(3).

35 Tim Kelley Consulting, *Historic Resource Evaluation*, May 2011. These document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco as part of Case No. 2011.0119E.

36 San Francisco Planning Department, *Historic Resource Evaluation Response* (HRER), 200-214 Sixth Street, January 18, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case No. 2011.0119E.

37 San Francisco Planning Department, *Historic Resource Evaluation Response* (HRER), 200-214 Sixth Street, January 18, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case No. 2011.0119E.

The HRER evaluated whether the 200-214 6th Street building and/or the Defenestration art installation are eligible for listing in the California Register of Historical Resources based on the four criteria outlined above. For the purposes of the historic resources evaluation, the "Defenestration" art installation is considered to be superimposed upon the building and is not considered an architectural modification, therefore the building and the art installation are evaluated separately.[38]

Based on the South of Market Historic Resources Survey and independently prepared background reports, the building is not individually eligible for listing under Criterion 1 (Events) since it is not associated with any major historic events in local, state or national history. The art installation is also not eligible under Criterion 1 since it does not appear to be associated with any specific historical event. The building is not individually eligible under Criterion 2 (Persons) since no persons of known historic significance are associated with the building. The art installation is not eligible under Criterion 2 since the artist(s) associated with this installation have not gained historical significance as defined by the California Register criteria.[39]

Based on the South of Market Historic Resource Survey and background documentation, the 200-214 6th Street building is not individually eligible for listing under Criterion 3 (Architecture) since the building is not architecturally significant in its own right, does not possess high artist value, nor does it embody distinctive characteristics of a type, period, region, or method of construction. Although the original architect, Theodore Lenzen may be considered a master architect, the 200-214 6th Street building is not a representative example of his body of work, as he is better known for large scale institutional projects. Aside from the fact that the art installation is a collection of objects rather than a work of architecture, the installation has not garnered exceptional historical significance in its own right and is thus also not eligible under Criterion 3 (Architecture).[40]

Based on a review of information in the Department's records, the subject building and art installation are not significant under Criterion 4 (Information Potential), which is typically associated with archeological

[38] Tim Kelley Consulting, *Historic Resource Evaluation*, May 2011. These document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco as part of Case No. 2011.0119E.

[39] San Francisco Planning Department, *Historic Resource Evaluation Response* (HRER), 200-214 Sixth Street, January 18, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case No. 2011.0119E.

[40] San Francisco Planning Department, *Historic Resource Evaluation Response* (HRER), 200-214 Sixth Street, January 18, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case No. 2011.0119E.

resources. When applied to the built environment, this criterion typically applies only to rare construction types, and the 200-214 6th Street building is not an example of a rare construction type.[41]

Therefore, the 200-214 6th Street building and the "Defenestration" art installation do not, individually, meet any of the four criteria required for listing in the California Register.

However, as mentioned above under 'Building History' the 200-214 6th Street building is within the Sixth Street Lodginghouse (6SL) district, a National Register eligible historic district that extends along 6th Street from Stevenson Street to the north to midblock between Howard and Folsom Streets to the south. The building is also included in the recently adopted South of Market Historic Resource Survey area, and was assigned a California Historic Resource Status Code (CHRSC) of "3D." According to the Planning Department's *San Francisco Preservation Bulletin No. 16: City and County of San Francisco Planning Department CEQA Review Procedures for Historic Resources*, properties with a CHRSC of "3" are considered "Category A.2." Category A.2 are resources listed on adopted local registers, and properties that have been determined to appear or may become eligible for the California Register. These properties are presumed to be historical resources for purposes of CEQA, unless a preponderance of the evidence demonstrates that the resource is not historically or culturally significant.

The Sixth Street Lodginghouse (6SL) district appears eligible for the National Register of Historic Places at the local level of significance under Criterion A, patterns of events, as the last surviving sizable group of the very low-budget, SRO densely packed residential hotels built south of Market Street after the 1906 earthquake and fire to serve the single male seasonal workers and industrial army.

Similar housing was formerly found on 3rd, 4th, 5th, and 7th Streets, of which very few examples remain; however, 6th Street retains its full complement as well as resident-serving businesses and a community center. This district differs from the apartment hotel district(s) north of Market Street in that its buildings are smaller on average, they have less exterior ornamentation, they were all built before the 1915 Exposition, the entrances are largely inconspicuous, and most lack lobbies. These lodginghouses were inhabited by laborers in agriculture, heavy construction and lumbering, sailors, the ill, and the retired.[42]

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41 San Francisco Planning Department, *Historic Resource Evaluation Response* (HRER), 200-214 Sixth Street, January 18, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case No. 2011.0119E.

42 San Francisco Planning Department, *Historic Resource Evaluation Response* (HRER), 200-214 Sixth Street, January 18, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case No. 2011.0119E.

The district is also significant under California Register Criterion 1 (Events) at the local level as the last surviving sizable group of the very low-budget, SRO densely packed residential hotels built south of Market Street after the 1906 earthquake and fire. The South of Market Historic Context Statement describes the significance of residential hotels as a dominant feature of the 1906 Reconstruction Era. The 200-214 6th Street building directly contributed to the trend of residential hotel reconstruction. Thus, it is significant for its association with the collection of residential hotels that developed along 6th Street.[43]

To be eligible for the California Register, a property must not only meet at least one of the criteria of significance but must also retain enough of its historic character or appearance to be recognizable as a historical resource and to convey the reasons for its significance [CCR Section 4852 (c)]. The HRER determined that that both the 6th Street Lodginghouse Historic District and the 200-214 6th Street building retain integrity. Therefore, the 200-214 6th Street building is considered to be eligible for listing in the California Register as a contributing resource to eligible 6th Street Lodginghouse Historic District, and thus is considered a historical resource under CEQA.[44]

IMPACT EVALUATION

Paleontological Resources

Impact CP-1: The limited excavation associated with the proposed project would not destroy, directly or indirectly, either a unique paleontological resource or site or unique geologic feature. (No Impact)

Paleontology is a multidisciplinary science that combines elements of geology, biology, chemistry, and physics in an effort to understand the history of life on earth. 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 non-renewable 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

[43] San Francisco Planning Department, *Historic Resource Evaluation Response* (HRER), 200-214 Sixth Street, January 18, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case No. 2011.0119E.

[44] San Francisco Planning Department, *Historic Resource Evaluation Response* (HRER), 200-214 Sixth Street, January 18, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case No. 2011.0119E

of fossils are not favorable, fossils will not be present. Lithological units that may be fossiliferous, include sedimentary and volcanic formations.

As discussed under Setting, Paleontological Resources, above, the project site is underlain by artificial fill material, sand, peat, clay, and Bay Mud, to the maximum depth explored (150 feet below street grade). These are non-fossiliferous formations, which do not have potential to contain fossils. The proposed project would involve limited excavation, and drilling 30 to 40 feet below the basement to construct soil-cement columns. Because the underlying formations do not contain fossiliferous material, the proposed project would not have the potential to disturb paleontological resources, and there would be ***no impact***.

The project site is fully developed and does not contain unique geologic features. Therefore, the proposed project would have ***no impact*** on unique geologic features.

Archeological Resources

Impact CP-2: Excavation for the proposed project could result in an adverse effect to archeological deposits that may be present beneath the surface of the project site. (Less than Significant with Mitigation)

The Preliminary Archeological Review[45] by the Department archeologist notes that the proposed project has a moderate to high potential to adversely affect legally-significant archeological resources and a low potential to affect historical archeological deposits. Construction of the foundation would require excavation of up to 3,800 cubic yards of soil to accommodate the replacement four-foot-thick mat slab and repair or replacement of the retaining walls in the existing building, and drilling 30 to 40 feet below the basement to construct soil-cement columns. The use of soils improvement techniques for foundational support is especially deleterious to archeological deposits. These techniques destroy archeological deposits directly affected by grouting and indirectly chemically affect surrounding grouted soils. Further, soils improvements techniques can cause compression of the interstitial stratigraphy. This compression is especially damaging because contextual information is important in understanding an archeological site. Thus, alteration of the original stratigraphic profile is archeologically destructive whether the affected stratum is cultural or not. Therefore, the proposed project could result in ***potentially significant*** archeological impacts. Implementation of Mitigation Measure M-CP-2 (Testing) would reduce those impacts to a ***less-than-significant*** level.

[45] See Note 26 above

Mitigation Measure M-CP-2: Testing

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

Consultation with Descendant Communities: On discovery of an archeological site[46] associated with descendant Native Americans or the Overseas Chinese an appropriate representative[47] of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

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

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the

[46] The term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

[47] 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 consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

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

B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

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

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

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

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

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

- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation

with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

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

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

The scope of the ADRP shall include the following elements:

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

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD)

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

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

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

Human Remains

Impact CP-3: Excavation during construction for the proposed project could disturb or remove human remains. (Less than Significant with Mitigation)

While it is unlikely that project-related ground disturbing activities would disturb human remains, there exists the possibility for disturbance, resulting in a ***potentially significant*** impact. Implementation of **Mitigation Measure M-CP-2**, above, would reduce this impact to a ***less-than-significant*** level.

Historic Architectural Resources

Impact CP-4: The proposed demolition of the 200-214 6th Street building, a contributor building to a National Register-eligible historic district would result in a significant project-specific and cumulative historic architectural resource impact. (Significant and Unavoidable)

The proposed project includes the demolition of the building on the project site at 200-214 6th Street and its replacement with a nine-story, 85-foot-tall, mixed-use building. 200–214 6th Street is one of thirty–six contributing resources originally recognized in the Sixth Street Lodginghouse Historic District DPR 523D (District Record) form. The building on the project site is located towards the southwest border of the eligible district, and is one of fifteen remaining masonry properties contributing to the district's

significance. Demolition would materially impair the significance of the eligible district by removing one of its essential contributing features. The 200–214 6th Street building is significant as one of the larger-scale buildings located on a prominent corner within the eligible historic district. Its demolition would impact the eligible historic district due to the demolition of a contributing resource. Since the recognition of the district in 1997, only one other contributing resource, 988 Howard Street (Hotel Plaza, APN 3725/025), has been demolished. With the proposed project, two of the district's original thirty-six contributing resources would be demolished, thus constituting a cumulative impact upon the historic district.

In addition, the proposed project would construct a new nine-story residential mixed-use building within the eligible Sixth Street Lodginghouse Historic District, adding a new non-contributing resource to the historic district. The HRER prepared by the Planning Department concluded that this would result in a less-than-significant impact upon a historical resource, since the proposed new construction would be generally compatible with the character of the surrounding historic district.

Although altered, the 200–214 6th Street building retains historic integrity and conveys its significance as a contributing resource to the National Register-eligible Sixth Street Lodginghouse Historic District. Therefore, demolition of 200-214 6th Street would cause a significant adverse impact to a historical resource such that the significance of a historical resource would be materially impaired. Under the California Environmental Quality Act, demolition of a historical resource constitutes a significant adverse impact, which may not be mitigated to a less-than-significant level.

Mitigation Measure M-CP-4 (HABS Documentation)

Completing a historical resources survey to HABS documentation standards would reduce the Impact CP-4, but not to a less-than-significant level. (Significant, Unavoidable)

Implementation of this mitigation measure would reduce Impact CP-4 (historic architectural resources), but not to a less-than-significant level. Therefore, impacts related to the demolition of the 200-214 6th Street building would remain significant and unavoidable. However, to offset partially the loss of the building, the project sponsor shall at a minimum, ensure that a complete survey meeting the standards of the Historic American Building Survey (HABS) is undertaken prior to demolition, as follows:

- Prior to approval of the demolition permit, the Project Sponsor shall undertake HABS (Historic American Building Survey) documentation of the subject property. The documentation shall be undertaken by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the Secretary of the Interior's Professional Qualification Standards (36 CFR, Part 61). The documentation shall consist of the following:

• *HABS-Level Photography*: Archival photographs of the interior and the exterior of subject property. Large format negatives are not required. The scope of the archival photographs should be reviewed by Planning Department Preservation staff for concurrence, and all photography shall be conducted according to the latest National Park Service Standards. The photography shall be undertaken by a qualified professional with demonstrated experience in HABS Photography, and shall be labeled according to HABS Photography Standards; and,

• *HABS Historical Report*: A written historical narrative and report, per HABS Historical Report Guidelines.

The professional shall prepare the documentation and submit it for review and approval by the San Francisco Planning Department's Preservation Technical Specialist. The final documentation shall be disseminated to the San Francisco Planning Department, San Francisco Library History Room, Northwest Information Center-California Historical Resource Information System, and San Francisco Architectural Heritage.

No additional mitigation is feasible for impacts related to demolition of the building, due to the limited options available when demolition is proposed.

VI. OTHER CEQA ISSUES

This chapter discusses other CEQA-required topics, including growth inducement, significant and unavoidable environmental effects of the proposed project, significant irreversible changes involved in the proposed project, and areas of controversy and issues to be resolved.

A. GROWTH INDUCING IMPACTS

A project would be growth inducing if: (1) its construction and use would encourage a substantial population increase; (2) it would indirectly stimulate new development that would not occur without the proposed project; and (3) it would involve new infrastructure (such as water or sewer utilities) with capacity to serve other projects.

The proposed project's 67 residential units would increase the daily population on the project site by approximately 124 persons.[48] The proposed project's population increase would not be considered substantial in the context of San Francisco. Since the proposed project would not have unusual labor requirements, construction would be expected to meet its need for labor within the regional labor market without attracting construction labor from areas beyond the region's border. The proposed project would not create substantial demand for new housing in the City. Because of the current strong demand for housing, which would exist with or without the project, the proposed project would not induce substantial growth or concentration of population beyond that which would have occurred without the project. The project would be located in an already urbanized area in San Francisco; it would not result in the extension of utilities or roads into undeveloped areas, and would not directly lead to substantial development outside the City. For these reasons, the proposed project would not cause, directly or indirectly, a substantial amount of growth.

[48] See Initial Study (Appendix A of this EIR), Section E.3. Population and Housing, page 43.

B. SIGNIFICANT UNAVOIDABLE IMPACTS

In accordance with CEQA, this section identifies environmental impacts that mitigation measures could not eliminate or reduce to an insignificant level as described in Chapter V. Environmental Setting, Impacts, and Mitigation and Improvement Measures, pages 67 through 94 (CEQA Statutes Section 21100(b)(2)(A) and *CEQA Guidelines* Section 15126.2). This chapter is subject to final determination by the Planning Commission as part of its certification of the EIR, and staff will revise it to reflect the findings of the Planning Commission, if necessary.

Implementation of the mitigation measures outlined in Chapter V of this EIR and in the Initial Study (Appendix A) would reduce all potential significant impacts of the proposed project to a less-than-significant level, except for the historic architectural resource impact, which would remain significant and unavoidable.

C. SIGNIFICANT IRREVERSIBLE IMPACTS

In accordance with Section 21100(b)(2)(B) of CEQA, and Section 15126.2(c) of the *CEQA Guidelines*, an EIR must identify any significant irreversible environmental changes that could result from implementation of the proposed project. This may include current or future uses of non-renewable resources, and secondary or growth-inducing impacts that commit future uses of non-renewable resources, and secondary or growth-inducing impacts that commit future generations to similar uses. According to the *CEQA Guidelines*, irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

The proposed project would intensify development at the project site consistent with development in San Francisco's urban environment. Although the effects would not be irreversible, the effects of the proposed project would be difficult to change in the short-term. The proposed project would commit future generations to an irreversible commitment of energy resources, primarily in the form of fossil fuels, automobiles, and during demolition and construction and ongoing use of the site. Because the proposed project would comply with CCR Title 24, it would not use energy in a wasteful manner. The consumption of other non-renewable or slowly renewable resources would also occur during construction, occupancy, and use of the site. These resources include, but are not limited to lumber, concrete, sand and gravel, asphalt, masonry, metals, and water. The proposed project would also irreversibly use water and solid waste landfill resources. However, the proposed project would not involve a large commitment of those resources relative to supply, nor would it consume any of those resources wastefully.

D. AREAS OF KNOWN CONTROVERSY AND ISSUES TO BE RESOLVED

This Draft EIR assesses the significance of the proposed project's effect on paleontological resources, archeological resources, human remains, historic architectural resources, and cumulative impacts to historic architectural resources. The Initial Study (Appendix A) assessed the significance of the proposed project on land use, aesthetics, population and housing, cultural resources, transportation, noise, air quality, greenhouse gas emissions, wind, shadow, recreation, utilities and service systems, public services, biological resources, geology and soils, hydrology and water quality, hazardous materials, mineral and energy resources, and agriculture and forest resources. The Initial Study (Appendix A) found that impacts would be less than significant, except for cultural resources, which are addressed in this EIR, and interior and exterior noise, construction noise, construction air emissions, toxic air contaminants, and hazardous materials (contaminated soil and water, and hazardous building materials), which would be less than significant after proposed mitigation measures.

On August 15, 2012, the Planning Department issued a "Notice of Preparation of an Environmental Impact Report." Concerns and issues raised by the public regarding the environmental review included construction-related noise and vibration, dust and traffic which have been addressed in the Initial Study or this EIR where appropriate.

With the publication of the Draft EIR, there will be a period of formal public comment on the accuracy and adequacy of the Draft EIR from February 27, 2013, to April 15, 2013, with a public hearing before the Planning Commission scheduled for April 4, 2013. A Responses to Comments document will be prepared that includes all comments submitted at the hearing or in writing during this period, contains written responses to the comments, and specifies any changes to the Draft EIR. This document, together with the Draft EIR, will constitute the Final EIR. The Planning Commission will decide on the adequacy of the environmental analysis contained in the EIR during a certification hearing.

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VII. ALTERNATIVES

This chapter identifies alternatives to the proposed project and discusses potential environmental impacts associated with each alternative. Project decision-makers could approve either of the following alternatives instead of the proposed project if the alternative is feasible, would reduce or eliminate any of the project's significant impacts, and would attain most of the project sponsor's objectives. The determination of feasibility will be made by project decision-makers based on substantial evidence in the record, which shall include, but not be limited to, information presented in this Draft EIR and comments received on it.

As discussed in Chapter V.C Cultural Resources, page 92, the Planning Department has determined that the 200-214 6th Street building is a historical resource, and its demolition would constitute a significant project-specific and cumulative impact.

Alternatives were selected that would reduce identified impacts of the proposed project and include the following:

- Under the CEQA-required ***No-Project Alternative***, there would be no change on the project site and no environmental impacts.
- The ***Preservation Alternative*** would not demolish the 200-214 6th Street building, would restore it to the Secretary of Interior's Standards, and would construct a fifth-story addition that would be set back from the street façades by 10 feet. This alternative would have a less-than-significant impact on historic architectural resources, thereby avoiding the proposed project's significant and unavoidable impact, and its associated mitigation measure. While it would not involve demolition, this alternative would require mitigation measures for interior and exterior noise, construction noise, construction air emissions, toxic air contaminants, and hazardous materials (contaminated soil and water, and hazardous building materials), which would be reduced to less than significant with the same mitigation measures as the proposed project. All other impacts would be less than significant as they would under the proposed project.

These alternatives take into consideration the comments made on the NOP (Appendix B) and reflect the intention of the Planning Department to select alternatives that would reduce or avoid the significant

environmental impacts of the proposed project. Decision-makers could also consider other alternatives, but additional environmental assessment may be required if those other alternatives differ substantially from the proposed project or the alternatives identified in this EIR.

A. ALTERNATIVE A: NO PROJECT

CEQA and the *CEQA Guidelines* require EIRs to include a No Project Alternative so decision-makers can compare the effects of the proposed project with the effects of not approving a project.

DESCRIPTION

Alternative A, the No Project Alternative, would entail no changes to the project site. The existing 200-214 6th Street building on the project site would remain. The proposed nine-story, approximately 85-foot-tall mixed–use building with 67 affordable rental housing units, approximately 2,845 square feet of ground-floor commercial space, an approximately 1,215-square-foot community room, and about 2,589 square feet of private open space and 3,691 square feet of common open space, would not be constructed. This alternative would not preclude future proposals for redevelopment of the project site. This alternative would not require the proposed project's approvals, which are:

- EIR certification;
- Findings of *General Plan* and Priority Policies consistency;
- Discretionary review by the Planning Commission for demolition of a residential building;
- Approval by the Planning Department of the building permits for residential demolition and new construction;
- Conditional use authorization by the Planning Commission for construction of a building on a site equal to or exceeding 10,000 square feet;
- Establishment of a possible full service restaurant, and demolition of existing dwelling units in the NCT;
- Approval by the Planning Department of a variance from Planning Code Section 134 for the required rear yard;
- Approval by the Planning Department of a variance from Planning Code Section 134 for open space requirements;

- Approval by the Planning Department of a variance from Planning Code Section 140 for the required dwelling unit exposure;
- Approval by the Department of Building Inspection for demolition and building permits;
- Approval by the Bureau of Streets and Mapping of the Department of Public Works for street and sidewalk permits; and
- Possible approval by the Department of Parking and Traffic (DPT) for a white passenger loading zone in front of the building's lobby on Howard Street and a yellow commercial loading zone along 6th Street.

IMPACTS

If the No-Project Alternative were implemented, none of the proposed project's impacts discussed in Chapter V, Environmental Setting, Impacts, and Mitigation and Improvement Measures, or in the Initial Study (Appendix A), would occur, and none of the mitigation measures would be required. This alternative would avoid the proposed project's significant and unavoidable historic architectural resources impact identified in this EIR. It would also avoid the proposed project's archeological, interior and exterior noise, construction noise, construction air emissions, toxic air contaminants, and contaminated soil and water, and hazardous building materials impacts, and the associated mitigation measures identified in the Initial Study (Appendix A). In addition, the No-Project Alternative would avoid the proposed project's less-than-significant impacts, discussed in the Initial Study (Appendix A), in the following areas: land use, aesthetics, population and housing, transportation, greenhouse gas emissions, wind and shadow, recreation, utilities and service systems, public services, biological resources, geology and soils, hydrology and water quality, mineral and energy resources, and agriculture and forest resources.

However, the No Project Alternative would not meet the objectives of the project sponsor, Mercy Housing Corporation, as follows: (1) increase the supply of affordable housing in San Francisco; (2) develop a project with minimal environmental disruption; (3) provide ground floor retail opportunities to help activate the Sixth Street corridor; (4) develop affordable housing that complements the existing urban character of the area; and, (5) complete the project on schedule and within budget.

If the Planning Commission selected this alternative and a different development proposal were submitted later, that proposal would be subject to a separate project-specific CEQA environmental review.

B. ALTERNATIVE B: PRESERVATION ALTERNATIVE

DESCRIPTION

Alternative B, the Preservation Alternative, would not demolish the historical 200-214 6th Street building, but would retain it and restore it to the Secretary of Interior's Standards. This alternative would retain all character-defining features of the existing building, including all exterior elevations and rooflines visible from the public right of way. It would also feature a fifth-story addition set back 10 feet from the fourth story to minimize the visual effect on the historical resource. (See Figures 20 and 21 on pages 103 and 104 for elevations of this alternative.)

The approximately 55-foot-tall building would have a footprint similar to the proposed project. The Preservation Alternative would include a total of 33 dwelling units (six three-bedroom, 13 two-bedroom, nine one-bedroom and five studios) and 2,571 square feet of ground-floor retail space, compared to the proposed project's 67 dwelling units, and approximately 2,845 square feet of ground-floor commercial space, 1,215-square-foot community room, 2,589 square feet of private open space, and 3,691 square feet of common open space (respectively). Like proposed project, the Preservation Alternative would not include on-site parking. The only open space under the Preservation Alternative would be the 10-foot-wide gated open space extant along the west side of the building.

Like the proposed project, the Preservation Alternative would require findings of *General Plan* and Priority Policies consistency, conditional use authorization for construction on a site equal to or exceeding 10,000 square feet and establishment of a possible full service restaurant, building permits, permits for any curb or road modifications, and EIR certification. Unlike the proposed project, the Preservation Alternative would not require discretionary review for demolition of a residential building or demolition permit approval, a rear yard variance, an open space variance, a dwelling unit exposure variance, or street and sidewalk permits.

SIXTH ST

0 16 ft APPROXIMATE

Source: Kennerly Architecture

9-20-12

Preservation Alternative 6th Street Elevation Figure 20

Source: Kennerly Architecture

9-20-12

Preservation Alternative Howard Street Elevation Figure 21

IMPACTS

The Preservation Alternative would avoid the proposed project's significant and unavoidable historic architectural resources impact identified in this EIR. Given that the Preservation Alternative would not require excavation, grading, or the installation of soil cement columns, this alternative would also avoid the proposed project's impact on archeological resources and human remains, which would be potentially significant but would be reduced to less-than-significant by mitigation measures identified in this EIR. This alternative would have the same potentially significant interior and exterior noise, construction noise, construction air emissions, toxic air contaminants, and hazardous materials impacts, that the Initial Study (Appendix A) and this EIR identify (see Table S-1, Summary of Impacts and Mitigation Measures, page 4). These potentially significant impacts would be reduced to a less-than-significant level after implementation of mitigation measures identified for the proposed project, which would apply to this alternative. The Preservation Alternative would have impacts similar to or reduced from the proposed project's less-than-significant impacts without mitigation as discussed in the Initial Study (Appendix A). These impacts are in the following areas: land use, aesthetics, population and housing, transportation, greenhouse gas emissions, wind and shadow, recreation, utilities and service systems, public services, biological resources, geology and soils, hydrology and water quality, mineral and energy resources, and agriculture and forest resources.

The Preservation Alternative would partially meet the project sponsor's objective to increase affordable housing opportunities in San Francisco, because this alternative would have 50 percent fewer residential units than the proposed project. However, this alternative would meet other objectives of the project sponsor to design a project that complements the existing urban character of the area, develop a project with minimal environmental disruption, and complete the project on schedule and within budget.

Although technically feasible, this alternative would meet the project sponsor's primary objective of maximizing affordable housing opportunities to a lesser degree than the proposed project and could potentially be financially prohibitive. This alternative would produce a project with 33 affordable residential units, compared to the 67-unit proposed project that would demolish the existing building and thereby create a significant impact on the 6SL historic district.

C. ALTERNATIVES CONSIDERED BUT REJECTED

No alternatives other than those assessed in this chapter were identified that could substantially reduce the environmental impacts of the proposed project. The project sponsor does not own any alternative sites in San Francisco, and no viable alternative sites have been identified within San Francisco where the proposed project could be constructed that would meet most of the project sponsor's objectives and where the project's environmental impacts would be substantially lessened or avoided. Therefore, no off-site alternative is analyzed.

D. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

As discussed in the preceding subsections, the proposed mixed-use project would have a significant and unavoidable historical resource impact. As identified in this EIR and the Initial Study (Appendix A), the proposed project would also have potentially significant archeological, interior and exterior noise, construction noise, construction air emissions, toxic air contaminants, and hazardous materials impacts that would be reduced to less-than-significant levels with proposed mitigation measures. It would also have other less-than-significant impacts in the areas of land use, aesthetics, population and housing, transportation, greenhouse gas emissions, wind and shadow, recreation, utilities and service systems, public services, biological resources, geology and soils, hydrology and water quality, mineral and energy resources, and agriculture and forest resources.

The Preservation Alternative would avoid the proposed project's significant and unavoidable historic architectural resource impact, and also would avoid the proposed project's impact on archeological resources (which could be reduced to less-than-significant levels by mitigation measures identified in this EIR). The Preservation Alternative would have similar or reduced potentially significant interior and exterior noise, construction noise, construction air emissions, toxic air contaminants, and hazardous materials impacts, and otherwise have similar or reduced less-than-significant impacts.

The No Project Alternative would avoid all impacts of the proposed project until another project proposal was submitted for the project site.

Table 2, page 107, compares significant impacts between the proposed project and the alternative. The No Project Alternative is not included in this table.

The Preservation Alternative would reduce the historical resource impact to a less-than-significant level, and would be the environmentally superior alternative.

Table 2
Comparison of Significant Impacts – Proposed Project and Preservation Alternative

	Proposed Project	Preservation Alternative
Description:		
- Height	85 feet, 9 stories	55 feet, 5 stories
- Fifth Floor Setback	None	10 feet
- Residential	67 units, 47,710 sq. ft.	33 units, 32,880 sq. ft.
- Common Open Space	3,691 sq.ft.	None
- Private Open Space	2,589 sq. ft.	None
- Commercial Space	2,845 sq. ft.	2,571 sq. ft.
- Community Room	1,215 sq. ft.	None
- Service/Circulation	16,770 sq. ft.	None
- Total (excludes open space)	68,540 sq. ft.	35,451 sq. ft.
- Rear Yard Setback	14%	None
- Bicycle Parking	29 spaces	None
- Vehicle Parking	None	None
Impacts (Significance Level After Mitigation**):**		
Historical Resources	Significant and Unavoidable	Less than Significant
Archeological Resources	Less Than Significant	Less than Significant
Human Remains	Less Than Significant	Less than Significant
Interior and Exterior Noise	Less Than Significant	Less than Significant
Construction Noise	Less Than Significant	Less than Significant
Construction Air Quality	Less Than Significant	Less than Significant
Toxic Air Contaminants	Less Than Significant	Less than Significant
Hazardous Materials *(existing building material)*	Less Than Significant	Less Than Significant
Hazardous Materials *(Contaminated Soils)*	Less Than Significant	Less Than Significant

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VIII. EIR PREPARERS, AND PERSONS AND ORGANIZATIONS CONTACTED

EIR AUTHORS

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Environmental Planning
1650 Mission Street, Suite 400
San Francisco, CA 94103

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Supervising Environmental Planner: Rick Cooper
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Owen Kennerly

IX. APPENDICES

APPENDIX A: Initial Study

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APPENDIX A

Initial Study

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SAN FRANCISCO
PLANNING DEPARTMENT

To Responsible Agencies, Trustee Agencies, and Interested Parties: August 15, 2012

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

RE: CASE NO 2011.0119E: 200-214 6TH STREET
NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

A Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the above-referenced project, described below, has been issued by the Planning Department. The NOP/Initial Study is either attached or is available upon request from **Rachel Schuett**, whom you may reach at **(415) 575-9030** or at the above address. It is also available online at **http://tinyurl.com/meacases**. This notice is being sent to you because you have been identified as potentially having an interest in the project or the project area.

Project Description: The project site is located at the southwest corner of Howard and 6th Streets. The four-story Hugo Hotel, which was built in 1909, currently occupies most of the site. On the façade of the existing building is a temporary, site-specific art installation project known as "Defenestration." The building is contributory to the proposed Sixth Street Lodginghouse district, a historic district adopted by the City's Historic Preservation Commission (HPC) as part of the South of Market (SoMa) Area Historic Resource Survey in February 2011. The existing structure suffered a fire in 1987 and has been vacant and uninhabitable since that time.

The proposed project includes demolition of the existing building and construction of a 9-story residential mixed-use building, covering the entire lot. The new building would include 67 affordable housing units (studio and one-, two-, and three-bedroom units), approximately 2,845 square feet of ground-floor commercial space and ancillary community spaces, including a rear yard and roof terrace.

The art installation on the façade identified above is known as "Defenestration" and was installed by Brian Goggin in 1997. Through an agreement with the San Francisco Redevelopment Agency (SFRA), the artist has agreed to remove the installation prior to demolition of the building.

The Planning Department has determined that an EIR must be prepared for the proposed project prior to any final decision regarding whether to approve the project. The purpose of the EIR is to provide information about potential significant physical environmental effects of the proposed project, to identify possible ways to minimize the significant effects, and to describe and analyze possible alternatives to the proposed project. Preparation of an NOP or EIR does not indicate a decision by the City to approve or to disapprove the project. However, prior to making any such decision, the decision makers must review and consider the information contained in the EIR.

Written comments on the scope and content of the environmental impact analysis will be accepted until 5:00 p.m. on **September 14, 2012.** Written comments should be sent to Bill Wycko, San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103.

If you work for an agency that is a Responsible or a Trustee Agency, we need to know the views of your agency as to the scope and content of the environmental information that is relevant to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the EIR when considering a permit or other approval for this project. We will also need the name of the contact person for your agency. If you have questions concerning environmental review of the proposed project, please contact **Rachel Schuett** at **(415) 575-9030**.

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SAN FRANCISCO
PLANNING DEPARTMENT

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Notice of Preparation of an Environmental Impact Report

Date:	**August 15, 2012**
Case No.:	**2011.0119E**
Project Title:	**200-214 6th Street Affordable Housing with Ground-Floor Retail**
BPA Nos.:	Not Applicable
Zoning:	SoMa Neighborhood Commercial Transit District SoMa Youth and Family Special Use District 85-X Height and Bulk District
Block/Lot:	3731/001
Lot Size:	9,997 square feet
Project Sponsor	Mercy Housing Corporation Sharon Christen, 415-355-7111
Lead Agency:	San Francisco Planning Department
Staff Contact:	Rachel Schuett – (415) 575.9030 rachel.schuett@sfgov.org

PROJECT DESCRIPTION

The project site is located at the southwest corner of Howard and 6th Streets. The four-story Hugo Hotel, which was built in 1909, currently occupies most of the site. On the façade of the existing building is a temporary, site-specific art installation project known as "Defenestration." The building is contributory to the proposed Sixth Street Lodginghouse district, a potential historic district which is currently being considered for adoption by the City's Historic Preservation Commission. The existing structure suffered a fire in 1987 and has been vacant and uninhabitable since that time.

The proposed project includes demolition of the existing building and construction of a 9-story residential mixed-use building, covering the entire lot. The new building would include 67 affordable housing units (studio and one-, two-, and three-bedroom units), approximately 2,845 square feet of ground-floor commercial space and ancillary community spaces, including a rear yard and roof terrace.

The art installation on the façade identified above is known as "Defenestration" and was installed by Brian Goggin in 1997. Through an agreement with the San Francisco Redevelopment Agency (SFRA), the artist has agreed to remove the installation prior to demolition of the building.

FINDING

This project may have a significant effect on the environment and an Environmental Impact Report is required. This determination is based upon the criteria of the State CEQA Guidelines, Sections 15063 (Initial Study), 15064 (Determining Significant Effect), and 15065 (Mandatory Findings of Significance), and for the reasons documented in the Environmental Evaluation (Initial Study) for the project, which is attached.

PUBLIC SCOPING PROCESS

Written comments will be accepted until the close of business on **September 14, 2012**. Written comments should be sent to Bill Wycko, San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103.

If you work for a responsible State agency, we need to know the views of your agency regarding the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the EIR when considering a permit or other approval for this project. Please include the name of a contact person in your agency.

