

FILE NO: 190134

Petitions and Communications received from January 18, 2019, through January 28, 2019, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on February 5, 2019.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From the Office of the Mayor, pursuant to Charter Section 3.100, designating Supervisor Shamann Walton as Acting-Mayor from Wednesday, January 23, 2019, at 7:40 a.m. until Thursday, January 24, 2019, at 11:59 p.m.; and Supervisor Norman Yee from Friday, January 25, 2019 at 12:00 a.m. until Saturday, January 26, 2019, at 12:03 p.m. In the event she is delayed, Supervisor Yee will continue to be Acting-Mayor until her return to California. Copy: Each Supervisor. (1)

From the Mayor's Office of Housing and Community Development, pursuant to Ordinance 216-18, submitting quarterly report, covering the period from October through December 2018. File No. 180547. Copy: Each Supervisor. (2)

From the San Francisco Planning Department, submitting a Preliminary Mitigated Negative Declaration for 915 Cayuga Avenue. Copy: Each Supervisor. (3)

From Pacific Gas and Electric Company submitting their notice of request to increase rates for its customer data access application (A.18-11-015). Copy: Each Supervisor. (4)

From the State of California Fish and Game Commission, submitting notice of availability of documents to amend Section 27.65, Title 14, CCR, regarding Filleting of California Sheephead on vessels. Copy: Each Supervisor. (5)

From Cassandra Costello of San Francisco Travel, submitting a letter regarding Housing Conservatorships. 10 signatures. File No. 181042. Copy: Each Supervisor. (6)

From Patrick MacCartee, CEO of Tank18 Winery, regarding the issuance of a Type-20 Liquor License for Porky's Palace LLC, dba Tank18, located at 1345 Howard Street. File No. 181032. Copy: Each Supervisor. (7)

From Regina Jenkins, regarding the 72-hour tow rule. Copy: Each Supervisor. (8)

From Bram Goodwin, founder of San Francisco Social Club, regarding the application for the Cole Ashbury Group Dispensary at 1685 Haight Street. Copy: Each Supervisor. (9)

From Fateh Sidhu, regarding the torture and illegal dog and cat meat trade in Seoul, South Korea. Copy: Each Supervisor. (10)

From concerned citizens, regarding the Bay Delta Plan. 2 letters. Copy: Each Supervisor. (11)

From Fix Muni, regarding problems with SF Muni's NextBus system. Copy: Each Supervisor. (12)

From Erica Maharg, Managing Attorney at San Francisco Baykeeper, regarding proposal to expand the Clipper Cove Marina, Treasure Island. Copy: Each Supervisor. (13)

From Jennifer Gordon, California Department of Food and Agriculture, submitting Notice of Treatment for the Asian Citrus Psyllid in San Francisco County. Copy: Each Supervisor. (14)

From Michael Nulty, Executive Director of The Alliance for a Better District 6, regarding the issuance of a Type-21 Liquor License for Garfield Beach CVS, LLC located at 500 Pine Street. File No. 180281. Copy: Each Supervisor. (15)

From Susan Vaughan, regarding Genentech shuttle bus obstructing bus stop at Park Presidio and Geary. 2 letters. Copy: Each Supervisor. (16)

From concerned citizens, regarding 3637-3657 Sacramento Street. 2 letters. File No. 181237. Copy: Each Supervisor. (17)

From concerned citizens, regarding tax on vacant housing and storefronts. 2 letters. File: 181213. Copy: Each Supervisor. (18)

From Spencer Hudson of Indivisible SF, regarding homeless sweeps and restrictions on vehicular habitation. Copy: Each Supervisor. (19)

From: [Mchugh, Eileen \(BOS\)](#)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Nevin, Peggy \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [BOS-Operations](#); [GIVNER, JON \(CAT\)](#); [Karunaratne, Kanishka \(MYR\)](#)
Subject: Acting-Mayor Notice
Date: Tuesday, January 22, 2019 6:21:58 PM
Attachments: [Acting -Mayor.pdf](#)

Hello,

Please find the attached memo from Mayor London N. Breed designating Supervisor Shamann Walton as Acting-Mayor from Wednesday, January 23, 2019, at 7:40 a.m. until Thursday, January 24, 2019, at 11:59 p.m. and Supervisor Norman Yee from Friday, January 25, 2019 at 12:00 a.m. until Saturday, January 26, 2019, at 12:03 p.m. In the event she is delayed, Supervisor Yee will continue to be Acting-Mayor until her return to California.