August 13 2012
Date

Bill Wycko
Environmental Review Officer

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INITIAL STUDY
200-214 6TH STREET
PLANNING DEPARTMENT CASE NO. 2011.0119E

A. PROJECT DESCRIPTION

The 9,997-square-foot project site (Assessor's Block 3731, Lot 001) is located at the southwest corner of Howard and 6th Streets.[1] It is a rectangular parcel with a plan dimension of approximately 125 feet along 6th Street by 80 feet along Howard Street. Residential and commercial buildings border the site along the west and south sides. The vacant four-story Hugo Hotel, which was built in 1909, currently occupies most of the site and a 10-foot-wide gated open space runs along the west side of the building. The existing structure has a basement that extends beneath the open space to the west. The building is contributory to the proposed Sixth Street Lodginghouse district, a historic district which was adopted by the City's Historic Preservation Commission (HPC) as part of the South of Market (SoMa) Area Historic Resource Survey in February 2011. The existing structure suffered a fire in 1987 and has been vacant and uninhabitable since that time. See Figures 1, 2, and 3, pages 2 to 4, for a photo location map, views of the existing building, and existing site plan.

The proposed project includes demolition of the existing building and construction of a 9-story residential mixed-use building, covering the entire lot. The new building would include 67 residential affordable rental housing units (studio and one-, two-, and three-bedroom units), approximately 2,845 square feet of ground-floor commercial space (retail, likely restaurant), and ancillary community spaces, including a rear yard and roof terrace (see Figures 4 through 15, pages 5 to 16). The residential units would be affordable to very low income households.[2]

Text continues on page 17

[1] For ease of reference throughout this document, the northwest/southeast alignment of Sixth Street is assumed to run in a north/south direction, and all other compass reference points are adjusted accordingly. Thus, while the project is located on the southwest side of Sixth Street, it is described as being on the west side of Sixth Street. All other reference points have been similarly simplified.

[2] Very low income households have an income of 30 to 50 percent of the Area Median Income (AMI).

Source: During Associates

6-22-11

Project Location Figure 1

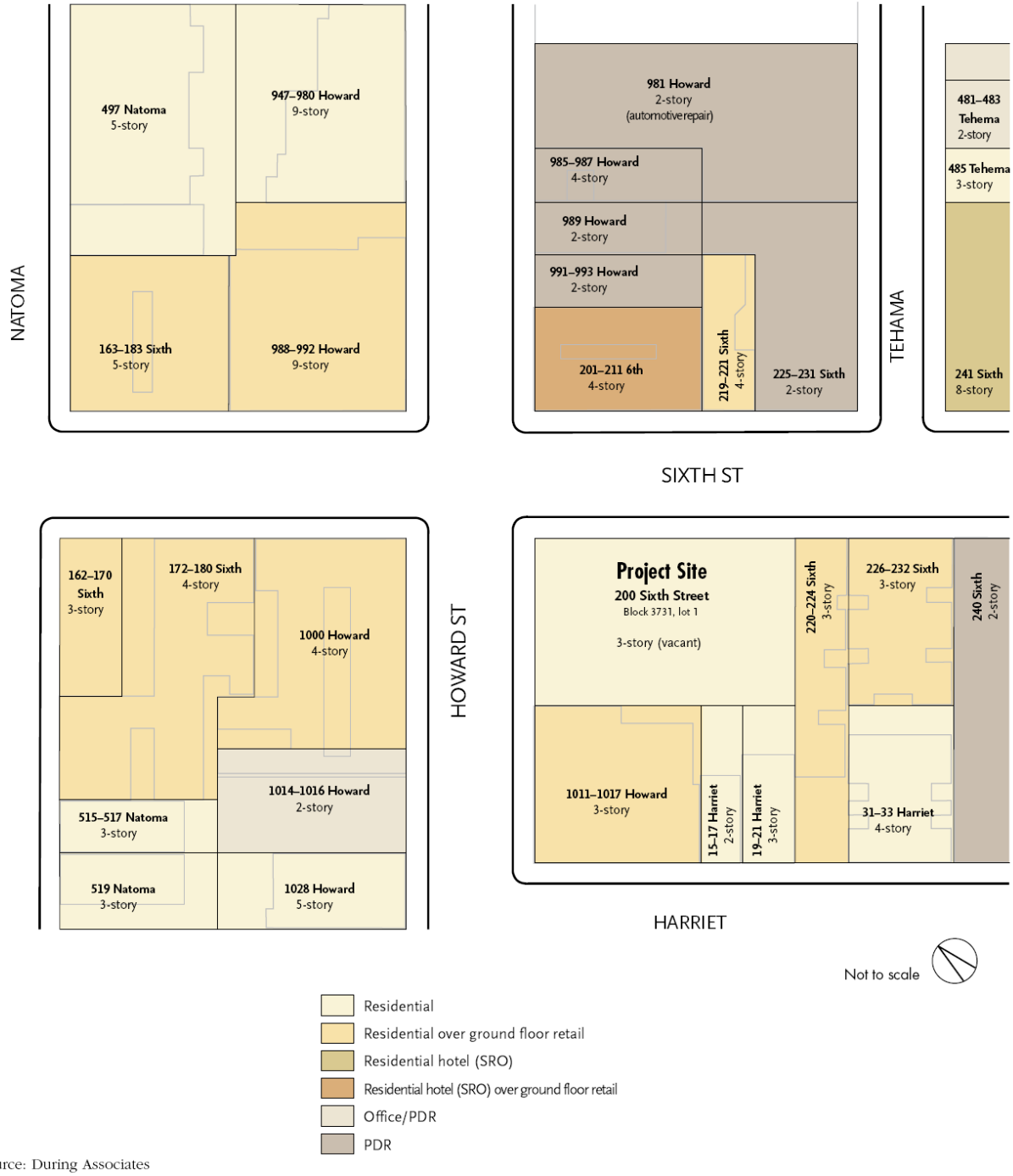
A. View Looking North on Sixth Street

B. View Looking East on Howard Street

Source: During Associates

8-8-12

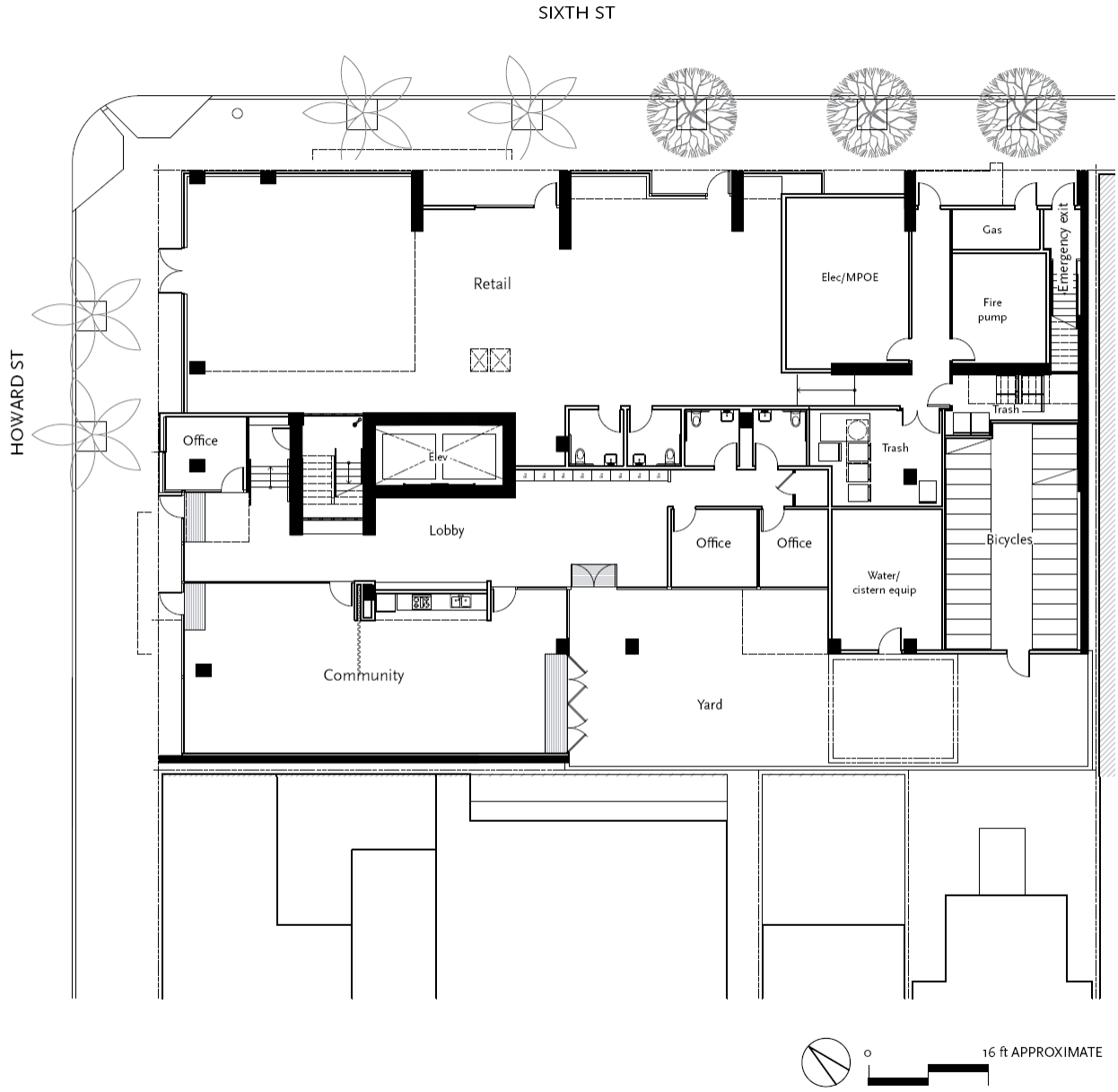
Existing Site Views Figure 2



Source: During Associates

11-3-11

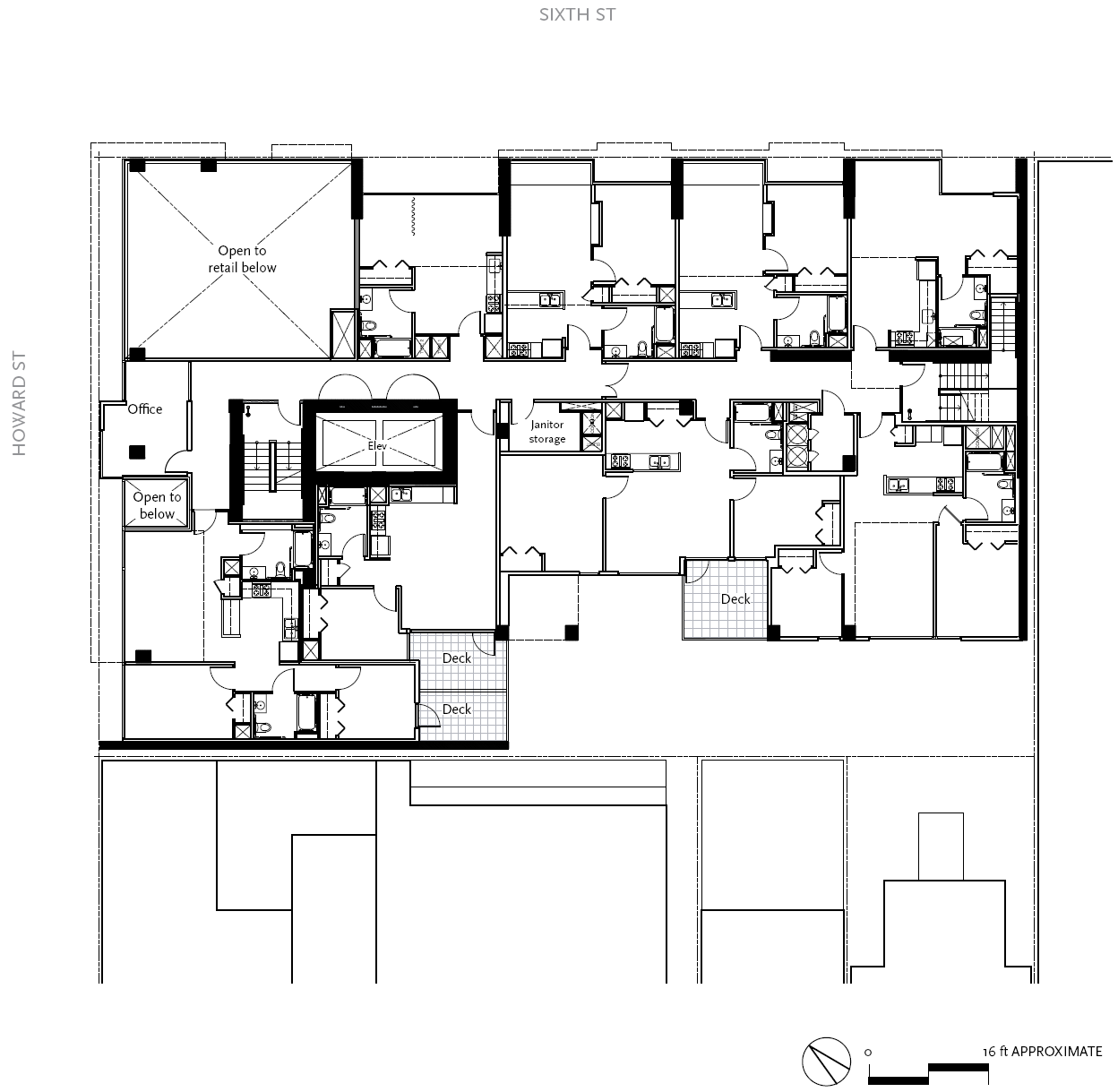
Existing Site Plan Figure 3



Source: Kennerly Architecture

2-6-12

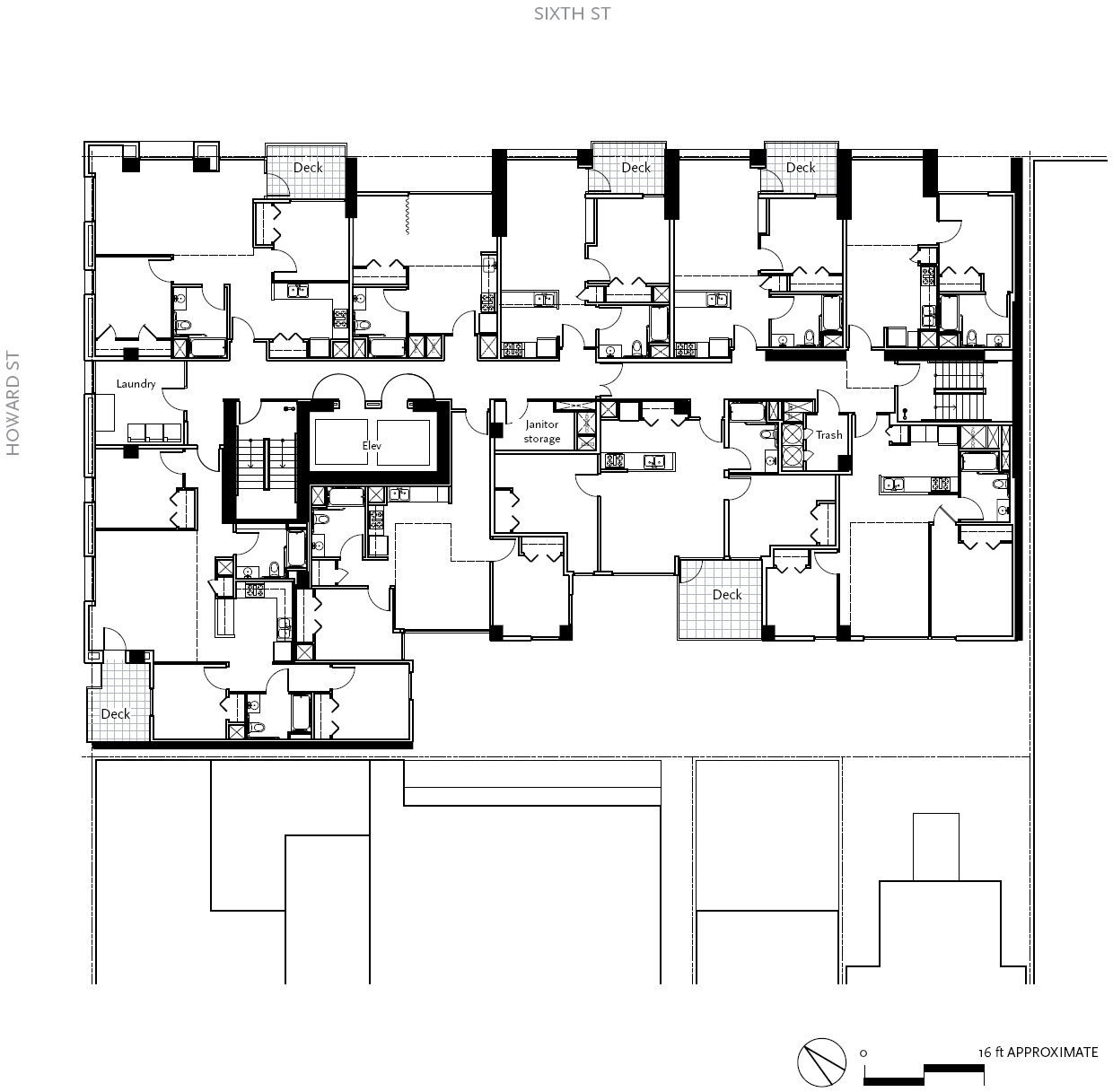
Proposed Ground Floor Plan Figure 4



Source: Kennerly Architecture

2-6-12

Proposed Second Floor Plan Figure 5



Source: Kennerly Architecture

2·6·12

Proposed Third Floor Plan Figure 6

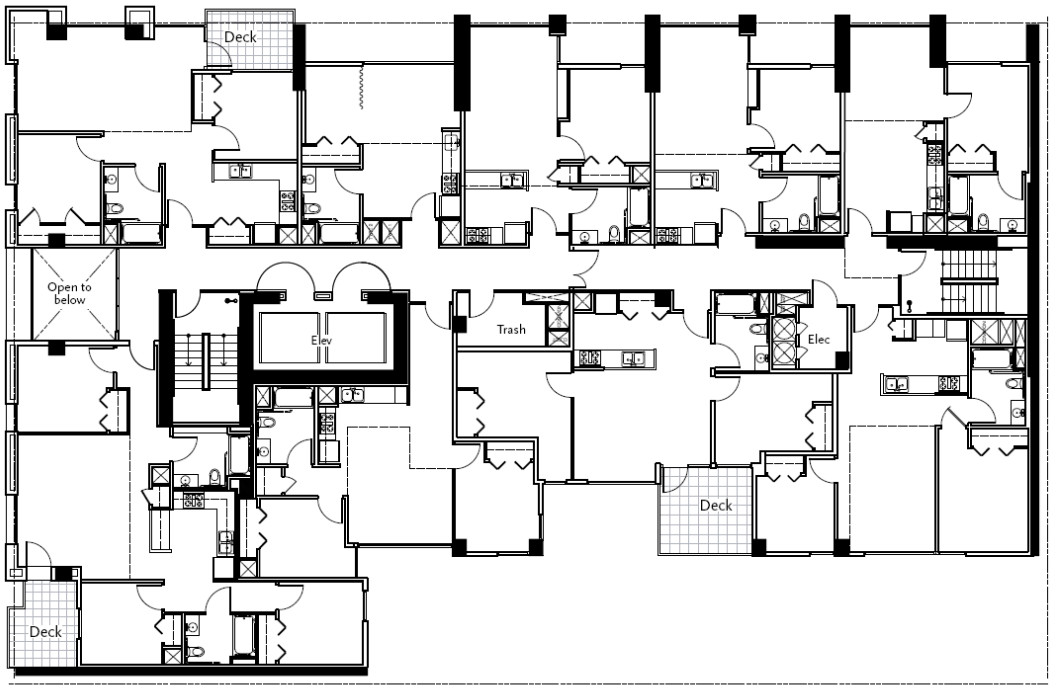
Source: Kennerly Architecture

2-7-12

Proposed Fourth Floor Plan Figure 7

SIXTH ST

HOWARD ST



0 16 ft APPROXIMATE

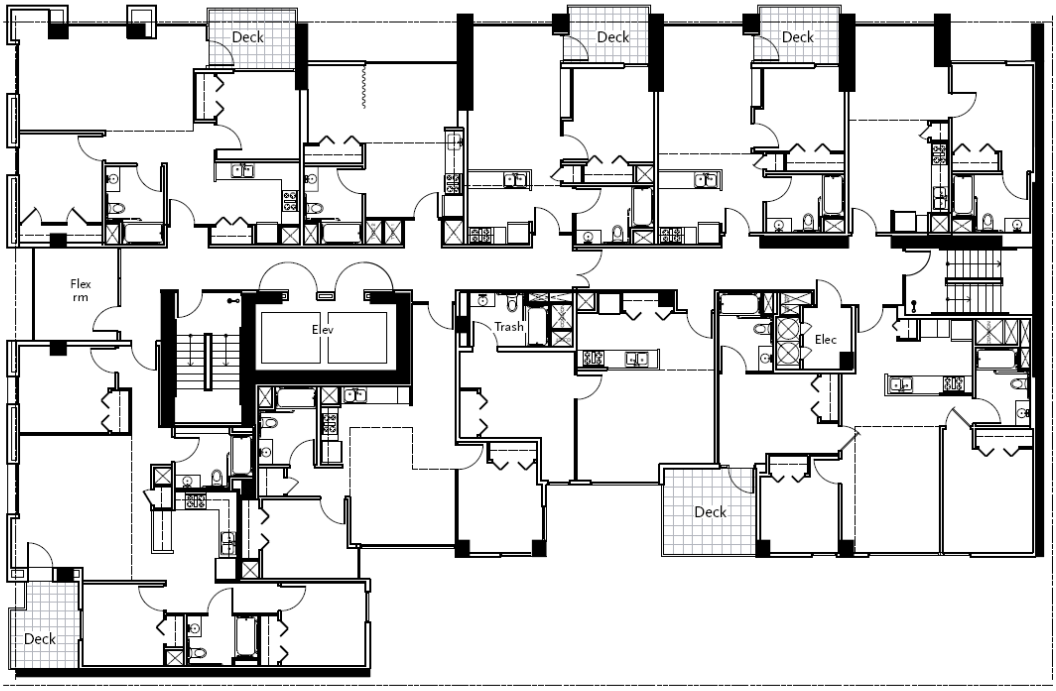
Source: Kennerly Architecture

2-7-12

Proposed Fifth Floor Plan Figure 8

SIXTH ST

HOWARD ST



0 16 ft APPROXIMATE

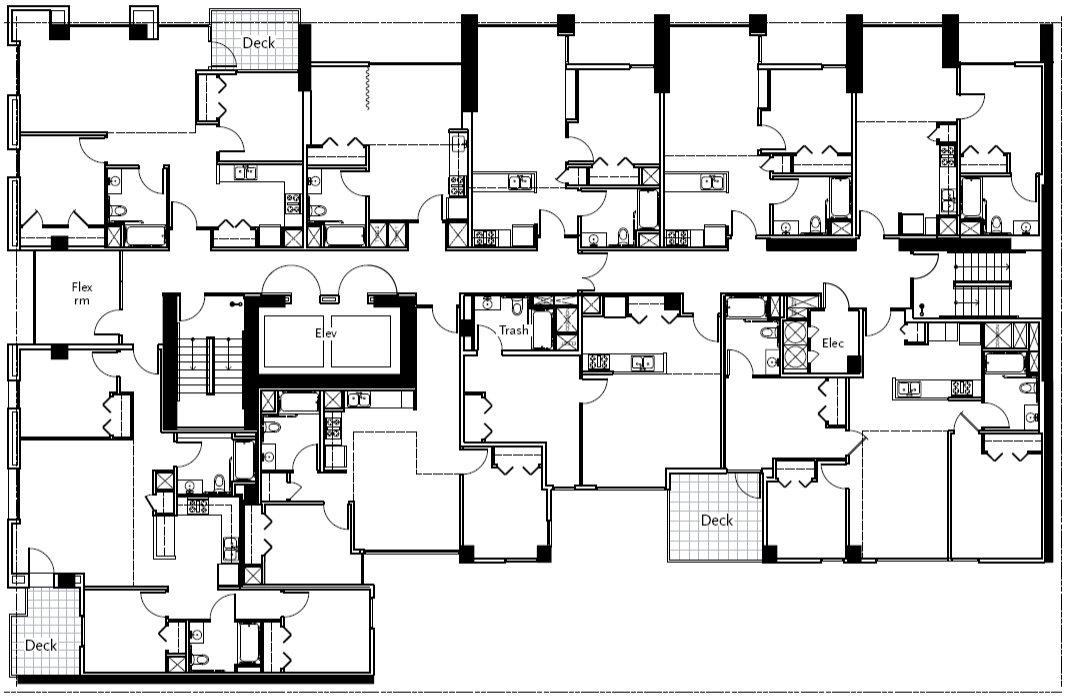
Source: Kennerly Architecture

2-7-12

Proposed Sixth Floor Plan Figure 9

SIXTH ST

HOWARD ST



0 16 ft APPROXIMATE

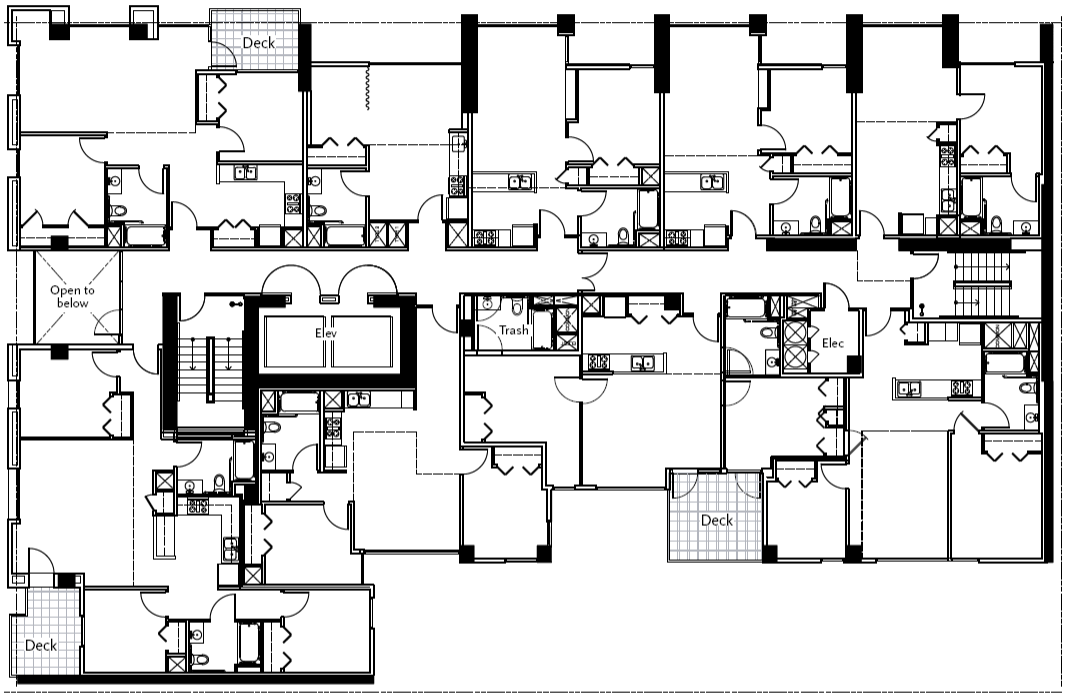
Source: Kennerly Architecture

2-7-12

Proposed Seventh Floor Plan Figure 10

SIXTH ST

HOWARD ST

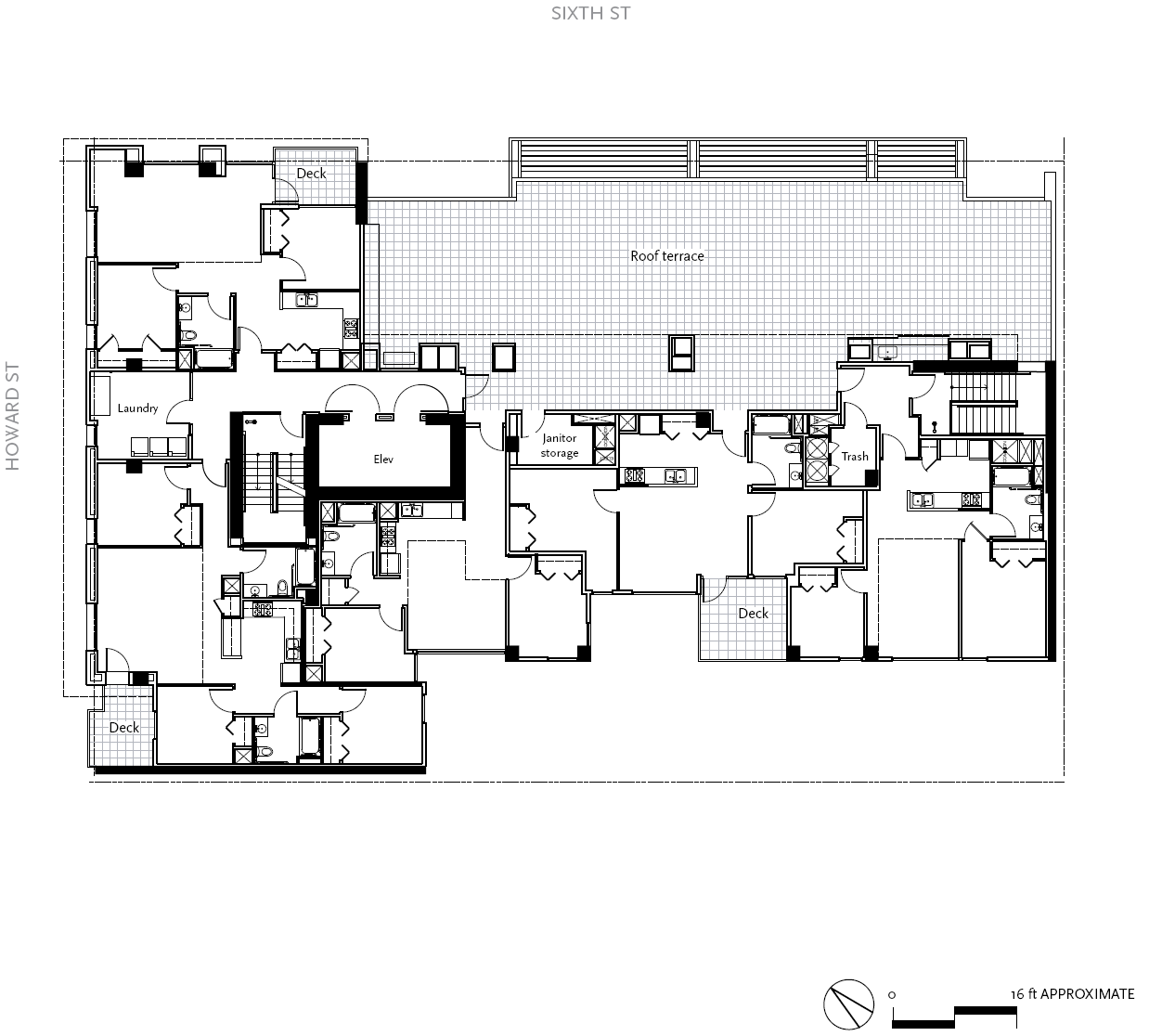


0 16 ft APPROXIMATE

Source: Kennerly Architecture

2-7-12

Proposed Eighth Floor Plan Figure 11



Source: Kennerly Architecture

2-7-12

Proposed Ninth Floor Plan Figure 12

Source: Kennerly Architecture

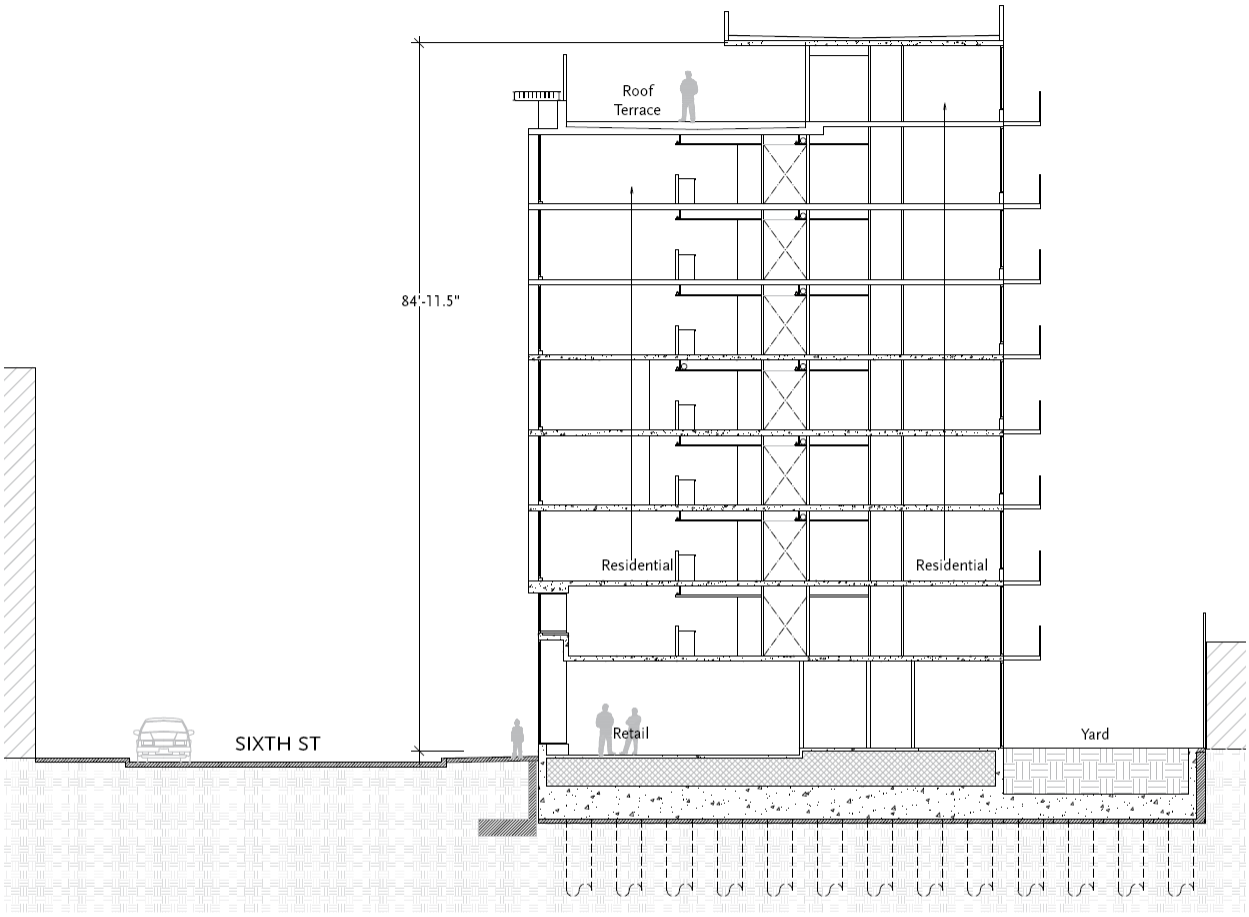
2·7·12

Proposed Sixth Street Elevation Figure 13

Source: Kennerly Architecture

2·7·12

Proposed Howard Street Elevation Figure 14



Source: Kennerly Architecture

2·13·12

Proposed Section Figure 15

A temporary, site-specific art installation project known as "Defenestration" (Figure 16, page 18) currently adorns the exterior of the existing vacant building on the project site. Defenestration was developed in 1997 by artist Brian Goggin and a team of about 100 artist collaborators.[3] The art installation—consisting of colorful cartoon-like tables, chairs, a bathtub, and other household furnishings spilling out of windows and down the walls—was originally intended to be temporary, but has remained in place for 14 years and has drawn visitors from around the world.[4] It has been recognized internationally, and has won numerous awards, including one from San Francisco Beautiful.[5] The installation was originally expected to be up for only a year, and it has deteriorated over the 14 years it has remained in place.[6] Several of its components, such as lamps, tables, beds, couches, and chairs have been removed as potential hazards to public safety.[7] Through an agreement with the San Francisco Redevelopment Agency (SFRA), the artist Brian Goggin has agreed to remove the installation prior to the proposed demolition of the existing former hotel building.[8] Since no historical, as distinguished from aesthetic, importance has attached to the Defenestration installation and it is not associated with the historical context of the building itself, it is not eligible for consideration for listing on the California Register.[9]

The proposed building would be approximately 85 feet tall and would provide a total of approximately 68,540 square feet of developed space, including about 47,710 square feet of residential space and 2,845 square feet of commercial (retail, likely restaurant) use. The project would provide about 2,589 square feet of private open space and 3,691 square feet of common open space. The building would

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3 Kenneth Baker, *San Francisco Chronicle*, "Brian Goggin Seeks to Revive 'Defenestration,'" March 5, 2010, *http://articles.sfgate.com/2010-03-05/entertainment/18376907_1_san-francisco-component-works-of-public-art*, accessed January 20, 2012.