Thank you,

Eileen McHugh
Executive Assistant
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-7703 | Fax: (415) 554-5163
eileen.e.mchugh@sfgov.org | www.sfbos.org

OFFICE OF THE MAYOR
SAN FRANCISCO



LONDON N. BREED
MAYOR

BOS-11,
Aides, COB,
Deputies,
BOS-OPS,
Rep. City Hall, Mayors
Office

JAN 22 PM 4:45
AK

January 22, 2019

Ms. Angela Calvillo
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

Dear Ms. Calvillo,

Pursuant to Charter Section 3.100, I hereby designate Supervisor Shamann Walton as Acting-Mayor from the time I leave the State of California on Wednesday, January 23, 2019, at 7:40 a.m. until Thursday, January 24, 2019, at 11:59 p.m.

I further designate Supervisor Norman Yee as Acting-Mayor from Friday, January 25, 2019, at 12:00 a.m. until I return on Saturday, January 26, 2019, at 12:03 p.m.

In the event I am delayed, I designate Supervisor Norman Yee to continue to be the Acting-Mayor until my return to California.

Sincerely,

A handwritten signature in blue ink that reads "London Breed".

London N. Breed
Mayor

cc: Mr. Dennis Herrera, City Attorney

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: Quarterly Report for File 180547
Date: Thursday, January 24, 2019 6:26:00 PM
Attachments: [MOHCD 100% Affordable Projects Q2FY19 ED Quarterly Report v2 \(1\).pdf](#)
[Q2 FY19 100 MOHCD Percent AH Report.pdf](#)

From: Chan, Amy (MYR)
Sent: Thursday, January 24, 2019 11:14 AM
To: Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Karunaratne, Kanishka (MYR) <kanishka.cheng@sfgov.org>
Subject: Quarterly Report for File 180547

Hi Alisa, Kanishka,

Please find attached quarterly report on prioritizing 100% affordable housing projects as required by File 180547.

This report covers the period from October through December 2018. We will be submitting future reports every three months thereafter.

Thanks,
Amy

Amy Chan
Director of Policy and Legislative Affairs
Mayor's Office of Housing and Community Development
1 South Van Ness, 5th Floor
San Francisco, CA 94103
tel: [415.701.5508](tel:415.701.5508) fax: [415.701.5501](tel:415.701.5501)
amy.chan@sfgov.org

Mayor's Office of Housing and Community Development
City and County of San Francisco



London N. Breed
Mayor

Kate Hartley
Director

January 24, 2019

To: Mayor London Breed; Honorable Board of Supervisors

From: Kate Hartley, Director

Cc: Clerk of the Board of Supervisors

Re: Reporting on Prioritization of 100% Affordable Housing Projects (File #180547)

Enclosed please find the second quarterly report on our 100% Affordable Housing Projects, as required by City Ordinance, covering the period from October 1, 2018 to December 31, 2018.

This report was also submitted in January 2019 as part of OEWD's Executive Directive 17-02 report on all City sponsored housing developments.

Department Reports:

Project Address & Building Permit No.	Target Milestones (Red Bold for Urgent)	Key Milestones/Deliverables this Quarter	Key Milestones for Next Quarter	Q1 Status: Milestones + Deliverables					
				Department of Building Inspection (DBI)	San Francisco Fire Department (SFFD)	Mayor's Office on Disability (MOD)	Planning Department (Planning)	San Francisco Public Utilities Commission (SFPUC)	Public Works (PW)
Post Entitlement (Pre-Construction):									
490 S. Van Ness Site Permit: 201710110918 - issued	Construction Started 10/8/18.	Began construction.	1) Addenda 2 permit (sponsor to respond to comments.) 2. Temp Power contract by 2/15/19 (PG&E)	1) Addenda 2 on hold, pending on outstanding review comments, 6/28/18; Addenda 3 filed 10/22/18. No update on 12/18/18.	1) Waiting for submittal of remaining addendums.	1) Addenda 2: comments issued on 10/10/2018; awaiting response.	1) Awaiting architectural addenda (not yet routed to Planning as of 12.14.18).	1) Waiting for submittal of remaining addendums. 2) Permanent Power application pending.	1) Addenda 2 (Arch/MEP) ready to be signed off on 10/10/18; awaiting re-route. PW permits review ongoing; awaiting applicant.
1950 Mission: Site Permit: 201609218371 - issued	1) Construction Started 12/28/18. 2) Need PG&E Temporary Power Permit.	Began construction.	1) Temp Power Contract (PG&E). 2) Addenda 1 permit (sponsor to pay fees). 3) Addenda 2 permit (all).	2) 12/18/18 update: Addenda 1: all disciplines approved, ready to issue pending on fee collection: All disciplines except Planning approved, routed back to Planning on 12/18/18.	2/3) Waiting for submittal of remaining addendums.	3) Addenda 2: approved on 4/25/2018; revisions to approved set approved on 12/7/2018.	2) Reviewing architectural addenda (routed to Planning as of 12.18.18).	3) Signed off on site permit and first (2) addendums, awaiting submittal of remaining addendums.	3) Addenda 2 (Arch/MEP) approved 12/17/18 awaiting re route. PW permits review ongoing; awaiting applicant.
2060 Folsom Site Permit: 201608054294 - issued	1) Construction Started 12/30/18 2. Need PG&E Temporary Power Permit.	Began construction.	1) Temp Power Contract (PG&E). 2) Addenda 1 and 2 permit (sponsor to respond to comments.)	2) Addenda 1 on hold by BSM pending comments 8/28/18, Add. 2 on hold pending comments.	2) Waiting for submittal of remaining addendums.	2) Addenda 2: comments issued on 8/23/2017; currently reviewing revised submittal.	2) Awaiting architectural addenda (not yet routed to Planning as of 12.14.18).	2) Signed off on site permit and first (2) addendums, awaiting submittal of remaining addendums.	2) Awaiting response from applicant on comments from PW on permits prior to addenda release.
1990 Folsom Site Permit: 201707051030 - issued	1) Construction Start Anticipated 2/15/19.	Site permit issued. Final Map Issued.	1) Addenda 1 permit by 2/15/19 (sponsor to respond to comments.) 2) Temp Power Contract (PG&E).	1) Demo permit in triage; stormwater permit in triage.	1) Waiting for submittal of remaining addendums.	1) Reviewed addendum and issued comments on 12/14/2018.	1) Architectural Addenda not yet routed to Planning as of 12.14.18).	1) Waiting for submittal of remaining addendums. 2) Permanent Power application pending.	1) Addenda 1 (Arch/MEP) has not been routed to PW. Ongoing review of PW permits.
88 Broadway & 735 Davis Site Permit: 201711154095	1) Construction Start Anticipated 5/3/19	Site permit issued.	1) Addenda 1 permit by 5/1/19 (all) 2) Temp Power Contract (PG&E). 3) Sidewalk Legislation (DPW)	1) addendum 1 submitted to DBI and assigned to plan checkers.	1) Waiting for submittal of remaining addendums.	1) Waiting for submittal of remaining addendums.	1) Waiting for submittal of remaining addendums.	1) Waiting for submittal of remaining addendums.	1) Addenda 1 has not arrived at PW station. Ongoing review of PW permits. 3) Submitting sidewalk legislation.
681 Florida (previously dba 2070 Bryant) Site Permit: 201802211851 - issued	1) Construction Start Anticipated 6/15/19.	Site permit issued.	1) Addenda 1 permit by 6/1/19 (all)	1) Waiting for submittal of remaining addendums.	1) Waiting for submittal of remaining addendums.	1) Intake meeting scheduled for 1/15/2019.	1) Waiting for submittal of remaining addendums.	1) Waiting for submittal of remaining addendums.	1) Waiting for submittal of remaining addendums. Ongoing review of PW permits.