4 *Ibid*.

5 Project Restore Defenestration, *http://www.metaphorm.org/works/defenestration/project-restore-defenestration/*, accessed January 20, 2012.

6 Kenneth Baker, *op cit*.

7 *Ibid*.

8 Jeff White, Development Specialist, San Francisco Redevelopment Agency, *Re 200 6th Street and the SOMA Historical Resources Survey Area*. Letter to Tim Frye, Acting Preservation Coordinator, Planning Department, November 24, 2010. This document is available for public review at the Planning Department, 1650 Mission Street Suite 400, San Francisco, as part of Case No. 2011.0119E.

9 City and County of San Francisco Planning Department, *200-214 6th Street, Historic Resource Evaluation Response*, January 18, 2012. This document is available for public review at the Planning Department, 1650 Mission Street Suite 400, San Francisco, as part of Case No. 2011.0119E.

Source: Brian Goggin, 1997

2-7-12

Defenestration Project Figure 16

include a community room with approximately 1,215 square feet of space, and 29 bicycle parking spaces. No vehicle parking spaces are included.

Pedestrian access to the commercial (retail, likely restaurant) space would be located on 6th Street with an additional entrance provided on Howard Street. Primary pedestrian access to the residences would be from a lobby on Howard Street, with emergency exits on 6th and Howard Streets.

The proposed apartment building would include eight studios, 24 one-bedroom units, 25 two-bedroom units, and 10 three-bedroom units. The proposed three-bedroom apartments would range in size from 1,020 to 1,105 square feet, the two-bedroom apartments would range in size from 750 to 880 square feet, the one-bedroom units would range from 535 to 635 square feet, and the studios would range in size from 410 to 500 square feet. All units would have a single full bathroom, and the three-bedroom units would have 1.5 bathrooms. Private balcony terraces for 30 of the units would provide between 68 and 116 square feet of private open space, for a total of 2,589 square feet of private open space. Table 1, page 20, summarizes project characteristics.

The residential lobby would have two elevators and access to residential service office space and restrooms. A stairway providing pedestrian access to the upper floors would be located off the lobby. A second emergency stairway would provide pedestrian access from 6th Street on the south side of the building. Access to utilities, bicycle parking, and residential trash containers would be from 6th Street.

The 1,215-square-foot community room would be located on the ground floor, along with a 1,388-square-foot rear yard, utilities, and bicycle parking. A portion of the area above the ground-floor commercial and community space would be an open atrium/double-height space. A 2,303-square-foot rooftop terrace at the ninth floor, facing 6th Street (i.e., at the southeast corner of the building), would provide additional common open space. The two common open space areas on the second floor and the roof would provide a total of 3,485 square feet of common open space.

The proposed project would either replace or retain and reinforce the existing basement walls for seismic stability. Adjacent buildings would be underpinned as necessary. The building would be constructed on a four-foot-thick concrete mat slab supported by soil-cement columns 22 to 33 feet long and four feet in diameter. The columns would be spaced at 6.5-foot intervals in a square matrix.

The steel-frame podium-based building would be clad in a mixture of brick veneer, dark patinated metal panels, and dark anodized aluminum windows. The balconies would be enclosed with translucent glass

Table 1 Project Characteristics	
Characteristic	**Measurement**
Residential (floors 2-9)	47,710 sf
Commercial (retail, likely restaurant) (1st floor)[1]	2,845 sf
Community Room	1,215 sf
Service/Circulation	16,770 sf
Total (excludes open space)[2]	**68,540 sf**
Common Open Space	3,691 sf
1st Floor (rear yard)	1,388 sf
9th Floor (roof terrace)	2,303 sf
Private Open Space (balconies for 30 units)	2,589 sf
Dwelling Units	67 units
Studio	8 units
1-BR	24 units
2-BR	25 units
3-BR	10 units
Height of Building	85 feet
Number of Stories	9
Bicycle Parking	29 spaces

Notes: sf = gross square feet; BR = bedroom

1 Includes restrooms, trash room, and corridor leading to trash room.

2 Per *Planning Code* 102.9 excludes mechanical penthouse, open spaces, and double-height areas at commercial, lobby, and flex rooms.

Source: Kennerly Architecture and Planning, January 31, 2012.

panels and guardrails. The flat-roofed building would be topped with an exposed structural concrete cornice with a stained and sealed overhanging slab edge.

The building would be highly articulated by a geometric pattern of projecting rectangular bays on the 6th Street façade, as well as by the larger building massing consisting of a taller vertical element at the front corner/Howard Street façade, and a shorter element extending along 6th Street. The taller massing of the Howard Street façade would be distinguished by an articulated façade of vertical columns of connected floor-to-ceiling windows. These vertical window columns would be one to three stories in

height, and each would be offset from those above and below, creating a rhythmic pattern. A recessed central bay window would extend from the fourth through eighth stories, providing additional building articulation. In addition, the first two floors would be set back from the rest of the façade. The ninth-floor apartment unit at the northwest corner of the building would have an additional setback above the balcony, creating a void defined by the enclosing concrete slab on the side and roof. Figures 17 and 18, pages 22–23 include photosimulations of the proposed project.

The proposed project would cost approximately $18.8 million and would take about 20 months to construct, including two months for demolition of the existing building.

Text continues on page 24

Existing view

View with Proposed Project

Source: Square One Productions

8-8-12

View Looking North on Sixth Street Figure 17

Existing view

View with Proposed Project

Source: Square One Productions

8-8-12

View Looking West on Howard Street Figure 18

B. PROJECT SETTING

The project site is within the SoMa Neighborhood Commercial Transit (NCT) district, the SoMa Youth and Family Special Use district, and the 85-X height and bulk district.

The rectangular project site is on the block bounded by 6th Street to the east, Howard Street to the north, Harriet Street to the west, and Folsom Street to the south. The project vicinity is relatively flat, but slopes gently upward toward the west and north. The project site is level, with an elevation of 18 feet above mean sea level. The project site is currently developed with an approximately 45-foot tall, four-story masonry building with one basement level. The project site measures approximately 80 feet (on the north and south) by 125 feet (east and west). The existing building is built to the lot line on the north, east, and south sides. On the west side, there is a ten-foot-wide gated area extending the length of the building. The basement extends beneath this gated area.

As shown in Figures 17 and 18, buildings in the vicinity are mixed in terms of land use type and height, with a wide variety of commercial, office, and residential uses. While the majority of buildings in the immediate vicinity range from two to four stories in height, there are numerous five- and six-story buildings in the vicinity, along with several buildings between seven and nine stories tall. This is illustrated by the intersection on which the project site is situated, 6th Street at Howard Street. The existing four-story vacant building on the project site occupies the southwest corner. A five-story brick building containing residences over a ground-floor art gallery occupies the northwest corner, and the opposite corner hosts a nine-story cement and wood building housing a Subway fast-food restaurant and the Northeast Community Credit Union on the ground floor and residences in the upper stories. The southeast corner of the intersection is developed with a five-story wood building occupied by the Yerba Buena Market on the ground floor and residential units on the upper floors.

The preponderance of taller (i.e., more than four stories) buildings in the vicinity are located in the blocks to the north and east of the project site; the project block is occupied by lower profile development. Immediately to the south of the project site are two three-story wood buildings with residential uses in the upper stories. The closest building has an unidentified office on the ground floor, while the adjacent building's ground floor is a boarded-up former retail space. Continuing south along 6th Street, the next building is a two-story concrete building housing Euro Motorcars auto repair facility. The last building on the block is a two-story cement block building housing the Gene Friend Recreation Center. A large yard and playground, including a basketball court, occupies the south end of the project block, extending to Harriet Street, which defines the west side of the project block.

The west side of the project block, along Harriet Street, is developed predominantly with residential uses. At the southeast corner of Harriet and Howard, the four-story Raman Hotel occupies a wood building that has vacant ground-floor retail space. To the south of the hotel are a two-story residential duplex; a three-story, six-unit wood apartment building; private parking enclosed behind a solid wood fence; a four-story wood shingle building with seven residential units; and the Bee Automotive Collision Center, in a two-story concrete building. The west side of Harriet Street on this block is similarly developed with somewhat taller buildings. The Refuge Ministries and City of Refuge United Church of Christ occupies a broad 1-1/2-story cement building at the southwest corner of Harriet and Howard Streets. Next door, to the south, the Yvette A. Flunder Community Center is a two-story cement block building, followed by the Nisei Rug Cleaners in a two-story cement building. The remainder of the block is devoted to residential use: a five-story wood triplex; two three-story wood structures housing a duplex and a triplex, respectively; a modern four-story stucco building with approximately 20 live/work units; a wood three-story single-family residence; and a three-story modern wood and stucco building, at the end of the block, with 14 residential units.

On the west side of this block, along Russ Street, a large three-story cement and glass warehouse occupies the southeast corner of Russ and Howard Streets; a fenced storage yard is at the rear (south end) of the building. After a one-story stucco garage, there are three three-story buildings (one stucco, the other two wood) that house three, seven, and four residential units, respectively. The next building to the south is a five-story modern stucco live/work structure with approximately 24 units, followed by a three-story boarded-up wood residential building. A two-story stucco building occupies the southeast corner of the block (at Folsom Street) that appears to house unidentified offices.

The block north of the project site has several five- and six-story buildings. In addition to the five-story mixed-use building at the northwest corner of 6th and Howard Streets, previously identified, a five-story stucco and wood mixed-use building with residential over ground-floor office space is separated from the corner building by a two-story stucco building housing offices for an architectural firm. To the west of the mid-block mixed-use building is a two-story stucco structure occupied by the United Playaz Clubhouse. Next to the clubhouse is a three-story wood residential building with eight units. The northwest corner of the Howard Street and Russ Street intersection is occupied by a one-story cement block building with a t-shirt store.

In the same block, along 6th Street, the sole mid-block building is a six-story structure housing The Dudley Apartments over the City Produce market. The northeast corner of the block, which is the southwest corner of the intersection of 6th Street and Natoma Street, is developed with an aging three-story wood

Victorian building occupied by CityTeam Ministries on the ground floor and residential units on the upper floors. Across the street, on the northwest corner of the intersection, is a similar two-story wood Victorian building housing the Outpost Church on the ground floor and, apparently, residential use on the second floor. West of these two buildings, Natoma Street is lined on both sides of the next block (down to Russ Street) almost entirely with residential uses. A ground-floor flower shop is located in a six-story brick and wood building adjacent to the CityTeam Ministries building on the corner; residential units occupy the upper floors of this mixed-use building. The middle of this block is occupied on both sides by about a dozen two- and three-story residential buildings of varied construction with two to six units. In addition, there is a one-story cement single-family home, a four-story brick and wood building with twelve residential units, a vacant lot, a four-story cement and metal building with seven residential units, and a two-story cement building with a ground-floor flower shop, Natalini Flowers. At Russ Street, a two-story cement building houses the Oriental and American Food market on the ground floor, with residential use above.

The north side of this block, along Minna Street, is also developed predominantly with residential uses. It includes four three-story residential buildings, one a triplex, two housing four apartment units each, and the fourth, a much larger building providing approximately 21 units. The east end of the block is occupied by the four-story Pontiac Hotel in a wood Victorian structure. Along 6th Street, this block between Natoma and Minna Streets, is developed midblock with a four-story wood mixed-use building with the Split Pea Seduction café and Mission Cleaners on the ground floor and residential units in the upper stories. Next door to the building is a fenced vacant lot.

The smaller-scale residential development lining Natoma and Minna Streets north of the project block give way to larger-scale residential and commercial uses in the blocks to the north. The north side of Minna Street west of 6th Street includes a large five-story stucco building housing 30 residential units, with the Rancho Parnassus food market on the ground floor, and a five-story cement and metal live/work building with multiple units. The opposite side of the block, along Mission Street, includes the South of Market Residences in a large four- and five-story building (with Starco Market on the ground floor) and a Big O Tires facility in a one-story cement plaster structure. This block of Mission Street is also lined with surface parking lots, miscellaneous commercial uses, mixed-use buildings, and several office buildings between two and five stories in height. The James R. Browning United States Courthouse is housed in a large three-story cement building at the west end of the block, at the northwest corner of Mission and 7th Streets.

The blocks to the east of the project block include a mix of uses, with the interiors of the blocks dominated by residential and live/work uses. The east side of 6th Street is more dominated by commercial and mixed-use buildings. The five-story wood building at the southeast corner of Howard and 6th Streets was previously described. At the northwest corner of 6th and Tehama Streets is Econ Glass in a two-story stucco building. In between these two buildings is a four-story wood building with residential units over the Jesus Cares Gospel Mission on the ground floor. An eight-story stucco building at the southeast corner of 6th and Tehama Streets houses the Knox Hotel, a single-room occupancy (SRO) low-income housing development. The southern half of this block along 6th Street is developed with two two-story stucco commercial buildings, one housing Perfect Paws, and on the corner, Rite-Way Electric.

The third narrow block abutting the project block along 6th Street is defined by Clementina Street on the north and Folsom Street on the south. The north end, at the southeast corner of 6th and Clementina Streets, is occupied by a two-story cement block building housing Vehicle SF offices. A small two-story cement block building housing Golden Auto Muffler and Brake is on the south end of the block, at the northeast corner of 6th and Folsom Streets. Two small, private, fenced parking lots are located between Vehicle SF and Golden Auto Muffler and Brake, and presumably provide parking for the respective adjacent businesses.

Aside from the corner uses already described, Howard Street east of 6th Street is developed on the south side with numerous small, mostly two-story buildings with some three-story buildings housing predominantly commercial uses. Businesses in this block include Ray Color Lab, California Office Print Service, Hello! Lucky stationary and printing, and offices for Timeline Construction and other unidentified businesses. Along the north side of Howard Street in this block are the 15-unit Leland Apartments in a five-story stucco building, a public parking lot, AutoEuropa auto repair in a two-story cement block building, and three two-story buildings (two cement, one brick), two of which house unidentified offices and the third is occupied by a retail sales business called Moving Sale.

Tehama Street east of 6th Street[10] is lined by many small two- to four-story buildings of varied construction housing residential, live/work, office, and commercial uses. Identifiable businesses include MM Caster and Industrial Supply, De Jani Construction, and J. Gibbs Sons Mechanical Contractors. The

[10] The uses described along Tehama, Clementina, and Folsom streets do not encompass the entire blocks, but just to the extent surveyed, which extended for approximately 600 feet east of Sixth Street. The survey area was defined on the east by a line extending south of Mary Street, located a few blocks to the north.

north side of the street includes two five-story stucco residential buildings, one with twelve units and the other with an undetermined number of units. There are also several private surface parking lots.

Development along Clementina Street east of 6th Street is mixed, but more dominated by residential development than the block of Tehama Street described in the preceding paragraph. Most structures are two- to four-story buildings constructed of wood or brick. In addition, there is a six-story stucco building with 20 residential units over a ground-floor private parking garage. There are also three one-story buildings (of cement, cement block, and wood, respectively) housing unidentified warehouses and/or workshops. About four two-story buildings appear to be occupied by office uses, including an architectural office. There are also two four-story stucco residential buildings with six units and twelve units, respectively, over ground-floor private garages.

Folsom Street, east of 6th Street, is developed along the north side entirely with one- to three-story wood and stucco commercial buildings: the Golden Auto Muffler and Brake building is at the northeast corner of Folsom Street and 6th Street, followed by Prestige Auto Service, Carlos Arroyo & Sons auto body shop, the Bryant Auto Body building, an office building, the PopSex960 store, the European Motor Works building, Bay Area Auto Body, and the Boyd Lighting building. At the east end of the block is a Priority Parking public parking lot.

The blocks to the northeast of the project site, including Natoma, Minna, and Mission Streets between 6th Street and Mary Street, are developed with a mix of commercial, office, and mixed-use (residential and retail) buildings. Buildings along 6th Street not previously described include the five-story cement Alder Hotel at the southeast corner of Natoma and 6th Streets, which houses the Hospitality House Community Center on the ground floor; the four-story brick Sunset Hotel (SRO) with a shuttered ground-floor storefront, on the east side of 6th Street north of Natoma Street; and the four-story brick Sunnyside Hotel, north of the Sunset Hotel, with DA Arts on the ground floor. North of Minna Street, 6th Street is lined with the four-story cement block Rose Hotel, with Chico's Pizza on the ground floor; the Room Ultra Lounge and Don's XXX Movie Arcade in a two-story brick building; and a three-story stucco building with residential use over the Miss Saigon Vietnamese restaurant.

East of 6th Street, Natoma Street is developed primarily with small two- to four-story office buildings and surface parking lots. There is also a large vacant lot about 90 feet east of 6th Street. Minna Street east of 6th Street functions primarily as a back alley to the commercial and other uses fronting on Natoma Street or Mission Street. Along with the rear of buildings, it also has several surface parking lots, a one-story

brick woodworking shop, the three-story brick Auburn Hotel (SRO), and a four-story unmarked brick building that appears to provide residential units.

C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

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

Planning Code

The San Francisco *Planning Code*, which incorporates by reference the City's Zoning Maps, governs permitted uses, densities and the configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless either the proposed project conforms to the *Planning Code*, or an exception is granted pursuant to provisions of the *Planning Code*. Approval of the proposed project would result in the demolition of the existing structure on Assessor's Block 3731, Lot 001, and construction of a 9-story residential building with ground-floor commercial space.

Allowable Uses

The project site is located within the SoMa Neighborhood Commercial Transit (NCT) district. According to *Planning Code* Section 725.1, the SoMa NCT district is intended to provide a limited selection of convenience goods for residents of the SoMa Area, with eating and drinking establishments contributing to the street's mixed-use character and activity in the evening hours. The SoMa NCT district has a pattern of ground-floor commercial use with upper-story residential units. Most commercial uses are prohibited above the second story, though offices and general retail sales may occupy the second story or above of new buildings. Housing development in new buildings is encouraged above the ground story. Housing density is controlled by bedroom counts rather than density controls, and parking is not required, due to the area's central location and accessibility to the City's transit network. The proposed residential and retail uses are principal permitted uses in the SoMa NCT district; the potential restaurant use is conditionally permitted.

The project site is also located in the SoMa Youth and Family Special Use district. The purpose of this district is to expand the provision of affordable housing within the district, which is generally bounded by Natoma Street to the north, Harrison Street to the south, 4th Street to the east, and 7th Street to the west.

Height and Bulk

The project site is located in an 85-X height and bulk district. Within this height and bulk district, new construction is allowed to a height of 85 feet, and there are no bulk restrictions. At approximately 85 feet in height, the proposed project would comply with the provisions of the 85-X height and bulk district.

Parking

No vehicle parking spaces would be required for the proposed project and none are provided. The project would include 29 bicycle spaces on the ground floor, as required by code.

Loading

The project would not require any off-street loading spaces and none are provided.

Required Approvals

The project would require conditional use authorization for the following:

- The construction of a building on a site equal to or exceeding 10,000 square feet (*Planning Code* Section 121.1)
- Establishment of a possible full service restaurant (*Planning Code* Section 249.40A)
- Demolition of existing dwelling units in the NCT (*Planning Code* Sections 207.7 and 317)

The project would also require three variances or modifications granted by the Zoning Administrator:

- A rear yard variance or Zoning Administrator modification pursuant to *Planning Code* Section 134(e): the proposed rear yard setback does not meet the 25 percent of lot area required for a compliant rear-yard; as currently proposed, the rear yard is only 14 percent of the lot area.
- An open space variance for "locational requirements": 80 square feet per unit of open space is required if provided as private open space, and 1.33 x 80 = 106.4 square feet of open space is required per unit if provided as common open space. The project would be required to provide 5,360 square feet of private open space (if it included no common open space), or 7,129 square feet of common open space (if it included no private open space). The proposed project is providing 2,589 square feet of private open space for 30 units and 3,691 square feet of common open space, not meeting the locational requirements of *Planning Code* Section 134.

- A dwelling unit exposure variance: of the 67 units in the proposed design, about 1/3 face exclusively onto the rear yard setback area that would provide an exposure with southern light and views over lower (45-foot height limit) neighborhoods to the south and west. The proposed rear-yard setback would have an area of 1,388 square feet, with an 85-foot long north-south length, a 25-foot x 25-foot area in the middle, and would overlook rear yards on two adjacent parcels. However, this area would not comply with the provision of *Planning Code* Section 140 that requires each dwelling unit to front on a public street, code-complying rear yard, or an open area that has a minimum dimension of at least 25 feet at the first and second level, and increases 5-feet in each direction for every level above.

The proposed project may include the following additional approvals from the Department of Parking and Traffic (DPT):

- The project sponsor would apply for a white passenger loading zone in front of the building's lobby on Howard Street.
- The project sponsor would apply for a yellow commercial loading zone along 6th Street.

Plans and Policies

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 sections of this Environmental Evaluation addressing the environmental issues associated with the policies, are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character (Question 1c, Land Use); (3) preservation and enhancement of affordable housing (Question 3b, Population and Housing, with regard to housing supply and displacement issues); (4) discouragement of commuter automobiles (Questions 5a,b,f and g, Transportation and Circulation); (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Question 1c, Land Use); (6) maximization of earthquake preparedness (Questions 13a-d, Geology, 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 which requires an Initial Study under the California Environmental Quality Act (CEQA), prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action which requires a finding of consistency with the *General Plan*, the City is required to find that the proposed project or legislation would be consistent with the Priority Policies. As noted above, the consistency of the proposed project with the environmental topics associated with the Priority Policies is discussed in the Evaluation of Environmental Effects, providing information for use in the case report for the proposed project. The case report and approval motions for the proposed project would contain the

Department's comprehensive project analysis and findings regarding consistency of the proposed project with the Priority Policies. In addition to the *General Plan*, some areas of the city are also addressed in specific area plans, included as elements of the *General Plan*, or included as part of a Redevelopment Plan. The project site is not located within a Redevelopment Plan area.

The project site is located in the planning area of the *East SoMa (South of Market) Area Plan*.

Eastern Neighborhoods Rezoning and Area Plans and Environmental Impact Report

In December 2008, after several years of analysis, community outreach, and public review, the Eastern Neighborhoods Area Plans were adopted, including a plan for East SoMa, where the project site is located. The Eastern Neighborhoods Area Plans were adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Plans also included changes to existing height and bulk districts in some areas, including the project site, at 200 6th Street under Option A, B or C. The proposed and adopted height change on the proposed project site was 45 feet, from 40 feet to the current 85 feet.

During the Eastern Neighborhoods adoption phase, the Planning Commission held public hearings to consider the various aspects of the proposed area plans, and *Planning Code* and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods Final Environmental Impact Report (EIR) by Motion 17659 and adopted the "Preferred Project" for final recommendation to the Board of Supervisors.[11]

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods rezoning and *Planning Code* amendments.

The Eastern Neighborhoods Final EIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a "No Project" alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted

[11] San Francisco Planning Commission Motion 17659, August 7, 2008, *http://www.sf-planning.org/index.aspx?page=1366*, accessed January 20, 2012.

the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the Final EIR.

A major issue of discussion in the Eastern Neighborhoods rezoning process was the degree to which existing industrially-zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for PDR employment and businesses. Among other topics, the Eastern Neighborhoods Final EIR assesses the significance of the cumulative land use effects of the rezoning by analyzing its effects on the City's ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City's General Plan.

As noted on page 19, the project site, as a result of the Eastern Neighborhoods, has been rezoned to the SoMa Neighborhood Commercial Transit (NCT) district, from a Residential Mixed Use District (RSD).

D. SUMMARY OF ENVIRONMENTAL EFFECTS

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

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

All items on the Initial Study Checklist that have been checked "Potentially Significant Impact," "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 topic. A discussion is included for those issues checked "Less than Significant Impact with Mitigation Incorporated", "Less than Significant Impact" and for most items checked "No Impact" or "Not Applicable." For all of the items checked "Not Applicable" or "No Impact" without a discussion, the conclusions regarding potential significant adverse environmental impacts are based upon field observation, staff experience, and expertise on similar projects and/or standard reference material available within the Department, such as the Department's

Transportation Impact Analysis Guidelines for Environmental Review, or the California Natural Diversity Database and maps, published by the California Department of Fish and Game. For each checklist item, the evaluation has considered the impacts of the proposed project, both individually and cumulatively (the cumulative impact number is identified by a "C" before the impact number).

E. EVALUATION OF ENVIRONMENTAL EFFECTS

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

Impact LU-1: The proposed project would not conflict with or physically divide an established community. (No Impact)

As discussed in detail above in the Setting Section of the Project Description, land uses in the area comprise the mix of uses encouraged in the SoMa NCT district: high-density residential over ground-floor commercial, providing a limited selection of convenience goods for residents of the SoMa Area, with eating and drinking establishments contributing to the street's mixed-use character and activity in the evening hours. Buildings range from one to nine stories. This mixed-use character is represented on the project block along 6th Street and in the blocks to the north and east of the project block. The block adjacent to the project block to the northeast (delineated by 6th, Howard, Natoma, and Mary Streets) has a similar mix of land uses.

The proposed project would be a residential building with ground-floor retail, and would fit into the mixed-use character of the neighborhood. The surrounding uses and activities would remain and would interrelate with each other as they do at present. Thus, the proposed project would result in a less-than-significant impact because it would not physically divide an established community, would be

incorporated within the established street plan, and would create no impediment to the passage of persons or vehicles.

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

As discussed in Section C, Compatibility with Existing Zoning and Plans, page 29, the project would be consistent with all applicable policies, plans, and code requirements as they relate to environmental effects. Land use plans and policies are those which directly address physical environmental issues and/or contain targets or standards which must be met in order to preserve or improve characteristics of San Francisco's physical environment. The proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy. Therefore, the proposed project's potential to conflict with a plan or policy adopted for the purpose of mitigating an environmental effect, would be less than significant.

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

The proposed project would not have a significant adverse impact on the land use character of the area. It would introduce a new mixed-use building to the site with residential and retail uses, which are permitted by right in the SoMa NCT district. More importantly, as described in detail in the Project Description, there are numerous other mixed-use buildings in the project vicinity, though in a number of cases the ground-floor retail space is currently unoccupied. The proposed mixed-use building would be more intensive than some surrounding land uses primarily to the west and south, and would be consistent with uses to the north and east. The scale and massing of the nine-story building would make it one of the larger buildings in the area, but two buildings of comparable height (eight and nine stories, respectively) are located immediately across 6th Street from the project site, so it would be compatible

with the scale of neighboring buildings. Further, the proposed project would locate a new mixed use building south of Market Street, along the 6th Street corridor, as encouraged by the *General Plan*.[12]

The proposed project would be consistent with a variety of land uses primarily oriented around neighborhood services, commercial and residential uses, and also increase the amount of affordable housing in the neighborhood, consistent with City policy and the City's Regional Housing Needs Allocation, as determined by the Association of Bay Area Governments (ABAG). The proposed project would therefore have a less-than-significant impact on land use character in the project vicinity.

Impact C-LU-1: The proposed project, in combination with past, present, or reasonably foreseeable future projects in the vicinity, would result in less-than-significant cumulative land use impacts. (Less than Significant)

The proposed project would demolish a vacant hotel building and construct a new mixed-use building with 67 affordable housing units and approximately 2,845 square feet of retail or restaurant space. The project would be compatible with existing land uses in the project vicinity, would not displace an existing use, and would not cause a land use impact; therefore the proposed project would not contribute to cumulative land use impacts. The project would therefore have a less-than-significant cumulative land use impact.

In summary, the proposed project would not conflict with or physically divide an established community; would not conflict with applicable land use plans, policies, or regulations; would not adversely affect the land use character of the area, and would not have significant cumulative land use impacts. This topic will not be discussed further in the EIR.

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[12] San Francisco Planning Department, *East SoMa (South of Market) Area Plan-An Element of the San Francisco General Plan*, Objective 1.1: Encourage production of housing and other mixed-use development in East SoMa while maintaining its existing special mixed-use character, *http://www.sf-planning.org/ftp/General_Plan/East_SoMa.htm*, accessed November 2, 2011.

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

Impact AE-1: The proposed project would not result in a substantial adverse impact on scenic views and vistas. (No Impact)

The existing four-story building on the project site is prominently located at the intersection of two four-lane streets (not including parking) that provide the only extensive views, along with other large street corridors, in the project vicinity. The existing building is visible from public vantage points along Howard Street from about half a block in each direction, and from about a block or so in either direction along 6th Street (see existing site photos in Figure 2, page 3). The building is distinctive, particularly from closer viewing distances of 200 feet or less, due to an art installation titled Defenestration that adorns the exterior of the building (see page 17). The Defenestration exhibit was created in 1997, and was intended to be a temporary art installation.

The project would replace the existing four-story building and art installation with a nine-story building that would be prominent and visible from one to two blocks in either direction. The new building would be visible from public vantage points in the immediate vicinity on 6th Street, Howard Street, and the sidewalks along these streets (see Figures 17 and 18, pages 22 and 23) The new building would also be visible from the upper floors of surrounding buildings farther away from the project site with a line-of-sight view to the project site.

A proposed project would have a significant effect on scenic vistas if it would substantially degrade public views or vistas, or obstruct scenic views from public areas viewable by a substantial number of

people. While private structures in the area may have greater views, there are no public scenic vistas in the project vicinity that could be affected by the project. Public views are limited to the urban development flanking the area's streets. Viewing west along Howard Street, the flanks of Twin Peaks are visible in the distance. Located more than 2.5 miles away, they comprise a tiny portion of the total viewshed. Furthermore, except for the tops of the peaks, the hillsides are developed with single- and multi-family homes. For these reasons, the view west along Howard Street does not constitute a scenic vista, nor do the views along any other streets in the immediate project vicinity.

The proposed increase in height from the existing four stories and approximately 45 feet to nine stories and about 85 feet would be a noticeable change near the project site. However, the proposed building would be an infill development within the existing lot lines and would not substantially affect public views along 6th Street or Howard Street. From public vantage points near the project site, portions of existing views of the sky would be affected by the upper floors of the proposed nine-story building. As a result, the proposed project would not substantially degrade or obstruct any scenic view or vista observed from public areas, and the proposed project would have no impact on scenic views and vistas.

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

Scenic resources include trees, rock outcroppings, and other features of the built or natural environment that contribute to a scenic public setting. The project site is private property and the existing building covers the entire site, along with the Defenestration exhibit. The art installation adorns a dilapidated building, and was never intended to be a permanent fixture. It does not constitute a scenic resource under CEQA. (The potential effect of removing the exhibit on historic cultural resources will be evaluated in the EIR.) There are no existing landscape features. The proposed project would not damage any scenic resources because none exist on the project site. The project would therefore have no impact on scenic resources.

Impact AE-3: The proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings. (No Impact)

The area's existing visual character is urban mixed-use. Heights vary from two to four stories on the project block and up to nine stories on adjacent blocks. A nine-story building occupies the opposite corner from the project site, and an eight-story building is located approximately 100 feet to the southeast,

at the southeast corner of 6th and Tehama Streets. Several five- or six-story buildings are located on each of the blocks immediately north, northeast, east, and west of the project block.

In general, the project vicinity is dominated by older, and in many cases dilapidated buildings, with numerous vacant storefronts on the ground floor, often boarded up or covered by security gates. The taller buildings in the area tend to be more modern and in better aesthetic condition. The nine-story building on the corner opposite the project site is a contemporary steel-frame structure with rectangular panels of glass and plywood stained in different natural hues. The eight-story building 100 feet southwest of the site is a modern stucco building articulated by large projecting bays extending continuously from the second through eighth stories. The two-story cement block recreation center on the southern half of the project block is also of newer, contemporary construction and design.

While the proposed nine-story apartment building would be five to seven stories taller than the surrounding two- to four-story buildings on the project block, it would be the same height as the building on the opposite intersection corner and one story shorter than a nearby building 100 feet to the southeast. It would be two to four stories taller than the numerous five- to seven-story buildings occupying neighboring blocks, approximately eight of which are located within 200 feet of the project site (not including the two taller buildings previously mentioned), and approximately 11 of which are located within 330 feet of the site.

At 85 feet tall, it would be in conformance with the allowable maximum 85-foot height, and it would be subject to "X"bulk district limitations. With a length of 120 feet and width of 78 feet 10 inches, it would be smaller than several of the existing buildings in the project vicinity, and would be compatible in scale with the mixed development in the area.

The design of the proposed apartment building would be contemporary. The steel-frame podium-based building would be clad in a mixture of brick veneer, metal panels with a dark patina, and dark anodized aluminum windows. The balconies would be enclosed with translucent glass panels and guardrails. With an overhanging stained concrete roof slab and angled exterior façade along Howard Street, the building imparts a modern look that is at home with a similarly modern post-industrial building on the opposite corner.

The massing of the building would be separated into an eight-story element along 6th Street and a nine-story (plus mechanical penthouse) component facing Howard Street. The Howard Street entrance to the residential apartments would feature a cantilevered steel and glass marquee above a glass storefront

lobby of framed glass doors and matching vertical glass panels. At the northeast corner (i.e., the east end of the Howard Street façade) the ground-floor retail space would be recessed, with the upper stories overhanging the glass storefront, which would have painted aluminum frames and large glass panels. A pair of entry doors would provide access to the ground-floor retail (likely restaurant) space from Howard Street.