Department Reports:

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				Department of Building Inspection (DBI)	San Francisco Fire Department (SFFD)	Mayor's Office on Disability (MOD)	Planning Department (Planning)	San Francisco Public Utilities Commission (SFPUC)	Public Works (PW)
500 Turk Site Permit: 201712156628 - issued	1) Construction Start Anticipated 11/15/19.	Site permit issued.	1) Addenda 1 permit by 9/1/19 (all)	1) Waiting for submittal of remaining addendums.	1) Waiting for submittal of remaining addendums.	1) Waiting for submittal of remaining addendums.	1) Waiting for submittal of remaining addendums.	1) Waiting for submittal of remaining addendums.	1) Waiting for submittal of remaining addendums. Ongoing review of PW permits.

Department Reports:

Project Address & Building Permit No.	Target Milestones (Red Bold for Urgent)	Key Milestones/Deliverables this Quarter	Key Milestones for Next Quarter	Q1 Status: Milestones + Deliverables					
				Department of Building Inspection (DBI)	San Francisco Fire Department (SFFD)	Mayor's Office on Disability (MOD)	Planning Department (Planning)	San Francisco Public Utilities Commission (SFPUC)	Public Works (PW)
Pre-Entitlement:									
2340 San Jose (Balboa Park Upper Yard): - Planning Case #2017-012151PRJ - Building Permit #2018-07033677	1) CEQA Determination: February 1, 2018. 2) Site Permit (SB35): February 1, 2018.	CEQA determination completed.	1) Environmental exemption and(2) Site permit must be complete by 2/7/18 for funding application (all).	2) Site permit application submitted 7/3/18. As of 11/30/18 at PUC station.	2) Sit permit Approved on 11/07/18.	2) Reviewed site permit at pre-application meeting on 6/22/2018.	1) Issued Notice of Final Approval (10.11.18). 2) Site Permit approved and routed to DBI (10.11.18).	n/a	n/a
1064-8 Mission Street (Permanent Supportive Housing & Homeless Service Center): - Planning Case #2018-010889PRJ - Building Permit #201810233860	1) CEQA Determination by March 30, 2019. 2) Site Permit by March 30, 2019. 3) Construction Start Anticipated January 2020.	CEQA determination completed.	1) Site permit by 3/30/19 (all). 2) New Map approval by 11/1/19 (DPW.)	1) Site permit application submitted 10/23/18.	1) On Hold, SFFD Comments.	1)Reviewing site permit at meeting on 11/9/2018; page-turn meeting on 12/12/2018.	1) Site Permit approved by (11.8.18); NSR can be recorded later following transfer of property. Issued Notice of Final Approval (11.7.18) and hold letter for CEQA (11.27.18 - EEA to be withdrawn on 1/2/19);	n/a	n/a
3001 24th St. (Casa de la Mission) - Planning Case #2017-002915ENV - Building Permit #201806040916	1) Site Permit by March 30, 2019. 2) Construction Start Anticipated January 2020.	CEQA determination completed.	1) Site Permit by 3/30/19 (all).	1) Site permit application submitted 6/13/18; request for additional plans 10/29/18.	1) Not received.	n/a	1) Demo and NC permits Approved 11/19/18; Notice of Final Approval issued 11/19/18; Hold letter for CEQA issued 11.27.18 (EEA will be withdrawn on 1/2/19).	n/a	n/a
1360 43rd Ave (Francis Scott Key Annex, dba 1351 42nd Ave) - Planning Case #2018-015768PPA - Building Permit #	1) PPA Letter Response due Jan 19, 2019.	PPA letter submitted.	1) PPA response (Planning).	n/a	n/a	n/a	1) PPA letter under review - deadline is 1/19/18.	n/a	n/a



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Mitigated Negative Declaration