A stained concrete bulkhead would run along the base of both façades of the building; on Howard Street it would be about three feet high, while on 6th Street it would be about one foot high. The main building façade on Howard Street would be finished in brick veneer cladding running in horizontal courses, punctuated by vertical columns of connected floor-to-ceiling windows with painted or dark anodized aluminum frames and predominantly horizontal muntins, with a line of vertical muntins in the wider windows. At each floor, the vertical window columns would be offset from those in the floors above and below, creating a rhythmic geometric pattern.

The taller massing of the Howard Street façade would be distinguished at the third through ninth stories by angled walls flaring outward from the vertical center toward each side of the building. Thus, instead of a uniform flat wall, there would be a dynamic façade incorporating negative space. The Howard Street façade would be further punctuated by a recessed vertical bay of windows in the middle of the façade, spanning the fourth through eighth floors with a continuous wall of glass divided into multiple lights by dark aluminum muntins. Exposed concrete slab edges, stained and sealed, would run along the upper edge of the second, third, fifth, eighth, and penthouse floors of the building, contributing to the rectangular geometry of the architecture. The west side of the Howard Street façade would be further articulated by being set back approximately ten feet from the main façade. On this building element, balconies enclosed by translucent glass with concrete rails would span the width of this building section; they would be located on the third through eighth floors.

The 6th Street façade would be highly articulated by a geometric pattern of projecting rectangular bays of floor-to-ceiling windows flanked by dark patinated vertical metal panels. The taller building element at the north end (at the corner of Howard Street) would add additional articulation to this façade. As with the Howard Street façade, the main exterior cladding would be brick veneer. The ground-floor retail (likely restaurant) space façade would be a glass storefront extending through the second story, with horizontal and vertical projecting concrete slab edges dividing the space. A projecting stained concrete slab marquee, similar to the one above the pedestrian entrance on Howard Street, would project from the building and provide an additional distinctive element. Staggered projecting balconies would be located on the third, fourth, and sixth floors; there would be three at each floor. The taller building section at the

front corner would have single balconies at the third through ninth floors. The ninth-floor apartment unit at the front corner of the building would have an additional setback above the balcony, creating a void defined by the enclosing concrete slab on the side and roof.

The project vicinity is characterized by highly eclectic architecture, and includes traditional early twentieth century brick buildings, wood Victorians, post-war industrial buildings, and modern mid-rise buildings of varied materials including stucco, glass, metal, wood, and synthetic HardiPlank. The proposed project would be an attractively designed building that would continue the trend of upgrading dilapidated building stock in the neighborhood with newer construction. It would be aesthetically compatible with neighboring newer buildings.

Design and aesthetics are, by definition, subjective and open to interpretation by decision-makers and the public. A proposed project would be considered to have a significant adverse effect on visual quality under CEQA only if it would cause a substantial and demonstrable negative change. As discussed above, the proposed project would differ from the design and heights of some of the surrounding buildings in terms of scale, proportion, materials, and definition of vertical building elements, but would not be considered incompatible. Its architectural character would be similar to newer buildings located across Howard Street, both in the adjacent block to the north and on the opposite corner to the northeast. The proposed mixed-use building would be the same height as the building on the opposite corner and one story taller than a neighboring building to the southeast. It would be four to six stories taller than other immediately adjacent buildings along Howard and 6th Streets. The proposed project would fall within height and bulk requirements of the *Planning Code*, conforming with the allowable 85-foot height limit, and not subject to bulk controls. It would fit into the surrounding urbanized area and would not cause a significant aesthetic impact. The Planning Department and the Planning Commission would evaluate the proposed project's architectural design, including materials and articulation, as part of the approval review, a process separate from the environmental review. For these reasons, the project would have a less-than-significant negative aesthetic impact.

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

The existing exterior lighting is similar to other commercial uses in the vicinity. Commercial storefronts, signs, streetlights, and residences contribute to nighttime light in the area. The proposed mixed-use

building would introduce new outdoor lighting to the site typical of uses in the area. The proposed project would comply with Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass. Lighting fixtures would point downward to minimize visible light on and off the project site. For these reasons, the proposed project would not generate obtrusive light or glare that would substantially affect other properties and thus would have a less-than-significant light and glare impact.

Impact C-AE-1: The proposed project, in combination with past, present, and reasonably foreseeable future development in the project vicinity, would result in less–than-significant impacts to aesthetic resources. (Less than Significant)

Similar to the proposed project, recent development in the project vicinity has been infill development that has required demolition of older buildings in poor condition and construction of new buildings on the sites. As discussed above under Impact AE-3, more recent construction in the project vicinity tends to be mid-rise buildings of contemporary design using varied materials including stucco, glass, metal, wood, and synthetic HardiPlank. In general, these buildings have enhanced the aesthetic character of the neighborhood when compared to the previous visual quality of the sites. None of the recent construction in the project vicinity has resulted in a substantial and demonstrable negative change, either individually or cumulatively. The proposed project would replace a dilapidated and boarded up building with a new contemporary building. Therefore, the proposed project, in combination with past, present, and reasonably foreseeable future development in the project vicinity, would result in less-than-significant impacts to aesthetic resources.

In summary, the proposed project would not result in a substantial adverse impact on scenic views or vistas, would not substantially damage any scenic resources, would not create a new source of substantial light or glare, and would not result in significant cumulative impacts to aesthetic resources. This topic will not be discussed further in the EIR.

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

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

In general, a project would be considered growth-inducing if its implementation would result in substantial population increases and/or new development that might not occur if the project were not approved and implemented. The proposed project, an infill development consisting of demolition of a vacant, fire-damaged hotel building and construction of a new 67-unit mixed-use building on the same lot, would be located in an urbanized area and would not be expected to substantially alter existing development patterns in the SoMa neighborhood or in San Francisco as a whole. As infill development, the project would not necessitate or induce the extension of municipal infrastructure. Based on the 2010 Census for the proposed project's Census Tract (CT 178.02) the population per household is 1.85 persons per unit,[13] therefore, the addition of 67 new studio and one-, two-, and three-bedroom residential rental units would increase the residential population on the site by approximately 124 persons. In addition, the project would employ about eight people in the retail (likely restaurant) space and three people for building administration and maintenance purposes.[14] The existing building on the site is vacant. Thus, the project would result in an increase in daily population of approximately 135 people on the project site.

[13] United States Census 2010 *CA – San Francisco County – Census Tract 178.02* [household data]. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco as part of Case No. 2011.0119E. This information is also available online at *http://2010.census.gov/2010census/popmap/*, accessed February 9, 2012.

[14] Sharon Christen, Mercy Housing, telephone conversation, October 21, 2011. Retail employment is based on one person per 350 square feet of retail/restaurant space.

While potentially noticeable to immediately adjacent neighbors, this increase would not result in a substantial impact on the population of the City and County of San Francisco. The 2000 U.S. Census indicates that the residential population in the project site vicinity is approximately 4,516 persons.[15] However, this number does not include the daytime population of employees who live outside of the census tract. Given the commercial and mixed-use character of the area, employees of local businesses likely add considerably to the daytime population. The proposed project would increase the population near the project site by an estimated 3.0 percent, and the overall population of the City and County of San Francisco by less than 0.017 percent.[16] Therefore, the impact on population would not be considered a significant effect.

During the period of 2000-2008, the number of new housing units completed citywide ranged from a low of about 1,619 units (2001) to a high of about 3,019 units (2008) per year. The citywide annual average over that nine-year period was about 2,010 units, with almost 43 percent of the new development occurring in the SoMa Area.[17] By comparison, the annual average from 1990 to 1999 was about 964 new units per year. Of the approximately 18,960 housing units constructed in the City between 2000 and 2008, about 4,920 were affordable housing units. However, San Francisco did not meet its fair share of the regional housing needs production targets, especially for low- and moderate-income housing. In 2008, the Association of Bay Area Governments (ABAG) projected regional needs in the Regional Housing Needs Determination (RHND) 2007-2014 allocation and calculated the jurisdictional need for the City as 31,190 dwelling units, or an average yearly need of 4,160 net new dwelling units.

As noted above under Land Use, the City's shortage of affordable housing is an existing condition. The development of up to 67 affordable residential rental units on a former hotel site in a mixed residential-commercial area and within a zoning district where housing is a principally permitted use would help to increase the City's provision of housing in accordance with its RHND allocation.

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[15] United States Census 2010 *CA – San Francisco County – Census Tract 178.02* [total population]. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco as part of Case No. 2011.0119E. This information is also available online at *http://2010.census.gov/2010census/popmap/*, accessed May 22, 2012.

[16] This calculation is based on the estimated Census 2010 population of 805,235 persons in the City and County of San Francisco.

[17] City and County of San Francisco Planning Department, *Housing Element, Part I: Data and Needs Analysis*, March 2011, page 1.26.

The project would be consistent with General Plan Housing Element Policy 1.1, which encourages higher residential density in areas adjacent to downtown, in underutilized commercial and industrial areas proposed for conversion to housing, and in neighborhood commercial districts where higher density will not have harmful effects, especially if the higher density provides a significant number of units that are affordable to lower income households.

The residential density permitted in the SoMa NCT zoning district is not controlled by lot area, but by physical constraints established in the *Planning Code*, such as controls on height, bulk, setbacks, open space, and dwelling unit exposure. The proposed 67 dwelling units would be within the permitted density on the site. The proposed project is also consistent with the height controls of the *Planning Code*. Therefore, the project is within the *Planning Code* and zoning parameters controlling development and associated population and employment growth on the project site. The growth associated with the proposed project is anticipated in the General Plan, thus the proposed project would not induce substantial growth or unsupported concentration of population in the project area.

Based on the above analysis, the proposed project's impact on population growth and housing demand would be less than significant.

Impact PH-2: The proposed project would not displace housing units, create a demand for additional housing, or displace a substantial number of people necessitating the construction of replacement housing elsewhere. (No Impact)

The building on the project site is currently vacant and has been vacant since it was damaged by fire in 1987. The project site contains no habitable dwelling units, and no residents or dwelling units would be displaced, nor would any employees be displaced. The project would have no impact related to displacement of people or housing units.

Impact C-PH-1: The proposed project, in combination with past, present, and reasonably foreseeable future development in the project vicinity, would result in less-than-significant cumulative impacts on population and housing. (Less than Significant)

The proposed project would contribute population growth in combination with other residential and mixed-use projects that are currently proposed, planned, or anticipated in the project vicinity. Such projects include 14 buildings with 580 market rate residential units, 47 single room occupancy units, 49

affordable units, a hotel with 172 rooms, a health clinic, and various ground-floor uses in the vicinity of the project site.

While the proposed project would include new residents and a small number of employees at the site through the construction and occupancy of the mixed-use building, the increase in population at the site would not be substantial compared to existing urban conditions or planned growth. The proposed project would comply with and exceed the requirements of the City's Inclusionary Affordable Housing Program by providing all of its 67 dwelling units as below market rate rentals. The proposed project would not displace existing housing. As noted above, the proposed project would contribute new housing, reducing the shortage of affordable housing in San Francisco. The project would improve a blighted site with infill development within a zoning district where the project is a permitted use. Therefore, the proposed project, in combination with past, present, and reasonably foreseeable future development in the project vicinity, would result in less-than-significant cumulative impacts on population and housing.

In summary, the proposed project would have a less-than-significant impact on population growth and housing demand, both individually and cumulatively, and would not displace people or housing units. This topic will not be discussed further in the EIR.

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

The proposed project would involve demolishing the existing hotel building, which has been identified as a potential historic resource. To evaluate the proposed project's potential impacts to a historical resource, three historical resource documents were prepared and the City prepared a Historical Resource Evaluation Response, which will be summarized in the EIR.[18,19] Project impacts to historic resources could be potentially significant, and topic E.4.a will be analyzed in the EIR.

The project site is within or in close proximity to two potential or designated historic districts: the Sixth Street Lodginghouse (6SL) district and the SoMa Extended Preservation (SOMEP) district. The project site is within the boundaries of the 6SL historic district. The 6SL district is a potential historic district that appears eligible for listing in the National Register of Historic Places. Located along 6th Street between Market and Folsom Streets, it is a contiguous group of low-budget residential hotels built from 1906 to 1913, primarily to serve the relatively large number of single male workers involved in rebuilding San Francisco after the 1906 Earthquake and Fire.

The SOMEP district, designated under Section 819 of the *Planning Code*, covers an area generally south of Mission Street to Howard Street, between 6th and 10th Streets. Section 819 calls for preservation, appropriate re-use and seismic upgrading of City landmarks and Article 11 listed historic structures in the district. The project site is just outside the southern boundary of this district.

The proposed demolition of the former hotel building on the project site, constructed in 1909, could potentially contribute to significant cumulative impacts to cultural resources. This issue will be analyzed in the EIR.

There is a possibility for encountering buried archeological resources, including human remains, during project construction. Potential impacts to archeological resources and human remains will be discussed in the EIR (Topics E.4.b and E.4.d).

The project would result in limited excavation for replacement of the mat slab foundation and repair or replacement of the retaining walls in the existing building, and drilling 30 to 40 feet below the basement

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[18] ARG Consultants, *Historic Resource Evaluation*, March 2007; Sharon Christian, Mercy Housing Corporation, *Supplemental Information Form*, January 2011; and Tim Kelley Consulting, *Historic Resource Evaluation*, May 2011. These document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco as part of Case No. 2011.0119E.

[19] City and County of San Francisco Planning Department, *200-214 6th Street, Historic Resource Evaluation Response,* January 18, 2012, *op.cit*

to construct soil-cement columns, resulting in potentially significant impacts to paleontological resources. Topic E.4.c will be discussed in the EIR.

The EIR will discuss potentially significant impacts to Cultural and Paleontological Resources that would include historical resources, archaeological resources, paleontological resources, human remains, and cumulative impacts to cultural resources.

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

The project site is not located within an airport land use plan area, or within the vicinity of a private airstrip. Therefore, Topic E.5.c is not applicable to the proposed project and will not be addressed further.

Impact TR-1: The proposed project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation, nor would the proposed project 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. (Less than Significant)

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

Transportation Network

The project site is located at 200–214 6th Street, on the block bound by Howard Street on the north, 6th Street to the east, Folsom Street to the south and Harriet Street to the west. The proposed project includes demolition of the existing four-story vacant building and construction of a new nine-story mixed-used building with 67 affordable housing units and retail (likely restaurant) uses.

Regional access to the project area is provided by Interstate 80 (I-80), which connects San Francisco to the East Bay via the San Francisco-Oakland Bay Bridge, and to the south via United States Highway 101 (U.S. 101). Regional access is also provided by Interstate-280 (I-280), which runs down the west side of the San Francisco Peninsula and also provides a connection to the Bay Bridge.[20] The project site is well served by a network of Major Arterials, including Howard, Folsom, 4th, 5th, and 6th Streets, among others.[21,22] Each of these streets is also part of the City's Congestion Management Network and Metropolitan Transportation System.[23]

The areas north and east of the project site are characterized by long blocks on the east-west axis, defined by major arterials, and split into narrow segments by smaller Collector Streets and Local Streets, including alleys. South and west of the project, the blocks are segmented by smaller streets running in the north-south direction.

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20 San Francisco General Plan, Transportation Element, Map 1.

21 San Francisco General Plan, Transportation Element, Maps 6 and 7.

22 Major arterials are defined as cross-town thoroughfares whose primary function is to link districts within the city and to distribute traffic from and to the freeways; these are routes generally of citywide significance; of varying capacity depending on the travel demand for the specific direction and adjacent land uses.

23 San Francisco General Plan, Transportation Element, Maps 7 and 8.

Mission Street is the first major street north of the project site. It is designated a Transit Oriented Street, defined as a street that is not a major arterial and has high transit ridership, high frequency of transit service, or surface rail. It is also designated a Transit Conflict Street and a Citywide Pedestrian Network Street.[24] Third and 4th Streets are Transit Important Streets; this designation is assigned to a street that is a major arterial and has high transit ridership, high frequency of transit service, or surface rail.

Sixth Street is a two-way north-south Major Arterial that runs between Market Street on the north and Brannan Street on the south.[25] Sixth Street has two travel lanes in each direction and on-street metered parking on both sides of the street. It is designated a Neighborhood Commercial Street, where walking, bicycling, and mass transit should be given priority.[26]

Howard Street is a one-way westbound arterial extending from the Embarcadero on the east; on the west it merges into South Van Ness Avenue just past the Central Freeway (US 101). Howard Street has three travel lanes and on-street metered parking on both sides of the street.

Folsom Street, one block south of the project site, is a one-way eastbound Major Arterial that runs between Bernal Heights Boulevard on the south and the Embarcadero on the east (south of the Central Freeway it transitions from an east-west street to a north-south street). In the project vicinity it has four travel lanes and one-hour unmetered parking on both sides of the street.

Harriet Street is a short north-south, two-way Local Street that runs from Howard Street on the north to Harrison Street on the south, after jogging slightly to the east at Folsom Street. It has one travel lane in each direction and on-street unmetered parking on both sides of the street.

Tehama and Clementina streets begin at 6th Street, mid-block on the project block, and run in an east-west direction, terminating on the east at 4th Street. They are both narrow, one-way alleys, with a westbound travel direction on Tehama Street and an eastbound travel direction on Clementina Street. They both have a single travel lane and on-street unmetered parking on one side of the street.

Two similar one-way alleys tri-sect the blocks to the north of the project site, between Howard Street and Mission Street. Closest to the project is Natoma Street, which runs one-way in the eastbound direction,

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[24] San Francisco General Plan, Transportation Element, Maps 6 and 11.

[25] As noted in Section A, Project Description, for ease of reference throughout this document, the northwest/southeast alignment of Sixth Street is assumed to run in a north/south direction, and all other compass reference points are adjusted accordingly. Thus, while the project is located on the southwest side of Sixth Street, it is described as being on the west side of Sixth Street. All other reference points have been similarly simplified.

[26] San Francisco General Plan, Transportation Element, Map 12.

followed by Minna Street, which runs one-way in the westbound direction. Both streets run between 5th Street and 9th Street, and both have a single travel lane and on-street unmetered parking on one side of the street.

The project site is well served by public transit, with six MUNI bus lines running within 900 feet of the site and additional lines running along Market Street, about 1,300 feet north of the site. The 14X-Mission Express and 8BX-Bayshore 'B' Express run along 6th Street, while the 27-Bryant and 19-Polk run along 5th Street and 7th Street, respectively. The 14-Mission and 14X-Mission Express run along Mission Street. Numerous additional MUNI bus lines run along Market Street (5-Fulton, 9-San Bruno, 9L-San Bruno, 21-Hayes, and others), as does the F-Market streetcar line. In addition, the Powell Street and Civic Center BART stations are located on Market Street at 5th and 8th Streets, respectively. BART serves San Francisco crossing the City with eight stations from the north east to the south west. The BART system continues to the SF Airport to the south and connects through a tunnel to the East Bay. Regional commuter bus lines operated by San Mateo Transit (serving San Mateo County and Palo Alto) and Golden Gate Transit (Serving Marin and Sonoma Counties) run along Mission Street, with Golden Gate lines also running along Howard and Folsom Streets.

Trip Generation

As set forth in the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002 (*Transportation Guidelines*), the Planning Department evaluates traffic conditions for the weekday PM peak period to determine the significance of an adverse environmental impact. Weekday PM peak hour conditions (between the hours of 4 PM to 6 PM) typically represent the worst-case conditions for the local transportation network. Using the *Transportation Guidelines*, the proposed project is anticipated to generate approximately 1,159 daily person trips and a total of 254 daily vehicle trips[27]. Table 2, below, shows the project's calculated daily and PM peak hour trip generation by mode split.

As shown in Table 2 below, total PM peak hour person trips are estimated to be approximately 179. Of these person trips, about 59 would be by auto, 40 trips by transit, and 80 pedestrian and by "other" modes (including bicycles, motorcycles, and taxis). The trip generation calculations conducted for the proposed project estimate PM peak hour vehicle trips at 41.

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[27] *200 Sixth Street Travel Demand Summary,* LCW Consulting, June 3, 2012. This document is also available for public review at the Planning Department, 1650 Mission Street Suite 400, San Francisco, as part of Case No. 2011.0119E

Table 2 Daily and PM Peak Hour Trip Generation		
Trip Generation Mode Split	**Daily Trips**	**PM Peak Hour Trips**
Auto	387	59
Transit	251	40
Walk/Other	417	80
Total	**1,159**	**179**
Vehicle Trips	254	41
Parking Demand	**Short Term**	**Long Term**
Parking Spaces	7	49

Source: LCW Consulting *200 Sixth Street Travel Demand Summary,* June 3, 2012. These calculations are available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2011.0119E.

Parking

The proposed project is estimated to generate a short-term parking demand of 7 spaces and a long term parking demand of 49 spaces. The proposed project would provide no off-street parking spaces, thus falling short of demand.

San Francisco does not consider parking supply as part of the permanent physical environment. Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact (CEQA Guidelines § 15131(a)). The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative

parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular, would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter, Section 16.102, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." As discussed above, the 14X-Mission Express and 8BX-Bayshore 'B' Express MUNI bus lines run along 6th Street, while the 27-Bryant and 19-Polk lines run along 5th Street and 7th Street, respectively. The 14-Mission and 14X-Mission Express buses run along Mission Street, and numerous additional MUNI bus and streetcar lines run along Market Street. In addition, designated bicycle routes run along Howard, Folsom, 7th, 8th, and Market Streets within the project vicinity, and 5th Street is designated for a near-term bicycle improvement project.[28]

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. Moreover, the secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area. Hence, any secondary environmental impacts which may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise, and pedestrian safety analyses, reasonably addresses potential secondary effects.

Loading

With 2,845 square feet of proposed retail (likely restaurant) space, the proposed project would not require any off-street loading spaces. The retail space would be developed with neighborhood-serving retail uses that would not be expected to generate a substantial loading demand. As discussed under Required Approvals, page 30, the project sponsor would seek approval of a white passenger loading/unloading zone on the Howard Street curb in front of the project building next to the lobby. Residents would move in and out through the lobby, parking moving vehicles in the white zone. For commercial deliveries, the project would seek approval of a yellow commercial loading zone along 6th Street. There is currently no parking allowed after 3 PM south of Howard on 6th Street. The project sponsor would consult with DPT to allow parking along the 200 6th Street building frontage to accommodate the 200 6th Street commercial space's customers. Trash loading would be at the southern edge of the property on 6th Street. Residential trash and recycling would typically be approximately 2 to 3 times a week. Commercial trash pick-up

[28] San Francisco General Plan, Transportation Element, Map 13.

would depend on the use, and would typically be approximately 2 to 3 times a week. A commercial trash room is planned; therefore commercial trash would not be stored on the street.

Construction Impacts

During the projected 20-month construction period, temporary and intermittent traffic and transit impacts would result from truck movements to and from the project site. Construction staging would occur on the parking lane, primarily on Howard Street. Truck movements during periods of peak traffic flow would have greater potential to create conflicts than during non-peak hours because of the greater numbers of vehicles on the streets during the peak hour that would have to maneuver around queued trucks. Materials storage and/or project storage is likely to be required at some point on the sidewalk or adjacent parking spaces, and a revocable encroachment permit would be required. These effects, although a temporary inconvenience to those who live, visit, or work in the area, would not substantially change the capacity of the existing street system. No parking would be provided to construction workers. Construction activities associated with the proposed project are not anticipated to result in construction-related impacts on the City's transportation network. However, as required, the project sponsor and construction contractors would meet with the City's Transportation Advisory Staff Committee (TASC) to determine feasible measures to reduce traffic congestion, including effects on the transit system and pedestrian circulation impacts during construction of the proposed project. TASC consists of representatives from the Traffic Engineering Division of DPT, the Fire Department, MUNI, and the Planning Department. The project sponsor would comply with any measures identified by the TASC. In addition, construction is a temporary activity and would not have a permanent impact; thus, construction impacts on the transportation network would be less than significant.

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

The proposed project would not include a parking garage; therefore there would be no potential design hazards. In addition, as discussed under Topic E.1.e (Land Use and Land Use Planning), the proposed project does not include incompatible uses. Therefore, the proposed project would have a less-than-significant impact from hazards related to a transportation design feature or resulting from incompatible uses.

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

The proposed project would not be expected to affect emergency response times or access to other sites. Emergency vehicles would be able to reach the project site from Howard Street or 6th Street. Therefore, the project would have a less-than-significant impact on emergency access to the project site or any surrounding sites.

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

Transit Conditions

As discussed above, the project site is well served by transit. Within the immediate project vicinity, the 14X-Mission Express and 8BX-Bayshore 'B' Express MUNI bus lines run along 6th Street, the 27-Bryant and 19-Polk lines run along 5th Street and 7th Street, respectively, and the 14-Mission and 14X-Mission Express buses run along Mission Street. Most of the lines are operating below 85 percent capacity utilization and could accommodate additional passengers.[29] The proposed project would generate approximately 251 daily transit trips and 40 peak hour transit trips which could be accommodated by the MUNI system. Thus, impacts to the City's transit network would be considered less than significant.

Transit-related policies include, but are not limited to: (1) discouragement of commuter automobiles (*Planning Code* Section 101.1, established by Proposition M, the Accountable Planning Initiative); and (2) the City's "Transit First" policy, established in the City's Charter Section 16.102. The proposed project would not conflict with transit operations as discussed above and would also not conflict with the transit-related policies established by Proposition M or the City's Transit First Policies. The project would have a less-than-significant impact on transit conditions.

Bicycle Conditions

Howard and Folsom Streets are part of the citywide bicycle network; they are part of Route 30, which runs east-west with a dedicated bike lane between the Embarcadero and 14th Street, and continues along Market Street. Bicycle Route 23 runs north and south along 7th and 8th Streets from Market Street to 16th Street (on 7th) and from Market Street to Townsend Street (on 8th). Bicycle Route 210 runs along Broadway

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[29] MUNI Screenline Analysis, Existing Conditions, AECOM, 2011. This document is available for public review as part of Case No. 2011.0119E at 1650 Mission Street, Suite 400, San Francisco, CA 94103.

between the Embarcadero and Webster streets. In addition, Route 19 runs along 5th Street between Market Street and Townsend Street as a signed route only. Fifth Street, from Market Street to Townsend Street is designated for a near-term bicycle improvement project that would establish an official bike route with space for the bicyclist, and possible bicycle lanes with signage, for motorists, bicyclists and pedestrians.[30] These bicycle routes and lanes provide access to and from the project vicinity from locations throughout the city. Although the proposed project would result in an increase in the number of vehicles near the project site, this increase would not be substantial enough to adversely affect bicycle travel in the area. In accordance with the bicycle parking requirements for residential uses established in *Planning Code* Section 155.4, the proposed project would provide 29 off-street bicycle parking spaces. The proposed project would not be expected to substantially increase bicycle hazards and would have a less-than-significant impact on bicycle hazard conditions.

Pedestrian Conditions

Pedestrian sidewalks are provided on all streets within the project vicinity, including 6th Street and Howard Street. Sidewalks adjacent to the project site have excess capacity as evidenced by field observations in the project vicinity. The proposed project would generate approximately 80 PM peak-hour pedestrian and other (biking/taxi) trips. The proposed project would not cause a substantial amount of pedestrian and vehicle conflict since there are currently limited pedestrian volumes. Sidewalk widths are sufficient to allow for the free flow of pedestrian traffic. Pedestrian activity would increase as a result of the project, but not to a degree that could not be accommodated on local sidewalks or would result in safety concerns. Thus, impacts on pedestrian circulation and safety would be less than significant. As such, the proposed project would not conflict with any plan, policy or program related to pedestrian use in San Francisco.

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

Cumulative Transportation Impacts. The proposed project would not cause a substantial increase in traffic, in relation to the existing traffic load and capacity of the street system, and projected cumulative growth in the area. As reflected in the trip generation discussed above, the project would result in less than significant impacts related to increases in vehicle traffic in the project vicinity and surrounding intersections. With the addition of 45 PM peak hour vehicle trips, the proposed project would have a less-

[30] *http://www.sf-planning.org/ftp/General_Plan/images/I4.transportation/tra_map13.pdf*, accessed October 27, 2011.

than-significant cumulative traffic impact, because it would add a small number of PM peak-hour vehicle trips and would not result in a deterioration of LOS at surrounding intersections.

Cumulative Construction Impacts. Project construction activities, in combination with other major development in the vicinity of the project area, could temporarily result in cumulative construction-related transportation effects on local or regional roads, but would not result in permanent, cumulatively considerable, transportation impacts. As discussed in Topic E.3., Population and Housing, there are a number of projects in the project area that are approved, planned, or reasonably foreseeable. However, most of the projects are located at least several blocks from the project site and, given the small amount of traffic generated by building construction projects, would not be expected to result in significant cumulative effects on the transportation network. A few anticipated projects are located within a block of the project site, including an addition to the existing building at 226 6th Street, which is two parcels south of the project site, and construction of two buildings (25 residential units) at 465 Tehama Street, about a half block east of the project site. Although the timing of the construction of these projects is not known, it's possible that the projects could simultaneously generate construction traffic trips and/or localized congestion at the sites. However, as discussed above, the project sponsor and construction contractors would meet with the City's Transportation Advisory Staff Committee (TASC) to determine feasible measures to reduce traffic congestion, effects on the transit system, and pedestrian circulation impacts during construction of the proposed project. The project sponsor would comply with any measures identified by the TASC and, therefore, cumulative construction impacts on the transportation network would be less than significant.

The proposed project would not include any hazardous design features or incompatible uses that could result in hazardous conditions, and the proposed project would not result in inadequate emergency access to the site, or any surrounding sites. The proposed project would not cause a substantial increase in transit demand that could not be accommodated by existing and future transit capacity, and alternative travel modes.

In summary, the proposed project would not: conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system; conflict with an applicable congestion management program; conflict with an applicable transportation circulation system plan or policy; substantially increase hazards; result in inadequate emergency access; or conflict with adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities, or otherwise

decrease the performance or safety of such features. The project would have less-than-significant cumulative transportation impacts. This topic will not be discussed further in the EIR.

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

The project site is not located within an airport land use plan area, or within the vicinity of a private airstrip. Therefore, Topics E.6.e and E.6.f are not applicable to the proposed project and will not be addressed further.

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

As described below, the proposed project must meet interior noise requirements established in Title 24 of the *California Building Code*. An evaluation of existing noise levels at the project site and required architectural treatments to ensure acceptable interior noise levels within the proposed residential and retail (likely restaurant) units was performed by Mei Wu Acoustics (MWA), and is summarized herein.[31] Noise levels discussed in this section are based on the noise descriptors L_{eq} and L_{dn}, which are reported in A-weighted decibels (dBA), units of sound energy intensity (decibels, or dB) corrected for frequency sensitivity of the human ear. Time variations in noise exposure are typically expressed in terms of a steady-state energy level (called "L_{eq}") that represents the acoustical energy of a given measurement. L_{eq} is used to describe noise over a specified period of time in terms of a single numerical value. The L_{eq} is the constant sound level that would contain the same acoustic energy as the varying sound level, during the same time period (i.e., the average noise exposure level for the given time period). Because community receptors are more sensitive to unwanted noise intrusion during the evening and at night, for planning purposes, an increment of 10 decibels is added to nighttime (10:00 PM to 7:00 AM) noise levels to form a 24-hour noise descriptor called the day-night noise level (L_{dn}).

State Standards

Title 24 of the *California Code of Regulations* establishes uniform noise insulation standards for residential projects. State regulations include requirements for the construction of new hotels, motels, apartment houses, and dwellings other than detached single-family dwellings that are intended to limit the extent of noise transmitted into habitable spaces. These requirements are collectively known as the California Noise Insulation Standards. For limiting noise transmitted between adjacent dwelling units, the noise insulation standards specify the extent to which walls, doors, and floor-ceiling assemblies must block or absorb sound. For limiting noise from exterior sources, the noise insulation standards set forth an interior standard of 45 dBA (L_{dn}) in any habitable room and, where such units are proposed in areas subject to noise levels greater than 60 dBA (L_{dn}), a demonstration of how dwelling units have been designed to meet this interior standard is required. If the interior noise level depends upon windows being closed, the

[31] Mei Wu Acoustics, *Environmental Noise Study for 200 Sixth Street Affordable Housing Development*, MWA Project 11010, April 1, 2011; and *200 Sixth St NEPA Noise Report DRAFT*, MWA Project 11033, May 6, 2011. These documents are available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case No. 2011.0119E.

design for the structure must also include a heating, ventilation, and air conditioning (HVAC) system that will provide for adequate fresh air ventilation as specified by the *Building Code*.

For non-residential construction where noise levels regularly exceed 65 dBA at the property line, the most recently adopted edition of the *California Green Building Code* requires a minimum Sound Transmission Class (STC) of STC 50 for exterior walls and STC 30 for exterior windows.

Local Standards

The Environmental Protection Element of the *General Plan* contains Land Use Compatibility Guidelines for Community Noise.[32] These guidelines, which are similar to but differ somewhat from state guidelines promulgated by the Governor's Office of Planning and Research, indicate maximum acceptable noise levels for various newly developed land uses. For residential uses, the maximum "satisfactory" noise level without incorporating noise insulation into a project is 60 dBA (Ldn), while the guidelines indicate that residential development should be discouraged at noise levels above 65 dBA (Ldn).[33,34] Where noise levels exceed 60 dBA, a detailed analysis of noise reduction requirements will normally be necessary prior to final review and approval, and new construction or development of residential uses will require that noise insulation features are included in the design.

The proposed project site is located at 6th and Howard Streets, which is subject to 75 dBA (Ldn) traffic noise levels (see San Francisco 2004 and 2009 Housing Element EIR, Figure V.G-3). The proposed project includes the construction of residential housing and thus involves siting new noise-sensitive uses. Siting new sensitive receptors in an area subject to high ambient noise levels could result in a significant impact.

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[32] City and County of San Francisco, Planning Department, *San Francisco General Plan*, Environmental Protection Element, Policy 11.1.

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

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

The Eastern Neighborhoods Final EIR (EN FEIR)[35] concluded that potential, short-term exceedances of ambient noise levels would result in a potentially significant effect on nearby sensitive receptors. Therefore, the EN FEIR identified Mitigation Measure F-4 to address this potential impact.[36] A similar mitigation measure was promulgated more recently, in March 2011, for the EIR on the 2009 Housing Element.[37] The Housing Element EIR mitigation measure for noise attenuation is more stringent than the EN EIR F-4 mitigation; therefore the following mitigation measure is included:

Mitigation Measure M-NO-1a

Interior and Exterior Noise

For new residential development located along streets with noise levels above 75dBA Ldn, the Planning Department requires the following:

1. The Planning Department requires the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within two blocks of the project site, and at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to completion of the environmental review. The analysis should demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained; and

2. To minimize effects on development in noisy areas, for new residential uses, the Planning Department shall, through its building permit review process, in conjunction with the noise analysis required above, require that open space required under the *Planning Code* for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. One way that this might be accomplished is through a site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and

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35 San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, Planning Department Case No. 2004.0160E, certified August 7, 2008. This document is available online at *http://www.sf-planning.org/index.aspx?page=1893*, accessed February 10, 2012. This document is also available for public review at the Planning Department, 1650 Mission Street Suite 400, San Francisco, as part of Case No. 2004.0160E.

36 *Ibid*.

37 City and County of San Francisco Planning Department, *San Francisco 2004 and 2009 Housing Element Draft Environmental Impact Report*, March 9, 2011, Part 1, page V-G-48. Available online at *http://sfmea.sfplanning.org/2007.1275E_DEIR.pdf*, accessed February 7, 2012.

private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design (see Mitigation Measure M-NO-1: Interior and Exterior Noise, San Francisco 2004 and 2009 Housing Element EIR).

Compliance with **Mitigation Measure M-NO-1a** would reduce impacts from ambient noise on sensitive receptors to less than significant.

Existing Ambient Sound Levels

In accordance with the above mitigation measure, MWA conducted noise monitoring at the site in early 2011. MWA conducted 24-hour measurements (with maximum noise level readings taken at five minute intervals) on the 6th Street and Howard Street façades from 3:00 PM on February 28, 2011 until 3:00 PM on March 1, 2011. The resulting exterior day-night noise level was 72 dBA (L_{dn}) along Howard Street and 73 dBA (L_{dn}) along 6th Street. Traffic is the primary source of these noise levels. Because these measurements were taken within inches of the building façade, reflected sound from the building added 3 dBA to the measurements, which were reduced accordingly when the 24-hour sound levels were calculated. The measured noise levels indicate that the proposed project would be developed in an area of elevated background noise levels, and would require additional sound attenuation (above that typically required in the area) of at least 10 dBA.

Noise Compatibility

MWA calculated the minimum required sound attenuation at each story of the proposed building's 6th Street and Howard Street façades. These low-frequency specifications (125 hertz full octave band) were provided instead of typical STC ratings because it allows for the use of materials with lower STC ratings.

Based on the required 125-Hz octave band attenuation, MWA determined that STC-50 walls would be required. The building would be designed to meet the recommendations by MWA which include exterior wall construction of: 3/8-inch plywood; 2x6-inch wood stud or 16-guage steel stud, 16 inches on center with fiberglass sheets in between the walls; and ½-inch gypsum board. This wall construction would be STC-50 to STC-55, and the combined STC of the recommended window and wall assemblies would be a minimum of STC-38.[38] Changes in either wall or window construction would require verification by an acoustical consultant.

[38] Tyler Adams, Mei Wu Acoustics, personal communication, June 21, 2011.

For walls separating dwelling units from each other and from public spaces such as corridors, the *California State Building Code* requires a minimum Sound Transmission Class rating of STC-50 for the design phase and a minimum Noise Isolation Class rating of NIC-45 after construction. In addition, the project building itself would shield the two common open space areas: the second floor 1,310 square-foot common open space would be a rear-yard setback on the western side of the building shielded from both Howard and 6th Streets' traffic noise; and a 1,594-square-foot rooftop deck at the ninth floor, facing 6th Street, would have a wind and sound barrier on the east façade.

The private balconies that face Howard and 6th Streets for 30 of the residential units would not be shielded from existing or future ambient noise levels. The State and local standards regarding limiting noise from exterior sources pertain only to interior conditions, not to exterior conditions. Therefore, while the project site is subject to traffic noise levels in excess of 70 dBA (Ldn), existing standards do not govern outdoor open space, and the proposed project's siting of open space within a higher noise area would therefore not violate such standards.

Absent appropriate construction design features, proposed project occupants could be exposed to interior noise levels in excess of noise limits established in Title 24 and the *General Plan*. With implementation of **Mitigation Measures M-NO-1b a**nd **M-NO-1c,** the proposed project would not result in the exposure of persons to or generation of noise levels in excess of established standards, and the impact would be less than significant.

Mitigation Measure M-NO-1b

Window and Wall Assemblies

The project sponsor shall construct the proposed residential units with the following window and wall assemblies: Windows shall be Torrance 2500 windows with one-inch dual-glazed frames with 7/16-inch laminated glazing, 5/16-inch air space, and ¼-inch glazing; exterior walls shall consist of 3/8-inch plywood; 2x6-inch wood stud or 16-guage steel stud, 16 inches on center with fiberglass sheets in stud cavities; resilient channels[39]; and ½-inch gypsum board.

Mitigation Measure M-NO-1c

If deviations from these assemblies are proposed, the alternative window and/or wall assemblies shall be evaluated by a qualified acoustical consultant to ensure that Title 24 standards are met.

[39] Sound vibration-absorbing strips for attaching sheetrock.

Operational Noise

The proposed project would generate noise primarily from two sources: (1) increased vehicular traffic generated by project residents and employees and by service and delivery trucks servicing the building; and (2) mechanical building noise. With respect to project-generated traffic, generally, traffic must double in volume to produce a noticeable increase in average noise levels. Based on the transportation analysis prepared for the project (see Topic E.5, above), traffic volumes would not double on area streets as a result of the proposed project or expected cumulative traffic growth; therefore, traffic generated by the proposed project would not cause a noticeable increase in the ambient noise level in the project vicinity, nor would the project contribute to any potential cumulative traffic noise effects.

The project would include mechanical equipment that could produce operational noise, such as heating and ventilation systems. These operations would be subject to Section 2909 of the Noise Ordinance. As amended in November 2008, this section establishes a noise limit from mechanical sources, such as building equipment, specified as a certain noise level in excess of the ambient noise level at the property line. For noise generated by residential uses, the limit is 5 dBA in excess of ambient levels. In addition, no fixed noise source may cause the interior noise level in the bedroom or living room of a dwelling unit to exceed 45 dBA between the hours of 10:00 PM to 7:00 AM, or 55 dBA between the hours of 7:00 AM to 10:00 PM, with windows open except where building ventilation is achieved through mechanical systems that allow windows to remain closed. Title 24 of the *California Code of Regulations* also establishes uniform noise insulation standards for residential projects. DBI would review the final building plans to ensure that the building wall and floor/ceiling assemblies meet state standards regarding sound transmission. Compliance with Article 29, Section 2909, and Title 24 would minimize noise from building operations. Therefore, noise effects related to building operation would not be significant, nor would the building contribute a considerable increment to any cumulative noise impacts from mechanical equipment.

Impact NO-2: During construction, the proposed project would result in a temporary or periodic increase in ambient noise levels and vibration in the project vicinity above levels existing without the project, but any construction-related increase in noise levels and vibration would be considered a less than significant impact. (Less than Significant with Mitigation)

Demolition, excavation, and building construction would temporarily increase noise in the project vicinity. Construction equipment would generate noise and possibly vibrations that could be considered an annoyance by occupants of nearby properties. Piles would not be required for the proposed slab foundation, as the foundation would rest on concrete and soil support columns constructed in holes drilled in-place, so there would be minimal noise and vibration associated with foundation work.

According to the project sponsor, the construction period would last approximately 20 months, including two months for demolition of the existing building. Construction noise levels would fluctuate depending on construction phase, equipment type and duration of use, distance between noise source and listener, and presence or absence of barriers. Impacts would generally be limited to the period during which new foundations and exterior structural and façade elements would be constructed. Interior construction noise would be substantially reduced by exterior walls.

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the *Police Code)*, amended in November 2008. The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools (jackhammers, hoerammers, impact wrenches) must have both intake and exhaust muffled to the satisfaction of the Director of the Department of Public Works (DPW) or the Director of DBI. 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 DPW or the Director of DBI. The project must comply with regulations set forth in the Noise Ordinance.

Construction activities for the proposed mixed-use building would include demolition of the existing building, excavation, grading, hauling, building erection, and finishing, and would result in temporary noise and vibration increases that could be considered an annoyance by occupants and users of nearby properties. The closest sensitive noise receptors to the project site that have the potential to be adversely affected by construction noise are occupants of the residential apartments located adjacent to the south side of the project site and guests of the Raman Hotel located adjacent to the west side of the site. Other nearby residential receptors are located in the three mixed-use buildings opposite the project site, on the northwest, northeast, and southeast corners, respectively, of Howard and 6th Streets. Additional residential uses are located on both sides of Howard and 6th Streets in the near project vicinity.

Typical construction equipment generates noise levels ranging from about 76 to 98 dBA at a distance of 50 feet from the source without noise controls or features such as improved mufflers, equipment redesign, and use of silencers, shields, shrouds, ducts, and engine enclosures; slightly higher levels can be generated by certain types of earthmoving and impact equipment. The noisiest phase of construction would likely occur during drilling for placement of cement columns to support the proposed slab foundation. In general, noise generated from drilling could reach 98 dBA at about 50 feet from the construction site (without controls). With controls, noise generated from drilling would be closer to 80 dBA at about 50 feet from the construction site. Factoring in the typical rate of attenuation of about 6 to

7.5 dBA for every doubling of distance from a point source, the maximum noise levels at about 100 feet would be 72.5 – 74 dBA, in accordance with the Noise Ordinance. Thus, with controls, noise from drilling of holes for cement columns would be minimized; however, due to the proximity of off-site sensitive receptors, increased levels of annoyance would be expected.

The noisiest construction impacts would generally be limited to the period of demolition, excavation, and initial construction, which would last approximately 20 months. Typically, the noise heard from interior construction is substantially reduced after exterior walls are constructed. As stated above, the sensitive noise receptors on and near the main project site are already in an area with higher than average (73 dBA) ambient noise levels (due primarily to vehicle traffic along Howard and 6th Streets). The project-related construction activities would temporarily and intermittently contribute to the noise levels over the 20 months of construction, with more construction noise generated in the initial months of project construction and relatively lower levels of construction noise in the latter half of construction. Sensitive receptors in nearby residences can close exterior windows, which typically reduce daytime interior noise levels to acceptable levels.

Groundborne vibration impacts would be limited to the demolition of the existing building and construction of the foundation slab. Concrete and soil columns to support the slab would be poured-in-place in holes dug by a large construction drill/auger and would not generate significant noise levels.

Nevertheless, given the proximity of construction activities to sensitive receptors, implementation of **Mitigation Measure M-NO-2** (General Construction Noise Control Measures) would be required to reduce construction noise impacts to less-than-significant levels. Therefore, although construction noise could be annoying at times, with mitigation, construction noise would not be expected to exceed noise levels commonly experienced in an urban environment, and would be considered less than significant with mitigation. In addition, the proposed project would be required to comply with the Noise Ordinance, helping to minimize construction noise and limit the noise to daytime hours.

Mitigation Measure M-NO-2

General Construction Noise Control Measures

To ensure that project noise from construction activities is minimized to the maximum extent feasible, the project sponsor shall undertake the following:

- The project sponsor shall require the general contractor to ensure that equipment and trucks used for project construction utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible).

- The project sponsor shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5.0 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible.

- The project sponsor shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA.

- The project sponsor shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to, performing all work in a manner that minimizes noise to the extent feasible; use of equipment with effective mufflers; undertaking the most noisy activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible.

- Prior to the issuance of building permits, along with the submission of construction documents, the project sponsor shall submit to the Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise-generating activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity.

With implementation of **Mitigation Measure M-NO-2**, impacts related to construction noise would be reduced to a less-than-significant level. Potential construction projects in close proximity to the project site are a block away or more with the exception of 226 6th Street which has not identified a construction schedule. It is anticipated that cumulative effects related to construction noise would be minimal. Overall, the proposed project's construction-related noise and groundborne vibration impacts would be less than significant with mitigation.

Impact C-NO-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, could result in significant cumulative noise impacts. (Less than Significant with Mitigation)

Construction of a building addition at 226 6th Street is planned and, if construction coincided with construction of the proposed project, could combine with construction noise from the proposed project and increase the amount of disturbance that could be experienced by sensitive residential receptors in the project vicinity. Since 226 6th Street is less than 50 feet from the project site, simultaneous operation of noisy construction equipment at both sites could combine to increase construction noise by approximately 3 dBA. Similar to traffic noise, a doubling of equipment noise sources results in an increase of approximately 3 dBA in noise levels. Other projects may be constructed in the area, however, even with simultaneous construction, they would not substantially increase ambient noise levels at or near the project site because they would be located a minimum of 400 feet from the project site. Even without intervening buildings, the natural attenuation at this distance would result in virtually no increase in noise levels at the project site. Given the substantial additional noise attenuation that would be provided by intervening buildings, noise from construction of these other projects would not be expected to cumulate with the proposed project to result in significant cumulative construction noise impacts. Although simultaneous construction of the proposed project and the project at 226 6th Street could result in temporary but substantial cumulative construction noise impacts, with implementation of Mitigation Measure M-NO-2, impacts related to construction noise would be reduced to a less-than-significant level.

The proposed project would contribute to an increase in localized traffic noise in conjunction with foreseeable residential and commercial growth in the project vicinity. However, because neither the proposed project nor the other cumulative projects in the vicinity are anticipated to result in a doubling of traffic volumes along nearby streets, the project would not contribute considerably to any cumulatively significant traffic-related increases in ambient noise. Moreover, the proposed project's mechanical equipment would be required to comply with the Noise Ordinance and would therefore not be expected to contribute to any cumulatively significant increases in ambient noise as a result of building equipment. Therefore, the proposed project would not result in cumulatively considerable noise impacts, and cumulative noise impacts are considered less than significant.

In summary, with implementation of Mitigation Measures M-NO-1a, M-NO-1b, M-NO-1c and M-NO-2, the proposed project would have less-than-significant operational, construction, and cumulative noise and vibration impacts. This topic will not be discussed further in the EIR.

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

Setting

The Bay Area Air Quality Management District (BAAQMD) is the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), which includes San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara and Napa counties and portions of Sonoma and Solano counties. 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 GHGs in a single, integrated plan; and establish emission control measures to be adopted or implemented. The primary goals of the *2010 Clean Air Plan* are to:

- Attain air quality standards;

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

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

Criteria Air Pollutants

In accordance with the state and federal CAAs, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO_2), sulfur dioxide (SO_2) and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. In general, the SFBAAB experiences low concentrations of most pollutants when compared to federal or state standards. The SFBAAB is designated as either in attainment[40] or unclassified for most criteria pollutants with the exception of ozone, $PM_{2.5}$, and PM_{10}, for which these pollutants are designated as non-attainment for either the state or federal standards. By its very nature regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, 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.[41]

Land use projects may contribute to regional criteria air pollutants during the construction and operational phases of a project. Table 3, page 71, 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.

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[40] "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.

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

Table 3 Criteria Air Pollutant Significance Thresholds			
Pollutant	**Construction Thresholds**	**Operational Thresholds**	
	Average Daily Emissions (lbs./day)	**Average Daily Emissions (lbs./day)**	**Annual Average Emissions (tons/year)**
ROG	54	54	10
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 (PM_{10} and $PM_{2.5}$[42]). Ozone is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG) and oxides of nitrogen (NO_x). The potential for a project to result in a cumulatively considerable net increase in criteria air pollutants, which may contribute to an existing or projected air quality violation, are based on the state and federal Clean Air Acts emissions limits for stationary sources. The federal New Source Review (NSR) program was created by the federal CAA to ensure that stationary sources of air pollution are constructed in a manner that is consistent with attainment of federal health based ambient air quality standards. Similarly, to ensure that new stationary sources do not cause or contribute to a violation of an air quality standard, BAAQMD Regulation 2, Rule 2 requires that any new source that emits criteria air pollutants above a specified emissions limit must offset those emissions. For ozone precursors, ROG and NO_x, the offset emissions level is an annual average of 10 tons per year (or 54 pounds (lbs.) per day).[43] 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.

Although this regulation applies to new or modified stationary sources, land use development projects result in ROG and NO_x emissions as a result of increases in vehicle trips, architectural coating and construction activities. Therefore, the above thresholds can be applied to the construction and operational

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

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

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

Particulate Matter (PM_{10} and $PM_{2.5}$). The BAAQMD has not established an offset limit for $PM_{2.5}$. However, the emissions limit in the federal NSR for stationary sources in nonattainment areas is an appropriate significance threshold. For PM_{10} and $PM_{2.5}$, the emissions limit under NSR is 15 tons per year (82 lbs. per day) and 10 tons per year (54 lbs. per day), respectively. These emissions limits represent levels at which a source is not expected to have an impact on air quality.[44] Similar to ozone precursor thresholds identified above, land use development projects typically result in particulate matter emissions as a result of increases in vehicle trips, space heating and natural gas combustion, landscape maintenance, and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of a land use project. Again, because construction activities are temporary in nature, only the average daily thresholds are applicable to construction-phase emissions.

Fugitive Dust. Fugitive dust emissions are typically generated during construction phases. Studies have shown that the application of best management practices (BMPs) at construction sites significantly control fugitive dust.[45] Individual measures have been shown to reduce fugitive dust by anywhere from 30 percent to 90 percent.[46] The BAAQMD has identified a number of BMPs to control fugitive dust emissions from construction activities.[47] The City's Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) requires a number of measures to control fugitive dust to ensure that construction projects do not result in visible dust. The BMPs employed in compliance with the City's Construction Dust Control Ordinance is an effective strategy for controlling construction-related fugitive dust.

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44 Ibid, p. 16.

45 Western Regional Air Partnership. 2006. *WRAP Fugitive Dust Handbook*. September 7, 2006. This document is available online at *http://www.wrapair.org/forums/dejf/fdh/content/FDHandbook_Rev_06.pdf*, accessed February 16, 2012.

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

47 BAAQMD, *CEQA Air Quality Guidelines*, May 2011. This document is available online at *http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES/Updated-CEQA-Guidelines.aspx*, accessed February 27, 2012.

Local Health Risks and Hazards

In addition to criteria air pollutants, individual projects may emit toxic air contaminants (TACs). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., of long-duration) and acute (i.e., severe but of short-term) adverse effects to human health, including carcinogenic effects. A TAC is defined in the California Health and Safety Code §39655 as an air pollutant which may cause or contribute to an increase in mortality or serious illness, or which may pose a present or potential hazard to human health. Human health effects of TACs include birth defects, neurological damage, cancer, and death. There are hundreds of different types of TACs with varying degrees of toxicity. Individual TACs vary greatly in the health risk they present; at a given level of exposure, one TAC may pose a hazard that is many times greater than another.

Unlike criteria air pollutants, TACs do not have ambient air quality standards but are regulated by the BAAQMD using a risk-based approach. This approach uses a health risk assessment to 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.[48]

Vehicle tailpipe emissions contain numerous TACs, including benzene, 1,3-butadiene, formaldehyde, acetaldehyde, acrolein, naphthalene, and diesel exhaust.[49] Engine exhaust, from diesel, gasoline, and other combustion engines, is a complex mixture of particles and gases, with collective and individual toxicological characteristics. While each constituent pollutant in engine exhaust may have a unique toxicological profile, health effects have been associated with proximity, or exposure, to vehicle-related pollutants *collectively* as a mixture.[50] 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

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

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

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

hospitalization for cardiopulmonary disease.[51] In addition to $PM_{2.5}$, diesel particulate matter (DPM) is also of concern. The ARB identified DPM as a TAC in 1998, primarily based on evidence demonstrating cancer effects in humans.[52] Mobile sources such as trucks and buses are among the primary sources of diesel emissions, and concentrations of DPM are higher near heavily traveled roadways. The estimated cancer risk from exposure to diesel exhaust is much higher than the risk associated with any other TAC routinely measured in the region.

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

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, the San Francisco Planning Department and DPH has partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed "air pollution hot spots" were identified based on two health-protective criteria:

(1) Excess cancer risk from the contribution of emissions from all modeled sources > 100 per one million population; or

(2) Cumulative PM2.5 concentrations > 10 micrograms per cubic meter (μg/m3).

Excess Cancer Risk. The above one-hundred per one million persons (100 excess cancer risk) criteria is based on the United States Environmental Protection Agency (USEPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and community-scale level.[53] As described

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

[52] ARB, Fact Sheet, "The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines." October 1998. Available on the internet at: http://www.arb.ca.gov/toxics/dieseltac/factsht1.pdf. This document is also available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2004.0093E.

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

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,[54] the USEPA states that it "…strives to provide maximum feasible protection against risks to health from hazardous air pollutants by (1) protecting the greatest number of persons possible at an individual lifetime risk level no higher than approximately one in one million and (2) limiting to no higher than approximately one in ten thousand [100 in one million] the estimated risk that a person living near a plant would have if he or she were exposed to the maximum pollutant concentrations for 70 years." The 100 per one million excess cancer cases is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on BAAQMD regional modeling.[55]

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 micrograms per cubic meter ($\mu g/m^3$) should be revised to a level within the range of 13 to 11 $\mu g/m^3$, with evidence strongly supporting a standard within the range of 12 to 11 $\mu g/m^3$. Air pollution hot spots for San Francisco are based on the health protective $PM_{2.5}$ standard of 11 $\mu g/m^3$, as supported by the USEPA's Particulate Matter Policy Assessment, although lowered to 10 $\mu g/m^3$ to account for error bounds in emissions modeling programs.

Land use projects within these air pollution hot spots, require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations.

Construction Air Quality Impacts

Project-related air quality impacts fall into two categories: short-term impacts due to construction and long term impacts due to project operation. Construction activities (short-term) typically result in emissions of fugitive dust, criteria air pollutants, and DPM. Emissions of criteria pollutants and DPM are primarily a result of the combustion of fuel from on-road and off-road vehicles. However, ROGs are also emitted from activities that involve painting or other types of architectural coatings or asphalt paving activities. The proposed project includes demolition of the existing vacant hotel building on site and construction of a new 9-story building with 67 residential units and 2,845 square feet of commercial space

[54] 54 Federal Register 38044, September 14, 1989.

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

(retail, likely restaurant). During the project's approximately 20-month construction period, construction activities would have the potential to result in fugitive dust emissions, criteria air pollutants, and DPM, as discussed further below.

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)

Fugitive Dust

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

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

In response, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition and construction work in order to protect the health of the general public and of onsite workers, to minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI).

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

permit from DBI. The Director of DBI may waive this requirement for activities on sites less than one half-acre that are unlikely to result in any visible wind-blown dust.

The project sponsor and the contractor responsible for construction activities at the project site shall 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 square feet of excavated materials, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10 millimeter (0.01 inch) polyethylene plastic (or equivalent) tarp, braced down, or use other equivalent soil stabilization techniques.

These regulations and procedures set forth by the San Francisco Building Code would ensure that potential dust-related air quality impacts would be reduced to a level of insignificance.

Criteria Air Pollutants

As discussed above, construction activities would also result in emissions of criteria air pollutants. To assist lead agencies in determining whether short-term construction-related air pollutant emissions require further analysis as to whether the project may exceed the criteria air pollutant significance thresholds shown in Table 4, the BAAQMD, in their *CEQA Air Quality Guidelines* (May 2011), has developed screening criteria. 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 of the project's air pollutant emissions, and construction of the proposed project would result in less-than-significant criteria air pollutant impacts. Projects that exceed the screening sizes may require further project-level quantification to determine whether criteria air pollutant emissions may exceed significance thresholds. The *CEQA Air Quality Guidelines* note that the screening levels are generally representative of new development on greenfield[56] sites without any form of mitigation measures taken into consideration. In

[56] 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. For projects that are mixed-use, infill and/or proximate to transit service and local services such as the proposed project, emissions would be expected to be less than the greenfield-type project that the screening criteria are based upon.

The proposed project would include 67 residential units and approximately 2,845 square feet of ground-floor commercial space (retail, likely restaurant). The proposed project would be below the criteria air pollutant screening sizes for mid-rise residential (494 units) identified in the BAAQMD's *CEQA Air Quality Guidelines*. The guidelines do not have screening criteria for generic commercial, retail, or restaurant uses; however, the screening criteria for various applicable retail and restaurant uses are at a minimum of 5,000 square feet (24-hour convenience market) or 8,000 square feet (fast food restaurant without drive-through).

Thus, quantification of construction-related criteria air pollutant emissions is not required, and the proposed project's construction activities would not exceed any of the significance thresholds for criteria air pollutants, and would result in a less-than-significant construction criteria air pollutant impact.

Impact AQ-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)

Off-road equipment (which includes construction-related equipment) was once estimated to be the second largest source of ambient DPM emissions in California. However, 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.[57] This reduction in emissions is due, in part, to effects of the economic recession and the decline in construction. Also, more refined emissions estimation methodologies are showing decreases in emissions. For example, revised particulate matter (PM) emission estimates for the year 2010, for which DPM is a major component of total PM, have decreased by 83 percent from previous estimates for the SFBAAB.[58] Approximately half of the reduction can be attributed to the economic recession and

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[57] California Air Resources Board (ARB), *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.

[58] ARB, "In-Use Off-Road Equipment, 2011 Inventory Model," Query accessed online, April 2, 2012, http://www.arb.ca.gov/msei/categories.htm#inuse_or_category.

approximately half can be attributed to updated assumptions independent of the economic recession (e.g., updated methodologies used to better assess construction emissions).[59]

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.[60] Furthermore, California regulations limit maximum idling times to five minutes, which further reduces public exposure to DPM emissions.[61]

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."[62]

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

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[59] 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.

[60] USEPA, "Clean Air Nonroad Diesel Rule: Fact Sheet," May 2004.

[61] California Code of Regulations, Title 13, Division 3, § 2485.

[62] BAAQMD, *CEQA Air Quality Guidelines*, May 2011, page 8-6.

construction activities for the approximate 20-month construction phase. Project construction activities would result in short-term emissions of diesel particulate matter and other toxic air contaminants that would add emissions to areas already adversely affected by poor air quality. As such, Mitigation Measure M-AQ-2, below, has been identified to reduce construction-related emissions. While the emissions reductions from limiting idling, educating workers and the public and properly maintaining equipment is difficult to quantify, other measures, specifically the requirement for equipment with Tier 2 engines and Level 3 Verified Diesel Emissions Control Strategies (VDECSs) 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, below, would result in a less-than-significant with mitigation construction emissions impact to nearby sensitive receptors.

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 USEPA or ARB Tier 2 off-road emission standards, *and*

      ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).[63]

   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,

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

the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.

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

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

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

* Alternative fuels are not a VDECS.

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.* Monthly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

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

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

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 proposed project includes landscaped areas, retail/restaurant uses and residences, which would involve the use of consumer products. Construction of the proposed project would include the use of architectural coatings, and the operation of the proposed project would also result in an increase of 254 vehicle trips per day.[64]

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

As discussed above in Impact AQ-1, the BAAQMD in their *CEQA Air Quality Guidelines* (May 2011), has developed screening criteria to determine whether a project requires an analysis of project-generated

[64] LCW Consulting, *op cit*.

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 67 residential units and approximately 2,845 square feet of ground-floor commercial space (retail, likely restaurant). The proposed project would be below the criteria air pollutant screening sizes for mid-rise residential (494 units) and the lowest potential screening criteria for various commercial uses (5,000 square feet for a 24-hour convenience market or 8,000 square feet for a fast-food restaurant without drive-through) identified in the BAAQMD's *CEQA Air Quality Guidelines*. Thus, quantification of project-generated criteria air pollutant emissions is not required, and the proposed project would not exceed any of the significance thresholds for criteria air pollutants, and would result in less-than-significant impact with respect to criteria air pollutants.

Impact AQ-4: The proposed project would generate toxic air contaminants, including diesel particulate matter, and would expose sensitive receptors to substantial air pollutant concentrations. (Less than Significant with Mitigation)

As discussed above, the San Francisco Planning Department and DPH, in partnership with BAAQMD, has modeled and assessed air pollutant impacts from mobile, stationary and area sources within the City. This assessment has resulted in the identification of air pollutant hot spots, or areas within the City that deserve special attention when siting uses that either emit toxic air contaminants or uses that are considered sensitive to air pollution. The project site is within a hot spot and sensitive land uses exist in the residential uses adjacent to the project site. With its inclusion of 67 residential units, the proposed project would site new sensitive land uses within this potential air pollutant hot spot.

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 254 daily vehicle trips would be well below this level, therefore an assessment of project-generated TACs resulting from vehicle trips is not required and the proposed project would not generate a substantial amount of TAC emissions that could affect nearby sensitive receptors.

Siting Sensitive Land Uses

The proposed project would include development of 67 residential uses and is considered a sensitive land use for purposes of air quality evaluation. As discussed above, the project site is located in an area that experiences higher levels of air pollution. The proposed project would therefore have the potential to expose sensitive receptors to substantial concentrations of air pollutants. Mitigation Measure M-AQ-4,

below, would require that the project sponsor install a filtered air supply system capable of removing 80 percent of outdoor particulates, indoors. M-AQ-4 also requires that the project sponsor develop a maintenance plan and disclose to buyers and renters that the project site is located in proximity to sources of air pollution and therefore includes a filtered ventilation system. With implementation of M-AQ-4, the proposed project would result in a less-than-significant impact with respect to exposing sensitive receptors to substantial levels of air pollution.

Mitigation Measure M-AQ-4

Air Filtration Measures

Air Filtration and Ventilation Requirements for Sensitive Land Uses. Prior to receipt of any building permit, the project sponsor shall submit a ventilation plan for the proposed building(s). The ventilation plan shall show that the building ventilation system removes at least 80 percent of the outdoor $PM_{2.5}$ concentrations from habitable areas and be designed by an engineer certified by ASHRAE, who shall provide a written report documenting that the system meets the 80 percent performance standard identified in this measure and offers the best available technology to minimize outdoor to indoor transmission of air pollution.

Maintenance Plan. Prior to receipt of any building permit, the project sponsor shall present a plan that ensures ongoing maintenance for the ventilation and filtration systems.

Disclosure to buyers and renters. The project sponsor shall also ensure the disclosure to buyers (and renters) that the building is located in an area with existing sources of air pollution and as such, the building includes an air filtration and ventilation system designed to remove 80 percent of outdoor particulate matter and shall inform occupants of the proper use of the installed air filtration system.

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.

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 GHGs from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand, and people have a range of viable transportation options. To this end, the *2010 Clean Air Plan* includes 55 control measures aimed at reducing air pollution in the SFBAAB.

The measures most applicable to the proposed project are transportation control measures and energy and climate control measures. The proposed project would be consistent with energy and climate control measures as discussed in Topic E.8, Greenhouse Gas Emissions, which demonstrates that the proposed project would comply with the applicable provisions of the City's Greenhouse Gas Reduction Strategy.

The compact development of the proposed project and high availability of viable transportation options ensure that residents could bicycle, walk, and ride transit to and from the project site instead of taking trips via private automobile. These features ensure that the project would avoid substantial growth in automobile trips and vehicle miles traveled. The proposed project would be generally consistent with the *San Francisco General Plan* as discussed in Section C. Compatibility with Existing Zoning and Plans. Transportation control measures that are identified in the *2010 Clean Air Plan* are implemented by the *San Francisco General Plan* and the Planning Code, for example, through the City's Transit First Policy, bicycle parking requirements, and transit impact development fees applicable to the proposed project. By complying with these applicable requirements, the project would include relevant transportation control measures specified by the *2010 Clean Air Plan*.

Examples of a project that could cause the disruption or delay of *Clean Air Plan* control measures are projects that would preclude the extension of a transit line or bike path, or projects that propose excessive parking beyond parking requirements. The proposed project would add 67 residential units and 2,845 square feet of commercial space (retail, likely restaurant) to a dense, walkable urban area near a concentration of regional and local transit service. It would not preclude the extension of a transit line or a bike path or any other transit improvement, and as such, the proposed project would avoid disrupting or hindering implementation of control measures identified in the CAP.

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

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

Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. Observation indicates that the project site is not substantially affected by sources of odors.[65] Additionally, the proposed project includes 67 residential units and 2,845 square feet of commercial space (retail, likely restaurant), and would therefore not create a significant sources 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, 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. 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.

Although the project would add new sensitive land uses and new vehicle trips within areas of the City that are already adversely effected by poor air quality, the proposed project would include **Mitigation Measure M-AQ-2**, which would reduce construction period emissions by as much as 94 percent, and **Mitigation Measure M-AQ-**4, which requires that the building be designed to reduce outdoor infiltration

[65] Site visit, July 6, 2012.

of fine particulate matter indoors by 80 percent. Compliance with Mitigation Measures M-AQ-2 and M-AQ-4 would ensure that cumulative air quality impacts would be less than significant with mitigation.

In summary, with the implementation of Mitigation Measures M-AQ-2 and M-AQ-4, the proposed project would have less-than-significant operational, construction, and cumulative air quality impacts. This topic will not be discussed further in the EIR.

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

Environmental Setting

Gases that trap heat in the atmosphere are referred to as GHGs because they capture heat radiated from the sun as it is reflected back into the atmosphere, much like a greenhouse does. The accumulation of GHGs has been implicated as the driving force for global climate change. The primary GHGs are carbon dioxide, methane, nitrous oxide, ozone, and water vapor.

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

Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents" (CO2E), which present a weighted average based on each

gas's heat absorption (or "global warming") potential (GWP). This is done in order to inventory GHG emissions across jurisdictions for the purpose of determining climate action policies. Generally, GHGs other than CO2 have higher GWPs than CO2 (e.g., CH4 has a GWP 21 times that of CO266), but occur with much less frequency than CO2 in many project operations and construction (e.g., automobile travel releases approximately 0.0000237 pound of CH4 for every pound of CO267). Therefore, CH4 has a weighted CO2E factor of 21 x 0.0000237 = 0.0004977 (approximately) during vehicle travel. Similar CO2E factors are determined for other GHGs and for other aspects of project operations and construction; and the total load of CO2, CO2E factors for CH4 and other GHGs is reported as a total "carbon dioxide equivalent" measure.

There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.[68]

The Air Resources Board (ARB) estimated that in 2006 California produced about 484 million gross metric tons of CO_2E ($MMTCO_2E$), or about 535 million U.S. tons.[69] The ARB found that transportation is the source of 38 percent of the State's GHG emissions, followed by electricity generation (both in-state and out-of-state) at 22 percent and industrial sources at 20 percent. Commercial and residential fuel use (primarily for heating) accounted for 9 percent of GHG emissions. In the Bay Area, fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) and the industrial and commercial sectors are the two largest sources of GHG emissions, each accounting for approximately 36 percent of the Bay Area's 95.8 $MMTCO_2E$ of GHG emissions emitted in 2007. Electricity generation accounts for approximately 16 percent of the Bay Area's GHG emissions,

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66 BAAQMD's Source Inventory of Bay Area Greenhouse Gas Emissions, February 2, 2010. This document is available online at *http://www.mtc.ca.gov/planning/climate/Bay_Area_Greenhouse_Gas_Emissions_2-10.pdf*, Table A, page 4, accessed February 8, 2012.