Date: January 23, 2019
Case No.: 2016-013850ENV
Project Title: **915 Cayuga Avenue**
Zoning: RH-1 (Residential-House, One Family) & Excelsior Outer Mission Street Neighborhood Commercial District
 40-X Height and Bulk District
Block/Lot: 6954/039 & 011C
Lot Size: 32,182 square feet
Project Sponsor: Reza Khoshnevisan, SIA Consulting Corporation
 (415) 922-0200 Ext 108
Lead Agency: San Francisco Planning Department
Staff Contact: Julie Moore – (415) 575-8733
Julie.Moore@sfgov.org

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

Reception:
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Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION:

The project site is located on the block bounded by Alemany Boulevard to the east, Ocean Avenue to the north, Cayuga Avenue to the west, and Onondaga Avenue to the south in the Outer Mission neighborhood. The proposed project would demolish the existing two-story mixed-used building and construct a new approximately 115,610-square-foot residential building with 116 dwelling units (including 16 studio, 18 one-bedroom, 70 two-bedroom, and 12 three-bedroom units) and 400 square feet of accessory office use. Approximately 50 percent of the units would be affordable, while the remaining 50 percent would be rent controlled. Due to the existing site slope, the proposed five-story building would be approximately 50-feet-tall measured from Alemany Boulevard (56 feet including the 6-foot-tall elevator penthouse) and 72 feet tall from Cayuga Avenue (78 feet including the 6-foot-tall elevator penthouse).

Pedestrian entrances would be located off Alemany Boulevard, which includes the main lobby, and a secondary entrance would be located along the internal driveway off Cayuga Avenue. The proposed building would include an underground garage on Basement Level 2 accessed via a curb cut on Cayuga Avenue. The garage would contain 69 vehicular parking spaces (63 parking spaces with eight of those in stackers, three ADA accessible parking spaces, and three car-share parking spaces) as well as family amenity storage space. Basement level 1 would include 116 class 1 bicycle spaces along with a bicycle repair station. The project proposes approximately 12,410 square feet of open space, including: approximately 8,605 square feet of common open space at the backyard, basement level-1, and the rooftop; approximately 3,495 square feet of private open space at the basement level fronting the Cayuga side of the property; and approximately 310 square feet of private open space at the third floor. The backyard open space would reduce the internal driveway aisle to 20 feet in width. The backyard open space would include bollards and planter boxes.

FINDING:

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

Mitigation measures are included in this project to avoid potentially significant effects. See Section F, Mitigation Measures and Improvement Measures.

INITIAL STUDY TABLE OF CONTENTS

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Initial Study
915 Cayuga Avenue
Planning Department Case No. 2016-013850ENV

A. PROJECT DESCRIPTION

Project Location

The project site consists of a 32,182-square-foot irregularly shaped lot (Assessor’s Block 6954, Lots 011C and 039) located on the east side of Cayuga Avenue on the block bounded by Cayuga Avenue, Ocean Avenue, Alemany Boulevard, and Onondaga Avenue in the Outer Mission neighborhood of San Francisco (refer to Figure 1, Project Location. This figure and all other figures are located in Section J at the end of this document). The site is currently occupied by an approximately 12,555-square-foot, two-story mixed-use building constructed in the 1890s. The existing building is not a historic resource.¹ The existing building currently contains the following approved land uses: a church, yoga/dance studio, performance studios, automotive and metal working, and construction storage yard. The site includes approximately 12 surface parking spaces accessed via a driveway on Cayuga Avenue, which includes an existing access easement for the four adjacent properties to use the driveway to access their off-street garages.