67 *Ibid*, Table B, page 5. Vehicles burning one gallon of gasoline emit 22.4 pounds of CO_2 and 0.0053 pounds of CH_4. Therefore, CH_4 has an emissions factor of 0.0053 ÷ 22.4 = 2.37E-05 (approximately) for vehicle travel.

68 Intergovernmental Panel on Climate Change (IPCC) *Climate Change 2007: Synthesis Report,* available online at *http://www.ipcc.ch/publications_and_data/ar4/syr/en/main.html*, accessed February 8, 2012.

69 The abbreviation for "million metric tons" is MMT; thus, "million metric tons of CO_2 equivalents" is written as $MMTCO_2E$.

followed by residential fuel usage at 7 percent, off-road equipment at 3 percent, and agriculture at 12 percent.

Regulatory Setting

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

Pursuant to AB 32, CARB adopted a Scoping Plan in December 2008, outlining measures to meet the 2020 GHG reduction limits. In order to meet these goals, California must reduce its GHG emissions by 30 percent below projected 2020 business as usual emissions levels, or about 15 percent from today's levels.[70] The Scoping Plan estimates a reduction of 174 $MMTCO_2E$ (about 191 million U.S. tons) from the transportation, energy, agriculture, forestry, and high global warming potential sectors, see Table 4, page 90. ARB has identified an implementation timeline for the GHG reduction strategies in the Scoping Plan.[71] Some measures may require new legislation to implement, some will require subsidies, some have already been developed, and some will require additional effort to evaluate and quantify. Additionally, some emissions reductions strategies may require their own environmental review under CEQA or the National Environmental Policy Act (NEPA).

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

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

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[70] California Air Resources Board, California's Climate Plan: Fact Sheet, *http://www.arb.ca.gov/cc/facts/scoping_plan_fs.pdf*, accessed February 8, 2012.

[71] California Air Resources Board. AB 32 Scoping Plan, *http://www.arb.ca.gov/cc/scopingplan/sp_measures_implementation_timeline.pdf*, accessed February 8, 2012.

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

Table 4
GHG Reductions from the AB 32 Scoping Plan Sectors[72]

GHG Reduction Measures By Sector	GHG Reductions ($MMTCO_2E$)
Transportation Sector	62.3
Electricity and Natural Gas	49.7
Industry	1.4
Landfill Methane Control Measure (Discrete Early Action)	1
Forestry	5
High Global Warming Potential GHGs	20.2
Additional Reductions Needed to Achieve the GHG Cap	34.4
Total	**174**
Other Recommended Measures	
Government Operations	1-2
Agriculture- Methane Capture at Large Dairies	1
Methane Capture at Large Dairies	1
Additional GHG Reduction Measures	
Water	4.8
Green Buildings	26
High Recycling/ Zero Waste • Commercial Recycling • Composting • Anaerobic Digestion • Extended Producer Responsibility • Environmentally Preferable Purchasing	9
Total	**42.8-43.8**

[72] *Ibid*.

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

The BAAQMD is the regional agency with jurisdiction over the nine-county San Francisco Bay Area, which comprises the San Francisco Bay Area Air Basin (SFBAAB). The BAAQMD is responsible for attaining and/or maintaining air quality in the Air Basin within federal and state air quality standards. The BAAQMD has established a Climate Protection Program with the goal of integrating climate protection activities into the district's existing programs. The BAAQMD provides recommendations for lead agencies to follow in protecting air quality, including reducing GHG emissions, through implementation of CEQA review. Notably, in June 2010, the BAAQMD adopted revised CEQA Air Quality Guidelines that include quantitative thresholds for determining significance of GHG emissions and provides an extensive list of mitigation measures that can be applied to reduce operational emissions, including of GHGs. The BAAQMD recommends that local agencies adopt a Greenhouse Gas Reduction Strategy consistent with AB 32 goals.

In March 2012, the Alameda County Superior Court ordered the BAAQMD to set aside its approval of its CEQA Air Quality Guidelines and thresholds of significance on the grounds that the District had not undertaken environmental review under CEQA prior to adoption of the *Guidelines* and thresholds. As of May 2012, the BAAQMD was "no longer recommending that the Thresholds be used as a generally applicable measure of a project's significant air quality impacts."[73]

In May 2012, the BAAQMD appealed the Superior Court ruling to the California Court of Appeal. Although the thresholds of significance identified in the CEQA Air Quality Guidelines (2011) are the subject of judicial actions, the Planning Department has determined that Appendix D of these Guidelines, in addition to the Revised Draft Options and Justification Report (2009) provide substantial evidence in the record to support the conclusions reached in this environmental review document. As such, the BAAQMD *Guidelines* continue to be referenced and relied upon throughout this section.

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[73] BAAQMD "CEQA Guidelines" webpage, reviewed July 17, 2012, at http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES.aspx.

Impact 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)

The most common GHGs resulting from human activity are CO_2, CH_4, and N_2O.[74] State law defines GHGs to also include hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. These latter GHG compounds are usually emitted in industrial processes, and therefore not applicable to the proposed project. Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations.

The proposed project would increase the activity on-site by replacing an unoccupied four-story hotel with a nine-story residential mixed-use building, which would result in additional vehicle trips and an increase in energy use. The expansion could also result in an increase in overall water usage which generates indirect emissions from the energy required to pump, treat, and convey water. The development could also result in an increase in discarded landfill materials. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and operations associated with energy use, water use and wastewater treatment, and solid waste disposal.

As discussed above, BAAQMD adopted CEQA thresholds of significance for projects that emit GHGs, one of which is a determination of whether the proposed project is consistent with a Qualified Greenhouse Gas Reduction Strategy, as defined in the *2010 Guidelines*. On August 12, 2010, the San Francisco Planning Department submitted a draft of the City and County of San Francisco's *Strategies to Address Greenhouse Gas Emissions* to BAAQMD.[75] This document presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's Qualified Greenhouse Gas Reduction Strategy in compliance with BAAQMD's *2010 Guidelines* and thresholds of significance.

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[74] Governor's Office of Planning and Research. *Technical Advisory- CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review*, June 19, 2008, *http://opr.ca.gov/docs/june08-ceqa.pdf*, accessed February 8, 2012.

[75] San Francisco Planning Department. *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2010, *http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf*, accessed February 8, 2012.

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

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

- By 2008, determine the City's 1990 GHG emissions, the baseline level with reference to which target reductions are set;
- Reduce GHG emissions by 25 percent below 1990 levels by 2017;
- Reduce GHG emissions by 40 percent below 1990 levels by 2025; and
- Reduce GHG emissions by 80 percent below 1990 levels by 2050.

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

BAAQMD reviewed San Francisco's *Strategies to Address Greenhouse Gas Emissions* and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in the *2010 Guidelines* and stated that San Francisco's "aggressive GHG reduction targets and comprehensive strategies help the Bay Area move toward reaching the State's AB 32 goals, and also serve as a model from which other communities can learn."[76]

[76] Letter from Jean Roggenkamp, BAAQMD, to Bill Wycko, San Francisco Planning Department. October 28, 2010, *http://www.sf-planning.org/ftp/files/MEA/GHG-Reduction_Letter.pdf*, accessed February 8, 2012.

Pursuant to CEQA Guidelines Section 15064.4,(b)(3) and based on BAAQMD's *2010 Guidelines*, projects that are consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions* would result in a less-than-significant impact with respect to GHG emissions. Furthermore, because San Francisco's strategy is consistent with AB 32 goals, projects that are consistent with San Francisco's strategy would also not conflict with the State's plan for reducing GHG emissions. As discussed in San Francisco's *Strategies to Address Greenhouse Gas Emissions*, new development and renovations/alterations for private projects and municipal projects are required to comply with San Francisco's ordinances that reduce GHG emissions. Applicable requirements are shown in Table 5, beginning on page 95.

Depending on a proposed project's size, use, and location, a variety of controls are in place to ensure that a proposed project would not impair the State's ability to meet statewide GHG reduction targets outlined in AB 32, nor impact the City's ability to meet San Francisco's local GHG reduction targets. Given that: (1) San Francisco has implemented regulations to reduce GHG emissions specific to new construction and renovations of private developments and municipal projects; (2) San Francisco's sustainable policies have resulted in the measured success of reduced GHG emissions levels; (3) San Francisco has met and exceeded AB 32 GHG reduction goals for the year 2020; (4) current and probable future state and local GHG reduction measures will continue to reduce a project's contribution to climate change; and (5) San Francisco's *Strategies to Address Greenhouse Gas Emissions* meet BAAQMD's requirements for a Qualified GHG Reduction Strategy, projects that are consistent with San Francisco's regulations would not contribute significantly to global climate change. The proposed project would comply with these requirements as indicated above, and has been determined to be consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions.*[77] As such, the proposed project would result in a less-than-significant impact with respect to GHG emissions.

[77] Greenhouse Gas Analysis: Compliance Checklist, August 8, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case No. 2009.1153E.

Table 5
GHG Regulations Applicable to the Proposed Project

Regulation	Requirements	Project Compliance	Discussion
Transportation Sector			
Emergency Ride Home Program	All persons employed in San Francisco are eligible for the emergency ride home program.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project sponsor would comply with the Emergency Ride Home Program by enrolling in the program, and complying with its provisions, either by paying travel expenses for employee emergencies, which would be reimbursable by the City, or by notifying employees of the program.
Transit Impact Development Fee (San Francisco Administrative Code, Chapter 38)	Establishes the following fees for all commercial developments. Fees are paid to the SFMTA to improve local transit services.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project sponsor would be required to pay $10 per square foot of the project's retail space (ancillary to the residential use) toward the Transit Impact Development fee program as described in Section 411 of the *Planning Code*.
Bicycle parking in Residential Buildings (San Francisco Planning Code, Section 155.5)	(A) For projects up to 50 dwelling units, one Class 1 space for every 2 dwelling units. (B) For projects over 50 dwelling units, 25 Class 1 spaces plus one Class 1 space for every 4 dwelling units over 50.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project, with 67 residential units, would be required to provide 25 bicycle parking spaces for the first 50 units. For the remaining 17 units, the proposed project would be required to provide four additional spaces, for a total of 29 bicycle spaces, which the proposed project would provide.
San Francisco Green Building Requirements (San Francisco	Requires New Large Commercial projects, New High-rise Residential projects and Commercial Interior	☐ Project Complies ☒ Not	At nine stories, the proposed project would qualify as a mid-rise residential structure, not high rise, and this regulation

Table 5 GHG Regulations Applicable to the Proposed Project			
Regulation	**Requirements**	**Project Compliance**	**Discussion**
Building Code, Chapter 13C.106.5 and 13C.5.106.5)	projects to provide designated parking for low-emitting, fuel efficient, and carpool/van pool vehicles. Mark 8% of parking stalls for such vehicles.	Applicable ☐ Project Does Not Comply	would not apply.
Parking requirements for San Francisco's Mixed-Use zoning districts (San Francisco Planning Code Section 151.1)	The Planning Code has established parking maximums for many of San Francisco's Mixed-Use districts.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	NCT districts, within which the project site is located, are limited to one principal permitted parking space per two residential units, or 33 parking spaces. The proposed project would provide no parking spaces, satisfying this requirement.
Energy Efficiency Sector			
San Francisco Green Building Requirements for Energy Efficiency (San Francisco Building Code, Chapter 13C)	Under the Green Point Rated system and in compliance with the Green Building Ordinance, all new residential buildings will be required to be at a minimum 15% more energy efficient than Title 24 energy efficiency requirements.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with the Green Building Requirements for Energy Efficiency, by being at least 15% more efficient than Title 24 standards.
San Francisco Green Building Requirements for Stormwater Management (San Francisco Building Code, Chapter 13C) Or	Requires all new development or redevelopment disturbing more than 5,000 square feet of ground surface to manage stormwater on-site using low impact design. Projects subject to the Green Building Ordinance Requirements must comply with either LEED® Sustainable Sites Credits 6.1	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	With a lot area of 9,997 sf, the proposed project would disturb more than 5,000 sf of ground surface, and would be required to manage stormwater on-site using low impact design. The proposed project would comply through one of the following: a. LEED Sustainable Sites Credit

Table 5 GHG Regulations Applicable to the Proposed Project			
Regulation	**Requirements**	**Project Compliance**	**Discussion**
San Francisco Stormwater Management Ordinance (Public Works Code Article 4.2)	and 6.2, or with the City's Stormwater Management Ordinance and stormwater design guidelines.		6.1 b. LEED Sustainable Sites Credit 6.2 c. City's stormwater ordinance and stormwater design guidelines.
Indoor Water Efficiency (San Francisco Building Code, Chapter 13C sections 13C.5.103.1.2, 13C.4.103.2.2,13 C.303.2.)	**If meeting a LEED Standard;** Reduce overall use of potable water within the building by a specified percentage – for showerheads, lavatories, kitchen faucets, wash fountains, water closets and urinals. New large commercial and New high rise residential buildings must achieve a 30% reduction. Commercial interior, commercial alternation and residential alteration should achieve a 20% reduction below UPC/IPC 2006, et al. **If meeting a GreenPoint Rated Standard:** Reduce overall use of potable water within the building by 20% for showerheads, lavatories, kitchen faucets, wash fountains, water closets and urinals.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project would be required to document at least a 30 % reduction in the use of indoor potable water, as calculated to meet LEED credit WE3.2.
San Francisco Water Efficient Irrigation	Projects that include 1,000 square feet (sf) or more of new or modified landscape are	☒ Project Complies	The project would include a 1,388-square-foot rear yard, which would include

Table 5
GHG Regulations Applicable to the Proposed Project

Regulation	Requirements	Project Compliance	Discussion
Ordinance	subject to this ordinance, which requires that landscape projects be installed, constructed, operated, and maintained in accordance with rules adopted by the SFPUC that establish a water budget for outdoor water consumption. Tier 1: 1,000 sf <= project landscape < 2,500 sf Tier 2: Project landscape area is greater than or equal to 2,500 sf. Note; Tier 2 compliance requires the services of landscape professionals. See the SFPUC Web site for information regarding exemptions to this requirement. www.sfwater.org/landscape	☐ Not Applicable ☐ Project Does Not Comply	landscaping. The project would be subject to Tier 1 of the landscaping ordinance. If the project includes landscaping in the 2,303-square-foot rooftop terrace, it would be subject to Tier 2 of this regulation.
Residential Water Conservation Ordinance (San Francisco Building Code, Housing Code, Chapter 12A)	Requires all residential properties (existing and new), prior to sale, to upgrade to the following minimum standards: 1. All showerheads have a maximum flow of 2.5 gallons per minute (gpm) 2. All showers have no more than one showerhead per valve 3. All faucets and faucet aerators have a maximum flow rate of 2.2 gpm 4. All Water Closets (toilets) have a maximum rated water	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with the residential water conservation ordinance.

Table 5 GHG Regulations Applicable to the Proposed Project			
Regulation	**Requirements**	**Project Compliance**	**Discussion**
	consumption of 1.6 gallons per flush (gpf) 5. All urinals have a maximum flow rate of 1.0 gpf 6. All water leaks have been repaired. Although these requirements apply to existing buildings, compliance must be completed through the Department of Building Inspection, for which a discretionary permit (subject to CEQA) would be issued.		
Residential Energy Conservation Ordinance (San Francisco Building Code, San Francisco Housing Code, Chapter 12)	Requires all residential properties to provide, prior to sale of property, certain energy and water conservation measures for their buildings: attic insulation; weather-stripping all doors leading from heated to unheated areas; insulating hot water heaters and insulating hot water pipes; installing low-flow showerheads; caulking and sealing any openings or cracks in the building's exterior; insulating accessible heating and cooling ducts; installing low-flow water-tap aerators; and installing or retrofitting toilets to make them low-flush. Apartment buildings and hotels are also required to insulate steam and hot water pipes and tanks, clean and tune their boilers, repair boiler leaks, and	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with the residential energy conservation ordinance.

Table 5 GHG Regulations Applicable to the Proposed Project			
Regulation	**Requirements**	**Project Compliance**	**Discussion**
	install a time-clock on the burner. Although these requirements apply to existing buildings, compliance must be completed through the Department of Building Inspection, for which a discretionary permit (subject to CEQA) would be issued.		
Waste Reduction Sector			
Mandatory Recycling and Composting Ordinance (San Francisco Environment Code, Chapter 19) and San Francisco Green Building Requirements for solid waste (San Francisco Building Code, Chapter 13C)	All persons in San Francisco are required to separate their refuse into recyclables, compostables and trash, and place each type of refuse in a separate container designated for disposal of that type of refuse. Pursuant to Section 1304C.0.4 of the Green Building Ordinance, all new construction, renovation and alterations subject to the ordinance are required to provide recycling, composting and trash storage, collection, and loading that is convenient for all users of the building.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would be required to comply. Enforceable through the building permit process.
San Francisco Green Building Requirements for construction and demolition debris recycling (San Francisco Building Code,	Projects proposing demolition are required to divert at least 75% of the project's construction and demolition debris to recycling.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not	The proposed project would be required to comply. Enforceable through the building permit process.

Table 5 GHG Regulations Applicable to the Proposed Project			
Regulation	**Requirements**	**Project Compliance**	**Discussion**
Chapter 13C)		Comply	
San Francisco Construction and Demolition Debris Recovery Ordinance (San Francisco Environment Code, Chapter 14)	Requires that a person conducting full demolition of an existing structure to submit a waste diversion plan to the Director of the Environment which provides for a minimum of 65% diversion from landfill of construction and demolition debris, including materials source separated for reuse or recycling.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would be required to comply. Enforceable through the building permit process.
Environment/Conservation Sector			
Street Tree Planting Requirements for New Construction (San Francisco Planning Code Section 138.1)	Planning Code Section 138.1 requires new construction, significant alterations or relocation of buildings within many of San Francisco's zoning districts to plant one 24-inch box tree for every 20 feet along the property street frontage.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would include street trees planted in accordance with *Planning Code* Section 428.
Light Pollution Reduction (San Francisco Building Code, Chapter 13C5.106.8)	For nonresidential projects, comply with lighting power requirements in CA Energy Code, CCR Part 6. Requires that lighting be contained within each source. No more than .01 horizontal lumen footcandles 15 feet beyond site, or meet LEED credit SSc8.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project's commercial use would be required to comply. Enforceable through the building permit process.
Construction Site Runoff Pollution	Construction Site Runoff Pollution Prevention requirements depend upon	☒ Project Complies ☐ Not	The proposed project would be required to comply. Enforceable through the building permit

Table 5 GHG Regulations Applicable to the Proposed Project			
Regulation	**Requirements**	**Project Compliance**	**Discussion**
Prevention for New Construction (San Francisco Building Code, Chapter 13C)	project size, occupancy, and the location in areas served by combined or separate sewer systems. Projects meeting a LEED® standard must prepare an erosion and sediment control plan (LEED® prerequisite SSP1). Other local requirements may apply regardless of whether or not LEED® is applied such as a stormwater soil loss prevention plan or a Stormwater Pollution Prevention Plan (SWPPP). See the SFPUC Web site for more information: www.sfwater.org/CleanWater	Applicable ☐ Project Does Not Comply	process.
Enhanced Refrigerant Management (San Francisco Building Code, Chapter 13C.5.508.1.2)	All new large commercial buildings must not install equipment that contains chlorofluorocarbons (CFCs) or halons.	☐ Project Complies ☒ Not Applicable ☐ Project Does Not Comply	This requirement is not applicable to the proposed project's 2,845 square feet of commercial use.
Low-emitting Adhesives, Sealants, and Caulks (San Francisco Building Code, Chapters 13C.5.103.1.9,	**If meeting a LEED Standard:** Adhesives and sealants (VOCs) must meet SCAQMD Rule 1168 and aerosol adhesives must meet Green Seal standard GS-36. (Not applicable for New High	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project would be required to comply, either through meeting a LEED standard or a GreenPoint Rated standard. Enforceable through the building permit application process.

Table 5 GHG Regulations Applicable to the Proposed Project			
Regulation	**Requirements**	**Project Compliance**	**Discussion**
13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.2.1)	Rise residential) **If meeting a GreenPoint Rated Standard:** Adhesives and sealants (VOCs) must meet SCAQMD Rule 1168.		
Low-emitting materials (San Francisco Building Code, Chapters 13C.4. 103.2.2,	For Small and Medium-sized Residential Buildings - Effective January 1, 2011 meet GreenPoint Rated designation with a minimum of 75 points. For New High-Rise Residential Buildings - Effective January 1, 2011 meet LEED Silver Rating or GreenPoint Rated designation with a minimum of 75 points. For Alterations to residential buildings submit documentation regarding the use of low-emitting materials. **If meeting a LEED Standard:** For adhesives and sealants (LEED credit EQ4.1), paints and coatings (LEED credit EQ4.2), and carpet systems (LEED credit EQ4.3), where applicable. **If meeting a GreenPoint Rated Standard:** Meet the GreenPoint Rated Multifamily New Home Measures for low-emitting adhesives and sealants, paints	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project would be required to comply, either through meeting a LEED standard or a GreenPoint Rated standard. Enforceable through the building permit application process.

Table 5 GHG Regulations Applicable to the Proposed Project			
Regulation	**Requirements**	**Project Compliance**	**Discussion**
	and coatings, and carpet systems,		
Low-emitting Paints and Coatings (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2 13C.504.2.2 through 2.4)	**If meeting a LEED Standard:** Architectural paints and coatings must meet Green Seal standard GS-11, anti-corrosive paints meet GC-03, and other coatings meet SCAQMD Rule 1113. (Not applicable for New High Rise residential) **If meeting a GreenPoint Rated Standard:** Interior wall and ceiling paints must meet <50 grams per liter VOCs regardless of sheen. VOC Coatings must meet SCAQMD Rule 1113.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project would be required to comply, either through meeting a LEED standard or a GreenPoint Rated standard. Enforceable through the building permit application process.
Low-emitting Flooring, including carpet (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.3 and 13C.4.504.4)	**If meeting a LEED Standard:** Hard surface flooring (vinyl, linoleum, laminate, wood, ceramic, and/or rubber) must be Resilient Floor Covering Institute FloorScore certified; carpet must meet the Carpet and Rug Institute (CRI) Green Label Plus; Carpet cushion must meet CRI Green Label; carpet adhesive must meet LEED EQc4.1. (Not applicable for New High Rise residential)	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project would be required to comply, either through meeting a LEED standard or a GreenPoint Rated standard. Enforceable through the building permit application process.

Table 5 GHG Regulations Applicable to the Proposed Project			
Regulation	**Requirements**	**Project Compliance**	**Discussion**
	If meeting a GreenPoint Rated Standard: All carpet systems, carpet cushions, carpet adhesives, and at least 50% of resilient flooring must be low-emitting.		
Low-emitting Composite Wood (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2 and 13C.4.504.5)	**If meeting a LEED Standard:** Composite wood and agrifiber must not contain added urea-formaldehyde resins and must meet applicable CARB Air Toxics Control Measure. **If meeting a GreenPoint Rated Standard:** Must meet applicable CARB Air Toxics Control Measure formaldehyde limits for composite wood.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project would be required to comply, either through meeting a LEED standard or a GreenPoint Rated standard. Enforceable through the building permit application process.
Wood Burning Fireplace Ordinance (San Francisco Building Code, Chapter 31, Section 3102.8)	Bans the installation of wood burning fire places except for the following: • Pellet-fueled wood heater • EPA approved wood heater • Wood heater approved by the Northern Sonoma Air Pollution Control District	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project would not include any banned wood burning fireplaces.
Regulation of Diesel Backup Generators (San	Requires (among other things): • All diesel generators to be	☒ Project Complies	Plans for the proposed project include no diesel generators.

Table 5 GHG Regulations Applicable to the Proposed Project			
Regulation	**Requirements**	**Project Compliance**	**Discussion**
Francisco Health Code, Article 30)	registered with the Department of Public Health • All new diesel generators must be equipped with the best available air emissions control technology.	☐ Not Applicable ☐ Project Does Not Comply	Should any be required in the future, they would be subject to the provisions indicated in Article 30 of the Health Code.

Impact C-GG-1: The proposed project would not result in a contribution to cumulatively considerable greenhouse gas emissions. (Less than Significant)

All potential future projects in San Francisco would be required to comply with San Francisco's *Strategies to Address Greenhouse Gas Emissions*, which ensures that cumulative development would have a less-than-significant greenhouse gas impact.

In light of the above, the proposed project's potential to increase GHG emissions would be both individually and cumulatively less than significant.

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

Impact WS-1: The proposed project would not result in a significant impact on wind patterns. (Less than Significant)

A wind impact evaluation was prepared for the proposed project by Don Ballanti on July 18, 2011, the results of which are presented below.[78]

Wind Conditions in San Francisco

Winds in San Francisco are generally from the west, off the Pacific Ocean. Wind speeds, in general, are greatest in the spring and summer, and least in fall. Daily variation in wind speed is evident, with the strongest wind in the late afternoon and lightest winds in the morning.

Building Aerodynamics

Ground-level wind accelerations near buildings are controlled by exposure, massing, and orientation. Exposure is a measure of the extent that the building extends above surrounding structures into the wind stream. A building that is surrounded by taller structures is not likely to cause adverse wind accelerations at ground level, while even a small building can cause wind problems if it is freestanding and exposed.

Massing is important in determining wind impact because it controls how much wind is intercepted by the structure and whether building-generated wind accelerations occur above-ground or at ground level. In general, slab-shaped buildings have the greatest potential for wind problems. Buildings that have an unusual shape or utilize set-backs have a lesser effect. A general rule is that the more complex the building is geometrically, the lesser the probable wind impact at ground level.

Orientation determines how much wind is intercepted by the structure, a factor that directly determines wind acceleration. In general, buildings that are oriented with their wide axis across the prevailing wind direction will have a greater impact on ground-level winds than a building oriented with its long axis along the prevailing wind direction.

Analysis of Project Site

The proposed site is at the northeast corner of the block bounded by 6th Street, Howard Street, Harriet Street, and Folsom Street in the SoMa Area of San Francisco. Building heights near the project site vary between two and six stories. The site currently is occupied by a four-story building.

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[78] Donald Ballanti, Certified Consulting Meteorologist, Letter to Stu During, *Subject: Wind Impact Evaluation for the Proposed 200 Sixth Street Project, San Francisco*, July 18, 2011. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case No. 2011.0119E.

The site is partially sheltered from prevailing winds by existing buildings. For northwesterly, west-northwesterly, west, and west-southwesterly winds the site is sheltered by structures of at least 4 stories in height. The terrain around the project site is generally flat.

Evaluation of Project Wind Effects

The project would replace the existing four-story building with a mixed use building nine stories high. The ground floor would include retail (likely restaurant) uses, the other eight floors would be residential. Outdoor space would be located at an interior podium on the second level. The 6th Street and Howard Street building façades would consist of recessed windows, balconies, and articulated architectural details.

The proposed building is relatively sheltered from prevailing winds, with a four-story building immediately to the southwest and five-story buildings directly west and northwest of the site on the far side of Howard Street.

The proposed building has no exposed, continuous building faces oriented towards the prevailing wind directions that would suggest it would generate strong wind accelerations at pedestrian level. Only the upper floors of the proposed building would extend above adjacent structures, and the location of adjacent buildings suggests that any wind accelerations generated by these upper floors would be elevated above the rooftop of the adjacent buildings and not affect pedestrian spaces. The open space podium would be wind sheltered and highly usable.

In summary, based on consideration of the exposure, massing and orientation of the proposed building the project would not have the potential to cause significant changes to the wind environment in pedestrian areas adjacent to or near the site, thus wind impacts of the proposed project would be less than significant.

Impact C-WS-1: The proposed project in combination with other past, present or reasonably foreseeable projects would not result in significant cumulative impacts on wind patterns. (No Impact)

Based on the information provided above, the proposed project would have no potential to contribute to wind impacts from other potential and future development in the project vicinity. It is anticipated that designs of the proposed structures in the project vicinity would be consistent with the applicable height and bulk requirements, the façades would be appropriately articulated, and the allowable heights would not be sufficient for buildings to generate significant cumulative wind impacts.

Impact WS-2: The proposed project would not result in new shadows in a manner that substantially affects outdoor recreation facilities or other public areas. (No Impact)

Section 295 of the *Planning Code* was adopted in response to Proposition K (passed in November 1984) in order to protect public open spaces under the jurisdiction of the Recreation and Park Commission from shadowing by new and altered structures during the period between one hour after sunrise and one hour before sunset, year round. Section 295 restricts new shade and shadow upon public open spaces under the jurisdiction of the Recreation and Parks Department by any structure exceeding 40 feet in height unless the Planning Commission finds the shadow to be an insignificant effect. The proposed project would construct a new 85-foot-tall building that would create new shadow that would fall on the Gene Friend Recreation Center located on the southern half of the project block at the northwest corner of Folsom and 6th Streets, which is operated by the Recreation and Parks Department. The project would therefore be subject to Section 295 of the *Planning Code*.

To determine whether the proposed project would conform to Section 295, a preliminary shadow fan analysis was prepared by Planning Department staff.[79] The preliminary indication of the analysis was that the proposed project had the potential to impact properties protected by the ordinance by casting new shadow on the Gene Friend Recreation Center between Folsom, 6th, and Harriet Streets.

An application has been received by the Planning Department to construct a one-story addition on the existing three-story hotel and retail building at 226 6th Street, which is located between the proposed 200 6th Street project and the Gene Friend Recreation Center, and would therefore have the potential to cast new shadow on the Recreation Center property. Accordingly, a more precise shadow assessment was conducted for the proposed project and the 226 6th Street project that projected the maximum extent of potential shadows from the two projects towards the recreation center (on June 21 from 7:00 PM to 7:30 PM).[80] The results of the analysis indicated that the shadows cast by either project would not reach the recreation center.

[79] Erika Jackson, San Francisco Planning Department, *200 Sixth Street*, (Case No. 2011.0119K), June 22, 2011. This document is available for public review the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as a part of Case No. 2011.0119E.

[80] Charles Bennett, ESA, "*Joint Prop K Shadow Screening for 200 – 226 Sixth Street Projects,*" September 26 and October 6, 2011. These documents are available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as a part of Case File No. 2011.0119E.

After reviewing the revised assessment, the Planning Department concurred that no net new shadow would be cast upon the Gene Friend Recreation Center for the following reasons:[81]

- The proposed 200 6th Street building would be situated such that the new shadows that would be cast by the project would not fall on the recreation center property.
- The intervening building located between the 226 6th Street project site and the recreation center would intercept potential shadows cast by the proposed project.

Therefore, the project has been determined to be in compliance with *Planning Code* Section 295.

Section 295 of the *Planning Code* does not provide protection of sunlight for non-Recreation and Park properties. These properties are, however, evaluated under CEQA. Other public spaces that would be affected by the shadow caused by the proposed project include public sidewalks in the project vicinity. The proposed project would be approximately 40 feet higher than the existing building on the project site and would cover the project site, thereby increasing shadow on 6th and Howard Streets, and surrounding properties. However, because of the height of the proposed building and the configuration of existing buildings in the vicinity, the net new shading that would result from the proposed project construction would be limited in scope, and would not increase the total amount of shading above levels which are common and generally accepted in urban areas. Although residents may regard the increase in shadow during any time of the year an inconvenience, the limited amount of increase in shading would not be considered a significant impact under CEQA.

Impact C-WS-2: The proposed project, in combination with other past, present or reasonably foreseeable projects would not result in significant shadow impacts. (No Impact)

Based on the information provided above, the proposed project, along with other potential and future development in the vicinity, discussed on page 45 of this Initial Study, would not result in significant shadow impacts in the project vicinity. Thus, the proposed project in combination with others would not be expected to contribute considerably to adverse shadow effects under cumulative conditions.

In light of the above, the proposed project's potential to increase wind and shadow in the project vicinity would be both individually and cumulatively less than significant.

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[81] Kevin Guy, San Francisco Planning Department, *200 Sixth Street*, (Case No. 2011.0119K, 2009.0089K), October 24, 2011. This document is available for public review by appointment at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as a part of Case File No. 2011.0119E.

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

Impact RE-1: The proposed project would result in less-than-significant impacts related to an increase in the use of existing parks and recreational facilities, the physical deterioration of such facilities, or the requirement for expansion of existing recreational facilities. (Less than Significant)

The project site is located within an area designated as an Open Space Service Area in the Recreation and Open Space Element of the General Plan, indicating that the site is within acceptable walking distance of public open space.[82]

The San Francisco Recreation and Park Department (RPD) maintains more than 220 properties (parks, playgrounds, and open spaces) throughout the City. Among its responsibilities are the management of 55 multi-purpose recreation centers; nine swimming pools; six golf courses; and hundreds of tennis courts, baseball diamonds, athletic fields, and basketball courts.[83,84]

The nearest Recreation and Park Commission property is the Gene Friend Recreation Center located about one-half block (about 135 feet) to the south, occupying the southern half of the project block. UN Plaza, at Market and Leavenworth Streets, is located about 1,800 feet to the west of the project site. Other

[82] City and County of San Francisco, *San Francisco General Plan, Recreation and Open Space Element*, Map 2: Public Open Space Service Areas, *http://www.sf-planning.org/ftp/General_Plan/I3_Rec_and_Open_Space.htm*, accessed November 2, 2011.

[83] San Francisco Recreation and Park Department website, accessed July 6, 2011; online at http://www.parks.sfgov.org

[84] San Francisco Recreation and Park Department, Recreation Assessment Report, August 2004, p. 21, *http://sf-recpark.org/ftp/uploadedfiles/wcm_recpark/Notice/SFRP_Summary_Report.pdf*, accessed November 2, 2011.

nearby facilities include Howard Langton Mini-Park and Community Garden, located between 7th and 8th Streets, about 1,000 feet west of the site, and Victoria Manalo Draves Park, located about 550 feet from the project site on the east side of Sherman Street and extending from Folsom to Harrison Streets.

Open spaces not under Recreation and Park Commission jurisdiction include the Mint Plaza, one block (about 1,700 feet) northeast of the project site, immediately north of the Old Mint Building at the northwest corner of Mission and 5th Streets; and Yerba Buena Gardens and the Moscone Center, between two and three blocks (about 1,900 feet) to the east, encompassing two full blocks bordered by Mission Street on the north, 3rd Street on the east, Folsom Street on the south, and 4th Street on the west.

Residents and employees of the proposed mixed-use building may use the City's nearby recreational facilities, and would increase the population at these facilities. However, these additional users would not be expected to increase use to the extent that it would cause substantial additional physical deterioration of the facilities. The anticipated increase in population of 135 persons, including 124 residents and 11 employees that would result from the proposed project would not require the construction of new recreational facilities or the expansion of existing facilities. The proposed project would therefore have a less-than-significant impact on parks and recreational facilities.