Project Characteristics

The proposed project would demolish the existing mixed-used building and construct a new approximately 115,610-square-foot residential building with 116 dwelling units (including 16 studio, 18 one-bedroom, 70 two-bedroom, and 12 three-bedroom units) and 400 square feet of accessory office use. Table 1 provides an overview of existing and proposed project features. Approximately 50 percent of the units would be affordable, while the remaining 50 percent would be rent controlled. Due to the existing site slope, the proposed five-story building would be approximately 50-feet-tall measured from Alemany Boulevard (56 feet including the 6-foot-tall elevator penthouse) and 72 feet tall from Cayuga Avenue (78 feet including the 6-foot-tall elevator penthouse). The project would include a heating, ventilation, and air conditioning (HVAC) system. The project would have no setbacks from the front and side property lines; the rear setback would range from 31 and 66 feet due to the irregularly shaped lot. Pedestrian entrances would be located off Alemany Boulevard, which includes the main lobby, and a secondary entrance would be located along the internal driveway off Cayuga Avenue. The project proposes multimodal wayfinding signage in the lobby to assist with circulation. The project proposes a 66-foot-long dual passenger (white) and commercial (yellow) loading zone on Alemany Boulevard with an Americans with Disabilities Act (ADA) compliant ramp. The proposed building would include an underground garage accessed via a curb cut on Cayuga Avenue. The garage would contain 69 vehicular parking spaces (63 parking spaces with eight of those in stackers, three ADA accessible parking spaces, and three car-share parking spaces) as well as family amenity storage space. Eleven of the vehicle spots would be equipped for clean air vehicles. Basement level 1 would include 116

¹ San Francisco Planning Department, *Preservation Team Review Form*, October 10, 2017.

*class 1*² bicycle spaces along with a bicycle repair station. Eighteen *class 2*³ bicycle parking spaces would be located on Alemany Boulevard along with a sub-sidewalk transformer vault. The project includes a convex mirror at the Cayuga Avenue driveway as well as a painted yield waiting area for outgoing drivers to yield to incoming vehicles. The project proposes a new 4-foot-wide sidewalk along the west side of the building connected to Cayuga Avenue. This would reduce the existing 20-foot-wide curb cut and driveway off of Cayuga Avenue to 16 feet. The project proposes approximately 12,410 square feet of open space, including approximately 8,605 square feet of common open space at the backyard, basement level-1, and the rooftop, approximately 3,495 square feet of private open space at the basement level fronting the Cayuga side of the property, and approximately 310 square feet of private open space at the third floor. The backyard open space would reduce the internal driveway aisle to 20 feet in width. The backyard open space would include bollards and planter boxes. The project proposes five new street trees along Alemany Boulevard. Refer to Section J for building plans and elevations.

Table 1. Summary of Existing and Proposed Uses

Land Use	Existing	Proposed
Studio	0	16 units
One-Bedroom	0	18 units
Two-Bedroom	0	70 units
Three-Bedroom	0	12 units
Total Dwelling Units	0	116 units (89,510 gsf)
Industrial	2,555 gsf	0
Office (floor-1)	1,500 gsf	400 gsf
Retail	6,700 gsf	0
Institutional	1,800 gsf	0
Parking	12 spaces	69 (20,200 gsf)
Bicycle Parking (basement 1, Alemany Blvd sidewalk)	0	134 (2,175 gsf)
Open Space (backyard, basement 1, floor 3, rooftop)	0	12,415 gsf
Total	12,555 gsf	115,610 gsf

Source: San Francisco Planning Department; SIA Consulting December 19, 2018

² *Class 1* bicycle parking spaces are secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residents, non-residential occupants, and employees. San Francisco Planning Code Section 155.1.

³ *Class 2* bicycle parking spaces are racks located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guests, and patrons to the building or use. San Francisco Planning Code Section 155.1.

Project Construction

Construction of the proposed project would last approximately 18 months. The four construction phases and estimated durations are:

- Phase 1: Demolition, excavation and grading (2 months)
- Phase 2: Underground utilities and foundation (1 month)
- Phase 3: Above ground structure (11 months)
- Phase 4: Interior and exterior finishes, paving, and construction sign-off (4 months)

The proposed building would require excavation into the existing slope and the installation of permanent below-grade walls, soldier pile lagging shoring, and a waterproof mat foundation. The proposed project would involve excavation of approximately 1,760 cubic yards of soil to a depth of up to 3 feet along the western property line (along Cayuga Avenue) and up to about 22 feet along the eastern property line (along Alemany Boulevard).