Impact C-RE-1: The proposed project, in combination with other past, present, or reasonably foreseeable projects would result in less-than-significant impacts to recreational resources. (Less than Significant)

As discussed in Topic E.3, Population and Housing, the proposed project would contribute population growth in combination with other residential and mixed-use projects that are currently proposed, planned, or anticipated in the project vicinity. The nearby projects identified on page 45 could incrementally increase the population of the City, and the proposed project could contribute up to 124 new residents to the project area. Although many of the new residential dwelling units that are planned would likely be occupied by existing San Francisco residents, there would, at a minimum, be an increase in the number of residents living in the project vicinity, which would increase local demand for recreational resources.

As described above under Impact RE-1, the use of neighborhood and/or regional parks or other recreational resources in the project area and/or citywide would not increase substantially as a result of the proposed project, and would not result in the need for new and/or expanded neighborhood parks, which could result in physical effects on the environment. As with the proposed project, the reasonably

foreseeable cumulative projects within an approximately 0.25-mile radius of the project site would be required to comply with *Planning Code* open space requirements. There would be an expected growth in the number of residential units, and residents in new projects would use existing recreational facilities, as would residents from the existing residential developments, however, the cumulative projects, in combination with the proposed project, would not increase use of existing neighborhood and/or regional parks or other recreational facilities such that substantial physical deterioration or physical degradation of existing recreational facilities would occur. Nor would they require the construction or expansion of recreational facilities that would, in turn, have an adverse physical effect on the environment. The project would therefore have a less-than-significant cumulative impact on recreational resources.

Overall, the proposed project, alone and in combination with nearby residential, commercial, and mixed-use projects, would not contribute to, or result in, cumulatively considerable impacts on recreational resources, and will not be discussed further in the EIR.

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

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐	☐

The project site is within an urban area that is well served by utilities and service systems, including sewer treatment plants, water supply facilities, and solid waste disposal. The proposed project would incrementally increase demand for and use of these services, but not in excess of amounts expected and provided for in this area.

Impact UT-1: The proposed project would not exceed the wastewater treatment requirements of the Regional Water Quality Control Board, require or result in the construction of new, or expansion of existing, water, wastewater treatment facilities, or stormwater drainage facilities and the proposed project would be adequately served by the City's wastewater treatment provider. (Less than Significant)

The SFPUC provides both water and wastewater service in San Francisco. San Francisco's combined sewer and wastewater treatment system serves the project site, which handles both sewage treatment and stormwater runoff. The Southeast Water Pollution Control Plant (Southeast Plant) provides wastewater and stormwater treatment and management for the east side of the city, including the project site. The proposed project would need to meet the wastewater pre-treatment standards of the SFPUC that comply with the requirements of the San Francisco Industrial Waste Ordinance and the Regional Water Quality Control Board.[85] No new stormwater or wastewater collection and treatment facilities would be required to serve the proposed project. The proposed project would not result in a population increase beyond that assumed for planning purposes by the SFPUC.

The project would comply with the City's Stormwater Management Ordinance, which requires the project to maintain or reduce the existing volume and rate of stormwater runoff discharged from the site. To achieve this, the project would implement and install appropriate stormwater management systems that retain runoff on site, promote stormwater reuse, and limit site discharges entering the combined

[85] City and County of San Francisco, Ordinance No. 19-92, San Francisco *Municipal Code* (Public Works), Part II, Chapter X, Article 4.1 (amended), January 13, 1992.

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 need for upsizing or constructing new facilities. Thus, the project would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

The proposed project would not require new wastewater or stormwater collection and treatment facilities. Therefore, the proposed project would have a less-than-significant wastewater service impact on existing, water, wastewater treatment facilities, or stormwater drainage facilities.

Impact UT-2: The proposed project would increase the amount of water used on the site, but would be adequately served by existing entitlements and water resources. (Less than Significant)

The proposed project's 67 residential units and 2,845 square feet of commercial space would consume an estimated 6,471 gallons of water per day.[86] Although the proposed project would incrementally increase the demand for water in San Francisco, the estimated increase could be accommodated within anticipated water use and supply for San Francisco.[87] Additionally, the new construction 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). During project construction, the project sponsor and project building contractor must comply with Ordinance 175-91, passed by the Board of Supervisors on May 6, 1991, which requires that non-potable water be used for dust-control activities. Since project water demand could be accommodated by the existing and planned supply anticipated under the San Francisco Public Utility Commission's 2010 Urban Water Management Plan for the City and County of San Francisco and would use best-practice water conservation devices, it would not result in a substantial

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[86] SFPUC, 2010 Urban Water Management Plan (UWMP) for the City and County of San Francisco, June 2011, p. 33. This document is available online at *http://sfwater.org/Modules/ShowDocument.aspx?documentID=1055*, accessed May 22, 2012.

The current consumption rate for residents in San Francisco is 50 gallons per day (gpd) per capita (*Ibid*, page 33). Commercial water use is estimated at 95 gpd per 1,000 square feet of commercial land use (San Francisco Planning Department, Mission Bay Final EIR, Table L.3: Mission Bay Project Total Daily Water Demand, p. L.9). The anticipated new residential population of 124 persons x 50 gpd yields 6,200 gpd; and the 2.845 [1,000 square feet] of commercial uses x 95 yields 271 gpd. The anticipated total gpd usage for the proposed project would therefore be 6,471 gpd.

[87] San Francisco Public Utility Commission, 2010 UWMP, *op cit*. The Plan uses the City's Retail Water Use Models, first developed in 2004 and updated in 2010—an estimate of total growth expected in the City and County of San Francisco from 2010–2035.

increase in water use on the project site that could not be accommodated by existing water supply entitlements and resources. Therefore, the proposed project would result in less-than-significant water supply impacts.

Impact UT-3: The proposed project would increase the amount of solid waste generated on the project site, but would be adequately served by the City's landfill and would comply with federal, state and local statutes and regulations related to solid waste. (Less than Significant)

Solid waste generated by the City and County of San Francisco is transported to the Altamont Landfill. This landfill has a permitted peak maximum disposal capacity of 11,150 tons per day and is operating well below that capacity, at approximately 4,000 to 5,000 tons per day. In addition, the landfill has an annual solid waste capacity of 2,226,500 tons for waste generated in the City and County of San Francisco. However, the landfill is well below its allowed capacity, receiving approximately 1.29 million tons of solid waste in 2007, the most recent data year available. The total permitted capacity for the landfill is 62 million cubic yards; the remaining capacity is approximately 45.7 million cubic yards.[88]

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

The proposed project would be in compliance with the San Francisco *Building Code* Chapter 13 C, which requires a minimum of 75 percent of all construction and demolition debris to be recycled and diverted from landfills. Furthermore, the proposed project would be in compliance with City Ordinance 100-09, the Mandatory Recycling and Composting Ordinance which requires everyone in San Francisco to separate their refuse into recyclables, compostables, and trash. The project's residents and employees would participate in the City's recycling and composting programs and other efforts to reduce the solid waste disposal stream. The Altamont Landfill is expected to remain operational until at least 2029 and has plans to increase capacity by 250 additional acres.[89] With the City's increase in recycling and the potential

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[88] California Integrated Waste Management Board, Active Landfill Profiles, Altamont Landfill. Available online at *http://www.calrecycle.ca.gov/Profiles/Facility/Landfill/LFProfile1.asp?COID=1&FACID=01-AA-0009*, accessed November 22, 2011.

[89] *Ibid*.

Altamont Landfill expansion, the City's solid waste disposal demand could be met through at least 2029. Given the existing and anticipated increase in solid waste recycling and the proposed landfill expansion, the project would have a less-than-significant impact on solid waste facilities.

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

The proposed project would not substantially impact water supply, wastewater facilities, or solid waste services. Existing service provision plans address anticipated growth in the region. The proposed project and cumulative projects as identified on page 45 would not exceed growth projections for the area and therefore would not have a cumulatively considerable effect on utilities and service systems. For the reasons discussed above, utilities and service systems would not be adversely affected by the project, either individually or cumulatively, and therefore impacts on utilities and service systems would be less than significant.

In summary, the proposed project would not require or result in the construction of new or expanded water or wastewater treatment facilities or stormwater drainage facilities; would not require new or expanded water supply resources or entitlements; would not require construction or expansion of solid waste facilities; and would result in less-than-significant cumulative impacts to utilities and service systems. These topics will not be discussed further in the EIR.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
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?	☐	☐	☒	☐	☐

Impact PS-1: The proposed project would result in less-than-significant impacts to public services including police and fire protection and schools and parks. (Less than Significant)

Police and Fire Protection

The project site currently receives police and fire protection services from the San Francisco Police Department (SFPD) and the San Francisco Fire Department (SFFD), respectively. The proposed project would construct a mixed-use building with 67 residential affordable apartment units and approximately 2,845 square feet of retail (likely restaurant) space. Although the proposed project would add new residential units and a limited amount of retail space, overall demand for fire suppression and police service in the area is not expected to substantially increase as a result of the project.

The police station that serves the project site is the Southern Station, located at 850 Bryant Street, approximately 0.3 mile southeast of the project site. The fire station that serves the project site is Station No. 8, at 36 Bluxome Street, approximately 0.6 mile southeast of the project site. Other fire stations in the area include Station No. 36, at 109 Oak Street, about 0.8 mile southwest of the site; Station No. 3, at 1067 Post Street, about 0.85 mile northwest of the project site; Station No. 29, at 299 Vermont Street, about 0.9 mile south of the project; and Station No. 41, at 1325 Leavenworth Street, about 1.1 mile northwest of the project. Other police stations in the area are located at: (1) 301 Eddy Street (approximately 0.4 mile northwest of the project site), and (2) 766 Vallejo Street (approximately 1.3 miles north of the project site). The proposed project would be equipped with fire prevention systems, such as fire sprinklers, smoke alarms, and fire alarms.

As stated above, the project site is already served by public services, including police and fire protection services. Under CEQA, a project would have a significant impact on public services if it were to substantially affect the service ratios or response times of any public service, which would necessitate the need for new or expanded governmental facilities.

The estimated additional number of police and fire calls that may be generated by the proposed project are expected to be similar to the number of calls generated by the surrounding residential uses. Therefore, the number of calls that may result from the proposed project would be small compared with the existing number of calls handled by the District, and would not necessitate the need for new or expanded police or fire facilities. As such, the proposed project would have a less than significant impact on police and fire protection services.

Schools and Parks

The closest public school to the project site is Bessie Carmichael Elementary and Middle School, at 375 7th Street, approximately 850 feet south of the project site. The proposed project would create new housing units and new jobs that, at a maximum, would increase San Francisco's population by 0.0017 percent. The project could generate an indirect and incremental increase in the demand for school services and parks. The San Francisco Unified School District (SFUSD) is currently not a growth district, most facilities throughout the City are generally underutilized, and the SFUSD has more classrooms district-wide than are needed.[90] Thus, the proposed project would not result in a substantial unmet demand for school facilities and would not necessitate new or physically altered school facilities. Therefore, the proposed project would result in a less-than-significant impact on schools. Project-related impacts on recreation are discussed under Topic E.10 Recreation, on page 111.

Impact C-PS-1: The proposed project in combination with other past, present or reasonably foreseeable projects would result in less-than-significant public services impacts. (Less than Significant)

As discussed under Impact PS-1, project-related impacts on the provision of public services would be less than significant. Cumulative development in the project area would incrementally increase demand for public services, but not beyond levels anticipated and planned for by public service providers. Thus, the project's cumulative impacts to public services would be less than significant.

In summary, the proposed project would result in less-than-significant individual and cumulative impacts to public services, including police and fire protection, schools, and parks, and these topics will not be discussed in the EIR.

The proposed project's indirect and incremental effect on household growth in the context of City infrastructure update and development planning efforts, i.e., libraries, water supply, and wastewater services, would not be substantial and would not create demand beyond the City's overall growth projections for service provision. Therefore, the proposed project would generate less-than-significant impacts on school services, parks, libraries, community centers, and other public facilities. Project-related impacts on recreation are discussed under Topic E.10 Recreation, on page 111.

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[90] San Francisco Unified School District, Facilities Master Plan, *http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/strategic-plan-beyond-the-talk.pdf*, accessed October 27, 2011.

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

The project site is within an urban setting and does not contain wetlands or wildlife habitat; nor are there any adopted Habitat Conservation Plans, Natural Community Conservation Plans, nor other approved local, regional, or state habitat conservation plans applicable to the project site. Therefore, Topics E.13.c and E.13.f are not applicable to the proposed project and will not be addressed further.

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

The project site is not located near any riparian habitat, sensitive natural community, federally protected wetlands or adopted conservation plan. There is no potential for the proposed project to adversely affect special-status species or sensitive natural communities, including wetlands. Migrating birds do pass through San Francisco, but the project site does not contain habitat to support migrating birds. Nesting birds, their nests, and eggs are fully protected by *Fish and Game Code* (Sections 3503, 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 to nesting birds.

Most of the project site is fully developed with an existing building. A narrow side yard on the west side of the site is partially covered with impervious surfaces, and otherwise covered with grass and ruderal vegetation. The project site is located in a highly urbanized environment with street trees and urban parks providing the only habitat in the greater project area. Other than the limited side yard, there is no vegetation on the project site. There would therefore be no impact on biological resources.

Impact BI-2: The proposed project would not conflict with the City's local tree ordinance. (No Impact)

The San Francisco Board of Supervisors recently adopted legislation that amended the City's Urban Forestry Ordinance, *Public Works Code* Article, Sections 801 et seq., to require a permit from the Department of Public Works (DPW) to remove any protected trees.[91] Protected trees include landmark trees, significant trees, or street trees located on private or public property anywhere within the territorial limits of the City and County of San Francisco. The designations are defined as follows.

- ***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 designation by using established criteria (Section 810). Special permits are required to remove a landmark tree on private property or on City-owned property.
- ***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 certain size criteria. To be considered significant, a tree must have a diameter at breast height of more than 12 inches, a height of more than 20 feet, or a canopy of more than 15 feet (Section 810(A)(a)). The removal of significant trees on privately owned property is subject to the requirements for the removal of street trees. As part of the determination to authorize removal of a significant tree, the Director of DPW is required to consider certain factors related to the tree, including (among others) its size, age, species, and visual, cultural, and ecological characteristics (Section 810A(c)).

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[91] Board of Supervisors, Ordinance No. 17-06, amending Public Works Code Sections 801, et seq.

- ***Street trees*** are trees within the public right-of-way or on land within the jurisdiction of the DPW. Their removal by abutting property owners requires a permit.

The project sponsor conducted a survey of trees on the project site to determine the project's compliance with the City's Urban Forestry Ordinance.[92] No trees are extant on the project site. There are three street trees in the sidewalk along the project site's frontage on 6th Street, including two palm trees, and there are two palm trees in the sidewalk along the project site's frontage on Howard Street. If these street trees need to be removed, the project sponsor would obtain a tree removal permit in accordance with *Public Works Code* Section 806 and would plant appropriate replacement street trees in compliance with *Planning Code* Section 138.1, the *Better Streets Plan,* and in accordance with the MBTA. *Planning Code* Section 138.1 requires new construction, significant alterations, or relocation of buildings within any zoning district to plant one 24-inch box tree for every 20 feet along the property street or alley frontage, with any remaining fraction of 10 feet or more requiring an additional tree. For projects in some districts, including NC districts (such as the project site), planted street trees must also have a minimum two-inch caliper as measured at breast height and branch a minimum of 80 inches above sidewalk grade. The trees must be planted in conformance with the City's recently adopted *Better Streets Plan*, including conformance with the street tree goals for a particular street type. The *Better Streets Plan* took effect on January 13, 2011.

There are no trees on the project site that could be disturbed by construction of the proposed project. As discussed above, there are street trees adjacent to the project site, which, if they are disturbed or removed, would be replaced in accordance with local regulations. Additionally, the proposed project would include the planting of additional street trees in accordance with local regulations. For these reasons, the project would therefore not conflict with the City's Urban Forestry Ordinance, and would have no impact related to tree protection.

Impact C-BI-1: The proposed project in combination with other past, present or reasonably foreseeable projects would not result in impacts to biological resources. (No Impact)

As discussed above, the project site does not contain habitat for any riparian or other species identified as 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, and the project could not impact biological resources. Also, the proposed project would not conflict with the Urban Forestry Ordinance. Therefore, the proposed project would have no cumulative impact on biological resources.

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[92] Sharon Christen, Mercy Housing, *Affidavit for Tree Disclosure,* July 10, 2010. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case No. 2011.0119E.

In summary, as noted above, the proposed project would have no impact on special-status species, avian species, riparian, wetland, or sensitive natural communities; would not conflict with an approved local, regional, or state habitat conservation plan or tree protection ordinance; and would have no cumulative impact on biological resources. This topic will not be addressed in the EIR.

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

The proposed project site is flat, and a basement extending about eight-feet below grade covers the entire site. There would be no use of septic tanks, or alternative wastewater disposal systems. Therefore, Topics E.14.b and E.14.f are not applicable to the proposed project and will not be addressed further.

Impact GE-1: The proposed project would result in less-than-significant impacts related to exposure of persons or structures to seismic and geologic hazards. (Less than Significant)

The analysis in this section is based on a Geotechnical Investigation prepared by Treadwell & Rollo in 2012.[93] The scope of the report consisted of reviewing existing data presented on foundation plans for the existing buildings, geologic maps, field investigations, two geotechnical borings, and reports available from the City and County of San Francisco, the California Geological Survey (CGS; formerly California Division of Mines and Geology), as well as the Association of Bay Area Governments (ABAG).

The project site lies on the northern edge of an old tidal flat area known as Sullivan's Marsh. The land was reclaimed in the late 1800s by placing fill. The existing building basement is underlain by 9 to 22 feet of sand, geologically referred to as Dune sand. The sand is underlain by a thin Marsh deposit (shallow water deposit) at the north side of the property that pinches out to the south, consisting of peat and soft clay. Beneath the Marsh deposit in the north and the sand in the south is an 8- to 12-foot-thick weak and compressible marine clay deposit, locally known as Bay Mud. The Bay Mud is underlain by a hard sandy clay layer that is about eight feet thick at the north side of the property and pinches out to the south. The sandy clay layer and Bay Mud are underlain by dense to very dense silty sand and sand, referred to as the Colma Formation. The Colma Formation is underlain by Old Bay Clay, a very stiff to hard clay layer that is approximately 10 feet thick. Beneath the Old Bay Clay is dense to very dense silty sand to the maximum depth explored (150 feet below street grade). The high groundwater level at the site is at a depth of about 3½ feet below the existing basement slab, about 11 to 12 feet below ground surface.

The project site is located approximately 7.4 miles from the San Andreas Fault, the closest mapped active fault in the project vicinity. The Working Group for California Earthquake Probabilities estimates a 70

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[93] Treadwell & Rollo, *Geotechnical Investigation, 200 6th Street, San Francisco,* April 26, 2012. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case No. 2011.0119E.

percent chance of having one or more magnitude 6.7 or larger earthquakes in the San Francisco Bay Area over the next 30 years (2007–2036).[94]

The project site is not within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known fault or potentially active fault exists on the project site. In a seismically active area, such as the San Francisco Bay Area, the remote possibility exists for future faulting in areas where no faults previously existed. The geotechnical study found no evidence of active faulting on the project site and concluded that the risk of surface faulting at the project site is low. During an earthquake, however, there could be ground shaking at the project site. Strong shaking during an earthquake can result in ground failure associated with soil liquefaction,[95] lateral spreading,[96] and cyclic densification.[97]

It is likely that the project site would experience periodic minor earthquakes, and possibly a major earthquake (moment magnitude[98] [Mw] greater than 7.1) on one or more of the nearby faults during the life of the proposed development. The potential for liquefaction-induced ground rupture and sand boils to occur at the site depends on the thickness of the liquefiable soil layer relative to the thickness of the overlying non-liquefiable material.

The site is within a liquefaction hazard zone designated by the California Division of Mines and Geology. These are areas where historic occurrence of liquefaction, or local geological, geotechnical, and

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94 Field, Edward H., Milner, Kevin R., and the 2007 Working Group on California Earthquake Probabilities, 2008, *Forecasting California's earthquakes; What can we expect in the next 30 years?*: U.S. Geological Survey, Fact Sheet 2008-3027,p.4, Version 1.0, April 14, 2008, 10:00 AM. Initial release online at *http://pubs.usgs.gov/fs/2008/3027/*, accessed November 2, 2011.

95 Liquefaction is a phenomenon in which saturated, cohesionless soil experiences a temporary loss of strength due to the buildup of excess pore water pressure, especially during cyclic loading such as that induced by earthquakes. Soil most susceptible to liquefaction is loose, clean, saturated, uniformly graded, fine-grained sand and silt of low plasticity that is relatively free of clay.

96 Lateral spreading is a phenomenon in which surficial soil displaces along a shear zone that has formed within an underlying liquefied layer. Upon reaching mobilization, the surficial blocks are transported downslope or in the direction of a free face by earthquake and gravitational forces.

97 Cyclic densification is a phenomenon in which non-saturated, cohesionless soil is densified by earthquake vibrations, causing settlement.

98 Moment magnitude is an energy-based scale and provides a physically meaningful measure of the size of a faulting event. Moment magnitude is directly related to average slip and fault rupture area.

groundwater conditions, indicate a potential for permanent ground displacements such that mitigation as defined in *Public Resources Code* Section 2693(c) would be required.[99]

Several feet of liquefaction settlement occurred at the northeast corner of Howard and 6th Streets and wave-like deformation along 6th Street adjacent to the project site was documented following the 1906 Earthquake. A report prepared in 1991 for the City and County of San Francisco concluded that the project site lies in an area where two to five feet of liquefaction-induced settlement and more than two feet of lateral displacement may occur during an earthquake having a Moment magnitude (Mw) of 8.1.

The borings encountered a continuous layer of potentially liquefiable sandy soil below groundwater level; this layer is about five feet thick. Additional thin, localized, and discontinuous sand layers were encountered at various depths in the remainder of the Dune sand deposit. The results of the analyses indicate liquefaction-induced settlement at the ground surface of the project site may be on the order of four inches. Differential settlement may be on the order about to two inches over a horizontal distance of fifty feet. Considering the high groundwater level is at about 11 to 12 feet below grade and that the Dune sand below the groundwater is loose to medium dense, Treadwell and Rollo concluded that the potential for liquefaction during a major earthquake on one of the nearby active faults exists at the site.

The geotechnical analysis sets forth recommendations for site preparation and foundation to address the ground-shaking, liquefaction, and settlement potential on the site. The geotechnical investigation found the site suitable for development providing that its recommendations were incorporated into the design and construction of the proposed development. The proposed project would comply with the latest California Building Code (CBC) requirements for construction and rehabilitation, which would reduce the associated risk of property loss and hazards to occupants to a less than significant level. The project site is not located within a general area susceptible to potential landslides.[100] The project area is essentially level, and there is no significant sloping on or immediately upslope of the project site. Slope stability is therefore not anticipated to be a factor in the proposed construction. Appropriate shoring for the mat foundation would be addressed by DBI as part of its review of building plans prior to issuing a building permit.

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[99] California Division of Mines and Geology, *State of California Seismic Hazard Zones* [map], Open File Report 2000-009, November 17, 2000.

[100] San Francisco Planning Department. *San Francisco General Plan, Community Safety Element*. Map 5. August 1997. This document is available online at the Planning Department's website at: *www.sfplanning.org*, accessed February 10, 2012.

Potential seismic and geologic hazards would be addressed through compliance with the *California Building Code,* as implemented through DBI. The final building plans and the structural report would be reviewed by DBI prior to issuance of a building permit. To ensure compliance with all San Francisco *Building Code* provisions regarding structural safety, DBI would determine necessary engineering and design features for the project to reduce potential damage to structures from groundshaking, liquefaction, and compressibility. These potential hazards would be ameliorated through the DBI requirement for a geotechnical report and review of the building permit application; thus, the project would result in less-than-significant impacts related to seismic and geologic hazards.

Impact GE-2: The proposed project would result in less-than-significant impacts related to soil erosion or substantial changes in the project site's topography or any unique geologic or physical features of the site. (Less than Significant)

The ground surface elevation of the project site is approximately 9 to 11 feet above mean sea level (MSL). The general topography of the project area slopes gently down toward the west and north. An existing building occupies the site and an eight-foot basement extends to the property line. The project would require DPW approval of any grading permit and analysis for efficient stormwater management during project construction and operation.

Construction of the foundation would require excavation to accommodate the replacement four-foot-thick mat slab. Up to 1,000 cubic yards of soil and debris would be excavated from the site. Any soil removed from the project site would be trucked to an appropriate landfill following testing pursuant to City and State requirements for hazardous materials (see discussion of Maher Layer Area, page 145). During demolition and construction, there would be a potential for erosion of a less-than-significant amount of soil during demolition construction of the proposed building foundation.

Therefore, the project would not result in substantial project-level or cumulative soil erosion. The project's impacts related to soil erosion or changes in topography or geologic features would be less than significant.

Impact GE-3: The proposed project would not be located on a geologic unit or soil that is unstable, or that would become unstable as the result of the project, and would not potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse. (Less than Significant)

Foundations

The Dune sand, marsh deposit, and Bay Mud are not suitable for foundation support. The Dune sand below the water level may liquefy and move laterally. The marsh deposit and Bay Mud are weak and highly compressible; erratic, unpredictable, differential settlement would occur under the expected building loads.

The primary geotechnical issues associated with the selection, design, and installation of foundations for the proposed development are:

- potential for liquefaction and lateral spreading during an earthquake,
- presence of weak, compressible soil that will consolidate under the anticipated building loads, and
- magnitude of anticipated lateral and uplift forces to be resisted by the building.

Other factors that should be addressed during design are:

- maintaining lateral support of the existing basement walls during construction,
- providing lateral and vertical support of adjacent structures during construction,
- installing foundations below the groundwater level, and
- mitigating soil corrosion potential.

To mitigate the potential for (1) large lateral and vertical soil movement during a major earthquake on a nearby fault and (2) building settlement under the anticipated column loads, the proposed structure would be founded on a mat supported on soil-cement columns, approximately four feet in diameter, 22 to 33 feet long and would be spaced approximately 6.5 feet on center.

The project would involve either reinforcing or replacing the existing basement walls and underpinning adjacent properties during construction as necessary.

Dewatering

Perched groundwater was encountered at depths of approximately 11 to 12 feet bgs in the test borings for which water level was measured. If dewatering were to be required during construction, it would be subject to the requirements of the City's Industrial Waste Ordinance (Ordinance Number 199-77), requiring that groundwater meet specified water quality standards before it may be discharged into the

sewer system. The Bureau of Environmental Regulation and Management (BERM), of the San Francisco Public Utilities Commission must be notified of projects necessitating dewatering, and may require groundwater analysis before discharge. Potential degradation of groundwater quality as a result of dewatering during project construction would be reduced to a less-than-significant level through the BERM requirement for retention of groundwater pumped from the project site in a holding tank, and analysis of the quality of this groundwater before it is discharged to the combined sanitary and storm drain sewer system.

Should dewatering be necessary, the final soils report would address the potential settlement and subsidence impacts of this dewatering. Based on this discussion, the soils report would determine whether or not a lateral movement and settlement survey should be done to monitor any movement or settlement of surrounding buildings and adjacent streets. If a monitoring survey were recommended, DBI would require that a Special Inspector (as defined in Article 3 of the *Building Code*) be retained by the project sponsor to perform this monitoring. Groundwater observation wells might be installed to monitor potential settlement and subsidence. If, in the judgment of the Special Inspector, unacceptable movement were to occur during construction, groundwater recharge would be used to halt this settlement. The project sponsor would delay construction if necessary. Costs for the survey and any necessary repairs to service lines under the street would be borne by the project sponsor. If dewatering were necessary, the project sponsor and its contractor would follow the geotechnical engineers' recommendations regarding dewatering to avoid settlement of adjacent streets, utilities, and buildings that could potentially occur as a result of dewatering.

For the reasons discussed above, the proposed project's soil erosion and stability impacts would be less than significant.

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

The proposed project would result in no impact to topographical features, loss of topsoil or erosion, or risk of injury or death involving landslides. Therefore, the project would not have a considerable contribution to related cumulative impacts, if any. In addition, other reasonably foreseeable future project's building plans would be reviewed by DBI, and potential geologic hazards would be ameliorated during the DBI permit review process. Therefore, the cumulative impacts to geology, soils, and seismicity would be less than significant.

In summary, the proposed project would have a less-than-significant impact on exposing people or structures to potential substantial adverse effects related to geology. The proposed project would not be located on unstable soil, or soil that would become unstable as a result of the project. The project would not be located on expansive soil, have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems, or substantially change the topography or any unique geologic or physical features of the site.

For all of the above reasons, the proposed project would result in less-than-significant project-specific and cumulative impacts related to geology, seismicity, or soils. These topics will not be discussed further in the EIR.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
15. HYDROLOGY AND WATER QUALITY— Would the project:					
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion of siltation on- or off-site?	☐	☐	☒	☐	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☒	☐	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐	☐

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Not Applicable
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	☐	☐	☒	☐	☐
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☒	☐	☐
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐	☐
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	☐	☐	☒	☐	☐

Impact HY-1: The proposed project would not violate any water quality standards or waste discharge requirements and would result in less-than-significant impacts to water quality. (Less than Significant)

The proposed project would not substantially degrade water quality or contaminate a public water supply. The proposed project's wastewater and stormwater would continue to flow into the City's combined stormwater and sewer system and would be treated to the standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant, prior to discharge into the Pacific Ocean. Treatment would be provided pursuant to the effluent discharge standards contained in the City's NPDES permit for the plant. During construction, there could be a slight potential for erosion and the transport of soil particles during building foundation work. Once in surface water runoff, sediment and other pollutants could leave the construction site and ultimately be released into the San Francisco Bay.

Regulations incorporated into the San Francisco Green Building Ordinance address stormwater management by reducing impervious cover, promoting infiltration, and capturing and treating 90 percent of the runoff from an average annual rainfall event using acceptable Best Management Practices. These regulations ensure that projects would be required to reduce runoff from existing amounts.

Pursuant to the San Francisco Building Code and the City's NPDES permit, the project sponsor would be required to implement measures to reduce potential erosion impacts. During operation and construction, the proposed project would be required to comply with all local wastewater discharge and water quality

requirements. Therefore, the proposed project would not substantially degrade water quality, and impacts on water quality would be less than significant.

Impact HY-2: The proposed project would not substantially deplete groundwater supplies or interfere with groundwater recharge, or otherwise substantially alter the existing drainage pattern of the site resulting in erosion or flooding on- or off-site. (Less Than Significant Impact)

The City overlies all or part of seven groundwater basins. These groundwater basins include the Westside, Lobos, Marina, Downtown, Islais Valley, South San Francisco, and Visitation Valley basins. The Lobos, Marina, Downtown, and South basins are located wholly within the City limits, while the remaining three extend south into San Mateo County. With the exception of the Westside and Lobos basins, all of the basins are generally inadequate to supply a significant amount of groundwater for municipal supply due to low yield.[101] Local groundwater use has occurred in small quantities in the City. For several decades groundwater has been pumped from wells located in Golden Gate Park and the San Francisco Zoo. Based on well operator estimates, about 1.5 million gallons a day is produced by these wells. The groundwater is mostly used in the Westside Groundwater Basin by the Recreation and Park Department (RPD) for irrigation in Golden Gate Park and at the Zoo. These wells are located in the North Westside Groundwater Basin. The California Department of Water Resources (CA DWR) has not identified this basin as over-drafted, nor as projected to be over-drafted in the future. Based on semi-annual monitoring, the groundwater currently used for irrigation and other non-potable uses in San Francisco meets, or exceeds, the water quality needs for these end uses.

Currently, there is negligible recharge of groundwater at the project site because the existing building covers the entire project site except a narrow side yard that includes impervious surfaces and some grass and ruderal vegetation. The proposed project would marginally increase impermeable surfaces on the project site and would therefore not substantially increase the amount of surface runoff that drains into the City's combined sewer and stormwater drainage system.

As noted above, construction activities would be required to comply with all provisions of the NPDES program, as enforced by the RWQCB. The groundwater level is estimated at between 10 and 12 feet below the existing street level, at the level of the existing and proposed mat slab foundation.[102] Construction would also involve drilling 30 to 40 feet below the ground level to construct soil-cement

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[101] 2010 Urban Water Management Plan for the City and County of San Francisco, p. 25, SFPUC, June, 2011.

[102] Treadwell & Rollo, *op cit*.

columns 22 to 33 feet deep to support the slab mat foundation, and may involve underpinning adjacent properties, both of which would be expected to encounter groundwater. Groundwater encountered during construction of the proposed project would be subject to requirements of the City's Industrial Waste Ordinance (Ordinance Number 199-77), requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system. Project sponsors must notify the SFPUC's Bureau of Environmental Regulation and Management when projects would require dewatering and water analysis before discharge. Because dewatering may be necessary, the DBI-required geotechnical report and the final soils report would address associated potential settlement and subsidence impacts. Based upon this discussion, the report would determine if the project sponsor must conduct a lateral movement and settlement survey to monitor movement or settlement of surrounding buildings and adjacent streets. If this survey were recommended, DPW would require that the project sponsor retain a Special Inspector (as defined in Article 3 of the *Building Code*) to conduct the survey.

Because soil would be exposed during site preparation, requirements of the *Building Code* Chapter 33, Excavation and Grading, would be implemented to ensure that no siltation of the sewer system would occur. Chapter 33 includes safeguards for safety of pedestrians during construction, structural stability, and protection of adjacent properties from damage during demolition and construction activities.

Compliance with established requirements of the *Building Code* and the City's Industrial Waste Ordinance would ensure that impacts on groundwater and impacts related to drainage and flooding would be less than significant.

Impact HY-3: The proposed project would not result in an increase in risks from flood, tsunami, seiche, or mudflow. (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 (Corps). 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").

Since FEMA has not previously published a FIRM for the City and County of San Francisco, there are no identified SFHAs within San Francisco's geographic boundaries. FEMA has completed the initial phases of a study of the San Francisco Bay. On September 21, 2007, FEMA issued a preliminary FIRM of San Francisco for review and comment by the City. The City has submitted comments on the preliminary FIRM to FEMA. FEMA anticipates publishing a revised preliminary FIRM after completing the more detailed analysis that Port and City staff requested in 2007. After reviewing comments and appeals related to the revised preliminary FIRM, FEMA will finalize the FIRM and publish it for flood insurance and floodplain management purposes. As of the publication date of this document, FEMA has not yet published the FIRM for San Francisco.

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. Once the Board of Supervisors adopts the Floodplain Management Ordinance, the Department of Public Works will publish flood maps for the City, and applicable City departments and agencies may begin implementation for new construction and substantial improvements in areas shown on the Interim Floodplain Map.

According to the preliminary Interim Flood Map, the project site is not located within Zone A or Zone V.[103] In addition, there are no natural waterways within or near the project site that could cause stream-related flooding. Therefore, the project would result in less than significant impacts related to placement of a mixed-use building within a 100-year flood zone.

As noted above, 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

[103] City and County of San Francisco, Office of the City Administrator, National Flood Insurance Program Flood Sheet, *http://sfgsa.org/index.aspx?page=828*, accessed July 11, 2011.

during a storm (and sometimes during dry weather) and there can be backups or flooding near these streets and sewers. Portions of the City prone to flooding during storms, especially where a structure's ground-floors 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 San Francisco Public Utilities Commission (SFPUC) has identified "blocks of interest" given their potential for flooding, and the proposed project site is located within one of these blocks.

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. Potential flooding impacts would be less than significant due to the SFPUC review process. 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 SFPUC 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.

In addition, the project site is not located within an area that would be flooded as the result of levee or dam failure.[104] It is not located in an area identified for potential inundation in the event of a tsunami along the San Francisco coast, based on a 20-foot water level rise at the Golden Gate.[105] Nor is it within an area subject to landslides and/or mudflow.[106] The project would have a less-than-significant impact related to risks from flood, tsunami, seiche, or mudflow.

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[104] Association of Bay Area Governments (ABAG), *http://www.abag.ca.gov/cgi-bin/pickdamx.pl*, accessed November 2, 2011.

[105] San Francisco Planning Department, *Community Safety Element of the General Plan,* Map 6.

[106] San Francisco Planning Department, *Community Safety Element of the General Plan,* Map 5.

Impact C-HY-1: The proposed project in combination with other past, present, or reasonably foreseeable projects would result in less-than-significant hydrology and water quality impacts. (Less than Significant)

The proposed project would have a less-than-significant impact on water quality standards, and would have no impact on stormwater, groundwater, drainage, flood, inundation, or runoff, and thus would not contribute considerably to cumulative impacts in these environmental topic areas. Cumulative development in the project area could result in intensified uses and a cumulative increase in wastewater generation. The SFPUC, which provides wastewater treatment for the City, has accounted for such growth in its service projections. Thus, the project would not contribute to any cumulatively considerable impacts on hydrology or water quality; this impact would be less than significant.

In summary, the proposed project would be subject to the 2010 Stormwater Management Ordinance under the responsibility of the SFPUC. The proposed project would not violate any water quality standards or waste discharge requirements and would result in less-than-significant impacts to water quality; would not substantially deplete groundwater supplies or interfere with groundwater recharge, or otherwise substantially alter the existing drainage pattern of the site resulting in erosion or flooding on- or off-site; would not result in a significant increase in risks from 100-year floods or storm flooding resulting from the elevation of the project site relative to the hydraulic grade line or water level of the sewer. The proposed project would not result in a significant increase in risks from tsunami, seiche, or mudflow; and would have would result in less-than-significant cumulative hydrology and water quality impacts. These topics will not be addressed in the EIR.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
16. HAZARDS AND HAZARDOUS MATERIALS—Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐	☐

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

The project site is not located within two miles of a public or private airport or airport land use plan; therefore Topics E.16.e and E.16.f are not applicable to the proposed project and will not be addressed further.

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

The proposed project would likely result in the use of common types of hazardous materials such as paints, cleaners, toners, solvents, and disinfectants. All of these products have labels that inform users of risks and that instruct them in proper disposal methods. Routine use consumes or neutralizes most of these materials resulting in little hazardous waste. Businesses are required by law to ensure employee safety by identifying hazardous materials in the workplace, providing safety information to workers who handle hazardous materials, and adequately training workers. For these reasons, hazardous material use by the proposed project's residents and employees would not pose a substantial public health or safety hazard. The project would have a less-than-significant impact related to routine use of hazardous materials.

Impact HZ-2: The proposed project may create a significant hazard to the public or the environment through reasonably foreseeable conditions involving the release of hazardous materials into the environment. (Less than Significant with Mitigation)

Prior Uses of the Site

Based on historic topographic maps and Sanborn Fire Insurance Maps, by 1887 the project site was occupied by the Lindell Hotel Lodgings, and the surrounding neighborhood was developed primarily with residential uses. The building currently occupying the project site was built in 1909; in 1913 it housed the Hayston Apartments, with 69 apartment units. At this time, most of the project vicinity was vacant land, the former residential buildings having been destroyed in the Great Earthquake and Fire of 1906. However, the Howard Hotel was located to the west, across Howard Street, and an apartment building was adjacent to the project site to the south. By 1931, the project vicinity had been redeveloped with apartment buildings, hotels, and commercial buildings. Properties immediately adjacent to the project site were occupied by apartment buildings. Sanborn maps and aerial photographs from 1946 through 2005 show the site and surrounding properties occupied by the same structures that were present in 1931.

As part of a Phase I Environmental Site Assessment (ESA) of the project site, a search of records from the San Francisco Department of Public Health Section, Environmental Health (SFDPH); the San Francisco Fire Department (SFFD); DBI; and the San Francisco Planning Department (SFPD) was conducted.[107] The search did not reveal any current or previous reports of hazardous materials use, storage, and/or unauthorized releases that might have impacted the subject property. None of these local agencies had information on the project site in their files that identified instances of hazardous materials storage, use, or release. No records pertaining to the site were on file with the California Department of Toxic Substances Control or the California Regional Water Quality Control Board.

The database search did identify some offsite properties in the project vicinity with a history of hazardous materials. The Leaking Underground Storage Tank (LUST) database maintained by the State Water Resources Control Board (SWRCB) identified three nearby properties. The Residential Apartments at 172 6th Street, approximately 165 feet west and cross gradient of the project site, had a former heating oil underground storage tank (UST) that was removed from the site in January 1999, with contaminated soil around the tank excavated and properly disposed of off-site. The SFDPH issued a Notice of Completion for the UST removal on June 17, 1999 that stated that further investigation and cleanup was not required

[107] Treadwell & Rollo, *op cit*.

at the property. Based on the case closure status, the Phase I ESA concluded that this property is unlikely to affect the project site.

The Sunnyside Hotel at 135 6th Street, located approximately 400 feet north and cross gradient of the project site is also listed on the SWRCB's registered LUST list. A 1,500-gallon heating oil UST was removed from the property in November 2001. The tank was found to be in good condition with no visible holes and there were no visible signs of contamination in the excavation and no odors were noted in the excavation after the tank was removed. At the direction of the SFDPH, a soil sample was extracted from the excavation below the bottom of the removed UST. The sample was analyzed for total petroleum hydrocarbons (TPH) as diesel, methyl tertiary-butyl ether (MTBE), benzene, toluene, ethyl benzene, and xylene (BTEX), all of which were at non-detectable levels. In a September 23, 2002 letter, the SFDPH issued a Notice of Completion for the UST removal, stating that further investigation and cleanup was not required at the property. Based on the case closure status, the Phase I ESA concluded that this property is unlikely to affect the project site.

The third property identified in the database search was 981 Howard Street which, in addition to being listed on the LUST database, was also listed on the California Facility Inventory Database (CA FID UST), Statewide Environmental Evaluation and Planning System (SWEEPS), no longer maintained; Historical UST Registered Database (HIST UST); Facility Index System (FINDS); Resource Conservation and Recovery Act Small Quantity Generators (RCRA SQG); EDR Historical Auto Stations; Hazardous Waste Facility and Manifest Data HAZNET); and the Hazardous Waste and Substance List (HIST CORTESE). A gasoline UST was removed from 981 Howard Street in June 1994, along with contaminated soil surrounding the tank. The SFDPH issued a Notice of Completion for the UST removal in an August 5, 1998 letter, stating that further investigation and cleanup was not required at the property. Based on the case closure status, the Phase I ESA concluded that this property is unlikely to affect the project site.

The Phase I ESA did not identify any other properties with the potential to adversely affect the soil or groundwater at the project site, and judged the potential for nearby off-site sources of chemical constituents to affect environmental conditions at the site to be unlikely.

The Phase I ESA included laboratory analysis of two soil samples collected from exploratory borings of the project site conducted as part of the geotechnical investigation. The samples were collected from depths of 10.5 feet and 11 feet below the ground surface (bgs), respectively, and were analyzed for total petroleum hydrocarbons as gasoline (TPHg), diesel (TPHd), and motor oil (TPHmo); volatile organic compounds (VOCs); semi-volatile organic compounds (SVOCs); polychlorinated biphenyls (PCBs); CAM 17 Metals; and LUFT 5 metals. No TPHd, TPHmo, VOCs, SVOCs or PCBs were detected at or above their

method reporting limits in any of the soil samples analyzed. TPHg was detected above the method reporting limits in sample B-1 at a concentration of 4.8 milligrams per kilograms (mg/kg). The metal concentrations were within normal background ranges found in the western United States, as determined by the U.S. Geological Survey. Based the analytical results of the soil samples collected from the soil the Phase I ESA determined that there was no evidence of elevated concentrations of petroleum hydrocarbons or heavy metals at the site, and concluded that any soil to be removed from the site during construction could be disposed of as unregulated waste.

The Phase I ESA did identify one potential recognized environmental condition with the potential to affect the project site. A former heating oil UST location was identified beneath the Howard Street sidewalk adjacent to the project site. The environmental assessor determined that the UST was most likely previously removed and, in any event, would have been installed under the sidewalk rather than the building foundation. Nonetheless, if a UST is present, its disturbance could expose construction workers to hazardous soil contaminants.

Proper removal of the tank pursuant to existing federal, state, and local laws and regulations, and oversight described in **Mitigation Measure M-HZ-2a**, would reduce potential impacts associated with hazardous materials exposure from a UST to a less-than-significant level.

The SFDPH reviewed the Phase I prepared for the project site, and determined that "unexpected hazardous materials may be encountered during any work that disturbs the ground surface, such as elevator renovation, column construction or other activities;"[108] this is a potentially significant impact, and a Contingency Plan would be required. Incorporation of **Mitigation Measure M-HZ-2a** would reduce this impact to a less-than-significant level.

Mitigation Measure M-HZ-2a

Hazardous Materials Contingency Plan and Health and Safety Plan

A Contingency Plan that describes the procedures for controlling, containing, remediating, testing and disposing of any unexpected contaminated soil, water, or other material is required by the SFDPH Contaminated Sites Assessment and Mitigation Program (SAM).

The Contingency Plan shall include collection of two or three confirmation soil samples to verify earlier soil data.

[108] Rajiv Bhatia, San Francisco Department of Public Health, letter to Sharon Christen, July 3, 2012. This document is available for public review at the Planning Department, 1650 Mission Street Suite 400, San Francisco, as part of Case No. 2011.0119E.

Construction-related documents to address dust control, run off, noise control, and worker health and safety shall also be prepared and submitted to the Planning Department with copies to DPH SAM at least two weeks prior to beginning construction work.

Should an UST be encountered, work will be suspended and the owner notified. The site owner will notify the SFDPH of the situation and the proposed response actions. The UST shall be removed under permit with the SFDPH, Hazardous Materials and Waste Program (HMWP) and the San Francisco Fire Department.

The project sponsor is required to submit the Contingency Plan at least 4 weeks prior to beginning construction or basement demolition work.

In addition to the Contingency Plan, SFDPH and the California Occupational Safety and Health Administration (CAL OSHA) require the preparation of a Health and Safety Plan for this project. The project sponsor is required to submit the Health and Safety Plan to the Department of Public Health not less than two weeks prior to the beginning of construction field work.

The project sponsor shall submit a final project report describing project activities and implementation of the Contingency Plan, Health and Safety Plan, etc. Report appendices should include copies of project permits, manifests or bills of lading for soil or groundwater disposed or discharged, copies of laboratory reports for any soil or water samples analyzed. Two confirmation samples from the basement are requested by SFDPH to complete the project report and verify earlier data.

Hazardous Building Materials

Given of the age of the existing building (constructed prior to 1980), asbestos-containing building materials (ACBM) are likely. Also, since the building was constructed prior to 1979, both interior and exterior paints could contain lead. A pre-demolition survey for these materials was conducted for the proposed project by RGA Environmental.[109] The survey identified 41 locations where asbestos-containing material was suspected. Samples were collected and nine of the 41 samples contained asbestos. Additionally, the survey indicates it is likely that asbestos-containing materials are present under demolition debris throughout the majority of the second and third floors. The survey also included 13 samples tested for lead, and found that all 13 samples contained lead.

Asbestos

In general, asbestos can be present in building and heating system installation, vinyl sheet flooring and tile, exterior stucco, paint, window putty, roofing material and other building materials. The California Department of Toxic Substances Control (DTSC) considers these materials hazardous and their removal is

[109] RGA Environmental, *Pre-demolition Asbestos and Lead Survey Report – 200 Sixth Street, San Francisco, California*, May 2, 2011. This document is on file and available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2011.0119E.

required. Certain ACBMs can remain in place unless directly affected by the proposed construction project, such as roofing paint and coating material, mirror and ceiling tile coating material, and some vinyl floor tile. However, prior to demolition, building renovation, or construction activity, all potentially friable (subject to crumbling) ACBMs must be removed in accordance with local and state regulations, BAAQMD, California Occupational Safety and Health Administration (CAL OSHA), and California Department of Health Services (DHS) requirements. This may include non-friable ACBMs that could be disturbed by the proposed demolition and construction activities.

Section 19827.5 of the *California Health and Safety Code*, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. The California legislature vests the BAAQMD with the authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and the BAAQMD is to be notified ten days in advance of any proposed demolition or abatement work. The notification must include the names and addresses of the operations and the names and addresses of persons responsible; location and description of the structure to be demolished/altered, including size, age, and prior use of the structure, and the approximate amount of friable asbestos; scheduled starting and completion dates of demolition or asbestos abatement work; nature of the planned work and methods to be employed; procedures to be employed to meet BAAQMD requirements; 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 ACBM 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 (CAL OSHA) must also be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow State regulations contained in 8CCR1529 and 8CCR341.6 through 341.14 where there is asbestos related work involving 100 gsf or more of asbestos-containing material. Asbestos removal contractors must be certified 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.

These regulations and procedures already established as part of the building permit review process would ensure that any potential impacts due to asbestos would be reduced to a less-than-significant level.

Lead-Based Paint

Work that could result in disturbance of lead paint must comply with Section 3423 of the *Building Code*, Work Practices for Exterior Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Where there is any work that may disturb or remove lead paint on the exterior of any building, or the interior of occupied buildings built prior to or on December 31, 1978, Section 3407 requires specific notification and work standards and identifies prohibited work methods and penalties.

Section 3423 applies to buildings or steel structures on which original construction was completed prior to 1979, which are assumed to have lead-based paint on their surfaces unless a certified lead inspector/assessor tests those surfaces for lead and determines it is not present according to the definitions of Section 3407. As noted above, surveys conducted for the project identified that the existing structure contains lead. The Ordinance also applies to residential buildings, hotels, and childcare centers. The ordinance contains performance standards at least as effective at protecting human health and the environment as those in the Department of Housing and Urban Development (HUD) Guidelines,[110] and identifies prohibited practices that may not be used in disturbance or removal of lead paint. Any person performing work subject to the ordinance shall, to the maximum extent possible, protect the ground from contamination during exterior work, protect floors and other horizontal surfaces from work debris during interior work, and make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work. Clean-up standards require the removal of visible work debris, including the use of a High Efficiency Particulate Air Filter (HEPA) vacuum following interior work.

The Ordinance 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 gsf or 100 or more linear feet of lead-based paint in total, the responsible party must provide the Director of the Department of Building Inspection (DBI) with a written notice that describes the following aspects of the work to be performed: (1) address and location of the proposed project; (2) the scope and specific location of the work; (3) whether the responsible party has reason to know or presume that lead-based paint is

[110] Department of Housing and Urban Development, June 1995, *Guidelines for Evaluation and Control of Lead-Based Paint Hazards,* available online at *http://portal.hud.gov/hudportal/HUD?src=/program_offices/healthy_homes/lbp/hudguidelines*, accessed February 9, 2012.

present; (4) the methods and tools for paint disturbance and/or removal; (5) the approximate age of the structure; (6) anticipated job start and completion dates for the work; (7) whether the building is residential or nonresidential; (8) whether it is owner-occupied or rental property; (9) the approximate number of dwelling units, if any; (10) the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements; and (10) the name, address, telephone number, and pager number of the party who will perform the work. Further notice requirements include the following: (1) a Post Sign notifying the public of restricted access to work area, (2) a Notice to Residential Occupants, (3) availability of pamphlet related to protection from lead in the home, and Early Commencement of Work [by Owner, Requested by Tenant], and (4) Notice of Lead Contaminated Dust or Soil, if applicable.) The ordinance contains provisions regarding inspection and sampling for compliance by DBI and enforcement, and describes penalties for non-compliance with the requirements of the ordinance.

These regulations and procedures, already established as part of the review process for building permits, would ensure that potential impacts of the proposed project due to the presence of lead-based paint would be reduced to a less-than-significant level.

Polychlorinated Biphenyls

In addition to asbestos containing building materials and lead-based paint, buildings can contain other potentially hazardous building materials, including the potential presence of polychlorinated biphenyl (PCBs) in fluorescent light fixtures. Newer light fixtures would not contain PCB ballasts; however, confirmation would require individual inspection of each fixture, or accurate replacement records to determine their age. Fluorescent light bulbs are also regulated (for their disposal) because of their mercury content. No surveys for PCB-containing equipment have been conducted.

Inadvertent release of such materials during renovation could expose construction workers, occupants, or visitors to these substances and could result in various adverse health effects if exposure were of sufficient quantity. Abatement or notification programs described above for asbestos and lead-based paint have not been adopted for PCB and mercury testing and cleanup; however, items containing other lead-containing or otherwise hazardous building materials or other toxic substances that are intended for disposal must be managed as hazardous waste and handled in accordance with OSHA worker protection requirements. Nonetheless, potential impacts associated with encountering PCBs, mercury, lead, or other hazardous substances in building materials would be considered a potentially significant impact. Hazardous building materials sampling and abatement pursuant to existing federal, state, and local laws and regulations prior to renovation work, as described in **Mitigation Measure M-HAZ-2b**, would reduce

potential impacts associated with PCBs, mercury, lead, and other toxic building substances in structures to a less-than-significant level.

Mitigation Measure M-HZ-2b

Other Hazardous Building Materials (PCBs, Mercury, Lead, and others)

The project sponsor shall ensure that pre-construction building surveys for PCB- and mercury-containing equipment, hydraulic oils, fluorescent lights, mercury and other potentially toxic building materials are performed prior to the start of any demolition or renovation activities. A survey for lead has been conducted and identified the presence of lead in the existing building. Any hazardous building materials discovered during surveys would be abated according to federal, state, and local laws and regulations.

Radon

The Phase I ESA conducted for the project site did not test for the presence of naturally-occurring environmental hazards (e.g., radon).[111] However, the Phase I ESA conducted a search based on the Radon Database for California for the zip code 94103, in which the project is located. The U.S. Environmental Protection Agency (EPA) recommends that action be taken to reduce radon levels when indoor radon levels exceed 4 picocuries per liter of air (pCi/l). The nine tests conducted in the 94103 zip code yielded one result exceeding 4 pCi/l.[112] Subsequently, a Radon Test Report was undertaken.[113] The Radon Test Report concluded that the site's radon levels were less than 0.3pCi/l, which is below the recommended EPA Action Level of 4 pCi/l, and radon exposure would not constitute a significant impact.

Maher Layer

There are certain areas of the city that consist of fill and are subject to Article 22A of the San Francisco Health Code, formerly known as the Maher Ordinance, which applies to construction projects that are bayward of the historic high tide line and involve excavation of greater than 50 cubic yards of soil. These areas, which were once highly industrialized and contaminated, or consist of imported fill consisting of soil and debris from the 1906 earthquake, often contain lead and other pollutants.

The proposed project is not located bayward of the original high tide line, and is therefore not subject to the Maher Ordinance. However, the project site is located within what is referred to as a "Maher Layer,"

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111 Treadwell & Rollo, *op cit*, p. 3.

112 *Ibid*, p. A-67.

113 RGA Environmental, *Radon Test Report, Residential Building, 200 Sixth Street, San Francisco, CA* April 12, 2011, p. 1. This document is available for public review a*t the Planning Department,* 1650 Mission Street, Suite 400, San Francisco, part of Case No. 2011.0119E.

an area generally south of Market Street with known fill, and would involve excavation of up to 3,800 cubic yards of soil. Any soil removed from the project site would be trucked to an appropriate landfill following testing pursuant to City and State requirements for hazardous materials. Therefore, the proposed project would result in less-than-significant impacts related to soil hazards associated with debris fill.

Impact HZ-3: The proposed project would not handle hazardous materials within a quarter-mile of a school. (No Impact)

Bessie Carmichael Elementary School is located 375 7th Street, approximately 850 feet (0.16 mile) south of the project site. Although no other schools are located within one-quarter mile of the site, DeMarillac Middle School, at 175 Golden Gate Avenue, is located about 1,780 feet (0.34 mile) to the northwest. However, the proposed project would not involve the handling of hazardous materials. Any hazardous materials currently on the site, such as asbestos or lead-based paint, would be removed during demolition prior to project construction, and would be handled in compliance with applicable laws and regulations. There would be no potential for such materials to affect the nearest school. Thus, the proposed project would have no impact with respect to the handling of hazardous materials within one-quarter mile of a school.

Impact HZ-4: The proposed project is not located on a State hazardous materials database. (No Impact)

As discussed above under Impact HZ-2, the project site is not located on a State hazardous materials database. The project site is not located on the Cortese List, compiled under *Government Code* Section 65962.5. Other hazardous materials databases include the Department of Toxic Substances Control's (DTSC's) Site Mitigation and Brownfields Reuse Program's EnviroStor database, which identifies sites that have known contamination or hazardous sites for which there may be reasons to investigate further. The database includes the following site types: Federal Superfund sites (National Priorities List); State Response, including Military Facilities and State Superfund; Voluntary Cleanup; and School sites. EnviroStor provides similar information to CalSites, and provides additional site information, including, but not limited to, identification of formerly-contaminated properties that have been released for reuse, properties where environmental deed restrictions have been recorded to prevent inappropriate land uses, and risk characterization information that is used to assess potential impacts to public health and the environment at contaminated sites. The project site is not listed within the EnviroStor database and would not, as a result, create a significant hazard to the public or the environment. Therefore, the

proposed project would have no impact with respect to being located on a state database of hazardous materials sites.

Impact HZ-5: The proposed project would not impair or interfere with an adopted emergency response or evacuation plan or expose people to a significant risk involving fires. (Less than Significant)

The proposed project would not interfere with emergency response or evacuation plans. Occupants of the proposed building would contribute to congestion if an emergency evacuation of the SoMa Area were required. The proposed project sponsor would develop an evacuation and emergency response plan as required by the local Office of Emergency Services. The Office of Emergency Services would review the emergency response plan to ensure coordination between citywide and site-specific emergency planning.

The proposed project does not contain any features that would result in additional exposure of people or structures to a significant risk of loss, injury, or death involving fires. San Francisco ensures fire safety and emergency accessibility within new and existing developments through provisions of its *Building* and *Fire Codes*. The project would conform to these standards, and potential fire hazards (including those associated with hydrant water pressure and blocking of emergency access points) would be addressed during the building permit review process. Conformance with these standards would ensure appropriate life safety protections for the residential and retail (likely restaurant) uses. Consequently, the project would have a less-than-significant impact on fire safety and emergency access.

Impact C-HZ-1: The proposed project in combination with other past, present or reasonably foreseeable projects would result in less-than-significant cumulative hazards and hazardous materials impacts. (Less than Significant)

Impacts from hazardous materials are generally site-specific and typically do not result in cumulative impacts. Any hazards at nearby sites would be subject to the same safety requirements discussed for the proposed project above, which would reduce any hazard effects to less-than-significant levels. Overall, the project would not contribute to cumulatively considerable significant effects related to hazards and hazardous materials. This impact would be less than significant.

In summary, the proposed project would have a less-than-significant impact related to transport, use, disposal, handling, or emission of hazardous materials. With implementation of Mitigation Measures M-

HZ-2a and M-HZ-2b, it would have a less-than-significant impact related to release of hazardous materials into the environment. The project would not handle hazardous materials within a quarter-mile of a school, interfere with an adopted emergency response or evacuation plan, or expose people to a significant risk involving fires. The project site is not listed on a State hazardous materials database. The project would not have any significant cumulative hazards or hazardous materials impacts. These topics will not be discussed further in the EIR.

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

Impact ME-1: The proposed project would have no impact on mineral resources. (No Impact)

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

Impact ME-2: The proposed project would consume additional energy, but not in large amounts or in a wasteful manner. (Less than Significant)

The proposed project's mixed uses would not consume large amounts of fuel, water, or energy. Electricity generation would consume additional natural gas and coal fuel. New buildings in San Francisco are required to conform to current state and local energy conservation standards, including Title 24 of the *California Code of Regulations*. DBI enforces Title 24 compliance, and documentation demonstrating compliance with these standards is submitted with the application for the building permit. As a result, the proposed project would not cause a wasteful use of energy or other non-renewable natural resources, and would have a less-than-significant impact on energy resources.

Impact C-ME-1: The proposed project in combination with other past, present or reasonably foreseeable projects would result in less-than-significant impacts to mineral and energy resources. (Less than Significant)

The proposed project would have no effect on mineral resources, and would therefore have no potential to cause a significant impact to mineral resources in combination with other past, present or reasonably foreseeable future projects. The project would be required by DBI to conform to current state and local energy conservation standards, including Title 24 of the *California Code of Regulations*. As a result, the proposed project in combination with other past, present or reasonably foreseeable projects would not cause a wasteful use of energy or other non-renewable natural resources. The proposed project would have a less-than-significant cumulative impact on energy resources.

In summary, the proposed project would have no impact on mineral resources and less-than-significant project-level and cumulative impacts on energy resources. These topics will not be discussed further in the EIR.

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

Impact AF-1: The proposed project would not convert farmland, conflict with existing zoning for agricultural uses or forest land, and would not result in the loss or conversion of forest land. (No Impact)

The project site is fully developed and is in an urban area that does not include any agricultural uses or agricultural zoning. The California Department of Conservation's Farmland Mapping and Monitoring Program identifies the site as "Urban and Built-up Land."[114] Because the site does not contain agricultural uses and is not zoned for such uses, the proposed project would not convert any prime farmland, unique farmland, or Farmland of Statewide Importance to non-agricultural use, and it would not conflict with existing zoning for agricultural land use or a Williamson Act contract, nor would it involve any changes to the environment that could result in the conversion of farmland. There is no forest land on or near the

[114] California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, "Important Farmland in California, 2008" (map), December 2010.

project site, nor is any land in the greater project area zoned for forest land. The project would have no impact on agricultural or forest land.

Impact C-AF-1: The proposed project in combination with other past, present or reasonably foreseeable projects would not result in impacts to agricultural and forest resources. (No Impact)

As described above, the project would have no impact with respect to agriculture or forestry resources; therefore, the project would not contribute to any cumulatively considerable impact to agricultural and forest resources. There would be no cumulative impact to agricultural and forest resources.

In summary, the project would have no individual or cumulative impacts on agricultural or forest resources. These topics will not be addressed in the EIR.

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

As discussed under Topic E.4. Cultural and Paleontological Resources, the proposed project would have a potentially significant impact on a potential historic district, and on archeological and paleontological resources. These issues will be discussed further in the EIR.

As discussed under Topic E.6. Noise, **Mitigation Measures M-NO-1a, M-NO-1b**, **M-NO-1c**, and **M-NO-2** have been incorporated into the proposed project to address potential noise impacts. As discussed under Topic E.8, Air Quality, Mitigation Measures M-AQ-2 and M-AQ-4 have been incorporated into the proposed project to address potential air quality impacts. **Mitigation Measures M-HZ-2a** and **M-HZ-2b**, discussed under Topic E.16., Hazardous Materials, have been incorporated into the proposed project to address underground storage tank impacts and construction-related impacts from hazardous building materials. Implementation of these measures would reduce the potential impacts of the proposed project on noise and hazards and hazardous materials to less-than-significant levels. As discussed in Topic 13 above, the proposed project would not 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, or reduce the number or restrict the range or a rare or endangered plant or animal. Other than the impacts discussed above, the project would not otherwise degrade the quality of the environment or cause substantial adverse effects on human beings.

Cumulative analysis depends on a prediction of possible future environmental changes well beyond construction of the proposed project. Each section of the Environmental Checklist addresses cumulative impacts. No significant cumulative impacts are anticipated. In summary, the proposed project would not have unavoidable environmental effects that are cumulatively considerable.

F. MITIGATION MEASURES

Mitigation Measure M-NO-1a

Interior and Exterior Noise

For new residential development located along streets with noise levels above 75dBA Ldn, the Planning Department requires the following:

1. The Planning Department requires the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within two blocks of the project site, and at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to completion of the environmental review. The analysis should demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern

about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained; and

2. To minimize effects on development in noisy areas, for new residential uses, the Planning Department shall, through its building permit review process, in conjunction with the noise analysis required above, require that open space required under the *Planning Code* for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. One way that this might be accomplished is through a site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design (see Mitigation Measure M-NO-1: Interior and Exterior Noise, San Francisco 2004 and 2009 Housing Element EIR).

Mitigation Measure M-NO-1b

Window and Wall Assemblies

The project sponsor shall construct the proposed residential units with the following window and wall assemblies: Windows shall be Torrance 2500 windows with one-inch dual-glazed frames with 7/16-inch laminated glazing, 5/16-inch air space, and ¼-inch glazing; exterior walls shall consist of 3/8-inch plywood; 2x6-inch wood stud or 16-guage steel stud, 16 inches on center with fiberglass sheets in stud cavities; resilient channels[115]; and ½-inch gypsum board.

Mitigation Measure M-NO-1c

If deviations from these assemblies are proposed, the alternative window and/or wall assemblies shall be evaluated by a qualified acoustical consultant to ensure that Title 24 standards are met.

Mitigation Measure M-NO-2

General Construction Noise Control Measures

To ensure that project noise from construction activities is minimized to the maximum extent feasible, the project sponsor shall undertake the following:

- The project sponsor shall require the general contractor to ensure that equipment and trucks used for project construction utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible).
- The project sponsor shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could

[115] Sound vibration-absorbing strips for attaching sheetrock.

reduce construction noise by as much as 5.0 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible.

- The project sponsor shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA.
- The project sponsor shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to, performing all work in a manner that minimizes noise to the extent feasible; use of equipment with effective mufflers; undertaking the most noisy activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible.
- Prior to the issuance of building permits, along with the submission of construction documents, the project sponsor shall submit to the Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise-generating activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity.

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 USEPA or ARB Tier 2 off-road emission standards, *and*

ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).[116]

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).

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 schedule below.

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

* Alternative fuels are not a VDECS.

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

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

the construction site to remind operators of the two minute idling limit.

3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.
4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.
5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.

B. *Reporting.* Monthly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

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

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

Mitigation Measure M-AQ-4

Air Filtration Measures

Air Filtration and Ventilation Requirements for Sensitive Land Uses. Prior to receipt of any building permit, the project sponsor shall submit a ventilation plan for the proposed building(s). The ventilation plan shall show that the building ventilation system removes at least 80 percent of the outdoor $PM_{2.5}$ concentrations from habitable areas and be designed by an engineer certified by ASHRAE, who shall provide a written report documenting that the system meets the 80 percent performance standard identified in this measure and offers the best available technology to minimize outdoor to indoor transmission of air pollution.

Maintenance Plan. Prior to receipt of any building permit, the project sponsor shall present a plan that ensures ongoing maintenance for the ventilation and filtration systems.

Disclosure to buyers and renters. The project sponsor shall also ensure the disclosure to buyers (and renters) that the building is located in an area with existing sources of air pollution and as such, the building includes an air filtration and ventilation system designed to remove 80 percent of outdoor particulate matter and shall inform occupants of the proper use of the installed air filtration system.

Mitigation Measure M-HZ-2a

Hazardous Materials Contingency Plan and Health and Safety Plan

A Contingency Plan that describes the procedures for controlling, containing, remediating, testing and disposing of any unexpected contaminated soil, water, or other material is required by the SFDPH Contaminated Sites Assessment and Mitigation Program (SAM).

The Contingency Plan shall include collection of two or three confirmation soil samples to verify earlier soil data.

Construction-related documents to address dust control, run off, noise control, and worker health and safety shall also be prepared and submitted to the Planning Department with copies to DPH SAM at least two weeks prior to beginning construction work.

Should an UST be encountered, work will be suspended and the owner notified. The site owner will notify the SFDPH of the situation and the proposed response actions. The UST shall be removed under permit with the SFDPH, Hazardous Materials and Waste Program (HMWP) and the San Francisco Fire Department.

The project sponsor is required to submit the Contingency Plan at least 4 weeks prior to beginning construction or basement demolition work.

In addition to the Contingency Plan, SFDPH and the California Occupational Safety and Health Administration (CAL OSHA) require the preparation of a Health and Safety Plan for this project. The project sponsor is required to submit the Health and Safety Plan to the Department of Public Health not less than two weeks prior to the beginning of construction field work.

The project sponsor shall submit a final project report describing project activities and implementation of the Contingency Plan, Health and Safety Plan, etc. Report appendices should include copies of project permits, manifests or bills of lading for soil or groundwater disposed or discharged, copies of laboratory reports for any soil or water samples analyzed. Two confirmation samples from the basement are requested by SFDPH to complete the project report and verify earlier data.

Mitigation Measure M-HZ-2b

Other Hazardous Building Materials (PCBs, Mercury, Lead, and others)

The project sponsor shall ensure that pre-construction building surveys for PCB- and mercury-containing equipment, hydraulic oils, fluorescent lights, mercury and other potentially toxic building materials are performed prior to the start of any demolition or renovation activities. A survey for lead has been conducted and identified the presence of lead in the existing building. Any hazardous building materials discovered during surveys would be abated according to federal, state, and local laws and regulations.

G. ALTERNATIVES

Alternatives to be discussed in the EIR include the following:

1 No Project Alternative

2 Preservation Alternative which would entail keeping the existing building, constructing a one-story vertical addition set back from the façade 10 feet, and redeveloping a ground-floor commercial space and approximately 33 residential units above.

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.

August 13, 2012
Date

Bill Wycko
Environmental Review Officer
for
John Rahaim
Director of Planning

H. INITIAL STUDY PREPARERS

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PLACE
POSTAGE
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San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Attn: Environmental Review Officer
200-214 Sixth Street Affordable Housing with Ground-Floor Retail Project
Draft Environmental Impact Report
(2011.0119E)

PLEASE CUT ALONG THE DOTTED LINE

RETURN REQUEST REQUIRED FOR FINAL ENVIRONMENTAL IMPACT REPORT

REQUEST FOR FINAL ENVIRONMENTAL IMPACT REPORT

200-214 6th Street Affordable Housing with Ground-Floor Retail Project Draft Environmental Impact Report (2011.0119E)

Check one box: ☐ Please send me a copy of the Final EIR on a CD.
☐ Please send me a paper copy of the Final EIR.

Signed: _____

Print Your Name and Address Below