Project Approvals

The proposed project is anticipated to require the following approvals:

Planning Commission

- Recommendation for approval of Zoning Map Amendment to establish a Special Use District (Cayuga/Alemany Special Use District) permitting additional height and density and resolving split zoning
- Approval of Conditional Use Authorization for use size limits and lot size limits, additional density, removal of an unauthorized dwelling unit, waiving the off-street freight loading requirement, excepting exposure and rear yard requirements

Board of Supervisors

- Approval of Zoning Map, Development Agreement Ordinance, and Special Use District

Actions by other City Departments

- Department of Building Inspection - Approval of demolition, site, and building permit
- San Francisco Municipal Transportation Agency - Approval of the proposed dual (white) passenger loading zone and (yellow) commercial loading zone and class 2 bicycle parking spaces on Alemany Boulevard
- Public Works - Approval of street trees along the Alemany Boulevard frontage. Approval of a street space permit for construction (if sidewalks are used for construction staging and walkways are constructed in the curb lane)

- San Francisco Public Utilities Commission (SFPUC) – Approval of any changes to sewer laterals (connections to the city sewer system). If groundwater is encountered during construction or operation, the sponsor would need a permit from SFPUC’s Wastewater Enterprise Collection System Division. The SFPUC requires hydraulic analysis to confirm the adequacy of the water distribution system for proposed new potable and fire water services. The SFPUC must review and approve the project’s construction erosion and sediment control plan and post-construction stormwater control plan for compliance with the city’s Stormwater Design Guidelines.
- Department of Public Health – Approval of site mitigation plan

Approval Action: Approval of the conditional use authorization by the San Francisco Planning Commission is the approval action for the proposed project for the purposes of a California Environmental Quality Act (CEQA) appeal. The approval action date would establish the start of the 30-day appeal period for appeal of the final mitigated negative declaration to the Board of Supervisors pursuant to section 31.04(h) of the San Francisco Administrative Code.

B. PROJECT SETTING

Project Site and Surrounding Land Uses

The project vicinity includes a range of one- to three-story buildings with residential, retail, production, distribution and repair (PDR), and institutional land uses. The eastern edge of the project site borders Alemany Boulevard, although the existing building is at not at street level due to the lower elevation of the project site. Immediately adjacent to the west of the project site are four single-family homes fronting Cayuga Avenue. These four homes share the same driveway as the project site through an existing access easement in order to access their garages, located at the rear of these buildings. Further west, across the Cayuga Avenue from the project site, are single family homes. Directly to the north of the project site at 65 Ocean Avenue is a 14,088-square-foot building that is shared by institutional uses including Little Bear, a pre-kindergarten, and the Golden Bridges Elementary School. North of this building, at the corner of Alemany Boulevard and Ocean Avenue is a Midas auto repair shop (PDR use) and a 10-space surface parking lot at 1800 Alemany Boulevard. Eight single-family homes border the parcel, to the south of the project site. Seven of these homes front on Valerton Court and do not have rear yards adjacent to the site. Residences also front on Alemany Boulevard to the south of the project site. Balboa High School and James Denman Middle School are approximately a quarter-mile and a half-mile south from the project site, respectively.

The 29-Sunset and 49-Van Ness/Mission Muni buses runs adjacent to the project site on Ocean Avenue with bus stops located on the north side and south side of the Ocean and Cayuga Avenue intersection. The project site is located within one quarter-mile of numerous major transit stops, including those served by the following Muni lines: 14-Mission, 14R-Mission Rapid, 29-Sunset, 49-

Van Ness/Mission, and 52-Excelsior. The project site is located approximately a half-mile to the Balboa Park Bay Area Rapid Transit (BART) station and 1-mile to the Glen Park BART station.

The project site is located in a RH-1 (Residential-House, One Family) and Excelsior Outer Mission Street Neighborhood Commercial District zoning district (NCD) and a 40-X height and bulk district. Other surrounding zoning districts include: Residential-House, Two Family (RH-2); Public (P); and Neighborhood Commercial Cluster (NC-1). Height and bulk designations also vary in the project vicinity and include 40-X, 65-A, 65-X districts.

The topography of the project site and its immediate vicinity is relatively flat but steepens towards the east to Alemany Boulevard. The Alemany Boulevard elevation at the project site is about 20 feet higher than the majority of the site. The eastern slope of the project site along Alemany Boulevard is covered with concrete, vegetation, and a fence. A 7-foot-tall retaining wall separates the project site from the residential properties to the south.

A portion of Islais Creek, which is now mostly underground, ran in a north-south direction generally along the western edge of the existing building and historically drained into a spring pond called "Lake Geneva" near Geneva Avenue and Otsego Street.⁴ The project site and the surrounding block bounded by Alemany Boulevard, Ocean Avenue, Cayuga Avenue and Valerton Court are identified on the 100-Year Storm Flood Risk Map (see Figure 2, page 113) that shows areas of San Francisco where significant flooding from storm runoff is highly likely to occur during a 100-year storm.⁵

Cumulative

The cumulative context for land use effects are typically localized, within the immediate vicinity of the project site, or at the neighborhood level. Table 2 presents cumulative development in the project vicinity (within approximately a quarter-mile radius of the project site), which are either under construction or for which the planning department has an environmental evaluation application on file (see Figure 3, page 114 for cumulative project locations).

The cumulative context for environmental topics such as transportation and air quality are based on broader, projections-based, approaches discussed further in those environmental topic sections.

⁴ ICF, *Historical Resource Evaluation, 915 Cayuga Avenue*, Figure 17: 1899-1900 Sanborn Fire Insurance Map, June 2014/updated September 2017.

⁵ San Francisco Public Utilities Commission, 100-Year Storm Flood Risk Map. Available at: <https://www.sfwater.org/index.aspx?page=1229>. A "100-year storm" means a storm with a 1 percent chance of occurring in a given year.

Table 2. Cumulative Proposed Development Projects within the Project Vicinity

Address	Planning Record No.	Description	Dwelling Units	Gross square feet (gsf)				
				Residential	Retail	Office	Hotel	Institutional
65 Ocean Avenue	2016-006860ENV	Demolition and construction of a mixed-use building (residential and childcare uses)	191	148,631	0	0	0	3,900 (childcare)
350 Ocean Avenue	2015-001961ENV	Demolition and construction of mixed-used building (residential and commercial)	24	21,705	1,225	0	0	0
4840 Mission Street ⁶	2016-012545ENV	Demolition and construction of mixed-used building (retail and residential)	134	0	NA	0	0	0
203 Cotter Street	2015-003791ENV	Change of use and new construction of kindergarten through 8 th grade school	0	0	0	0	0	15,400 (school)
Totals			349	170,336	1,225	0	0	19,300

C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

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

Required Project Approvals

Required special authorizations and changes to the planning code or zoning map, and approvals from city agencies (other than the planning department or building department) are discussed in Section A, Project Description.

Conflicts with Adopted Plans and Policies

This section discusses potential inconsistencies of the proposed project with applicable local plans and policies, as well as conflicts with regional policies (if applicable). Inconsistencies with existing

⁶ This project application is under revision and the information is subject to change.

plans and policies do not, in and of themselves, indicate a significant physical environmental effect within the meaning of CEQA. To the extent that adverse physical environmental impacts may result from such inconsistencies, these impacts are analyzed in this initial study under the specific environmental topic sections in Chapter E, Evaluation of Environmental Effects.

The proposed project would intensify land uses on an urban infill site and to the extent that there are conflicts between the proposed project and applicable plans, policies, and regulations, those conflicts would be considered by city decision-makers when they decide whether to approve, modify, or disapprove the proposed project. The staff reports and approval motions prepared for the decision-makers as part of the entitlements approval process will include a comprehensive project analysis and findings regarding the consistency of the proposed project with applicable plans, policies, and regulations independent of the environmental review process.

San Francisco Planning Code and Zoning Maps

The planning code, which incorporates by reference the city's zoning maps, governs permitted uses, densities, and the configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless: (1) the proposed project complies with the planning code, (2) an allowable exception or variance is granted pursuant to the planning code, or (3) legislative amendments to the planning code are included and adopted as part of the proposed project.

Zoning

The project site is located in the Residential-House, One Family (RH-1) and Excelsior Outer Mission Street Neighborhood Commercial District (NCD) zoning districts. According to planning code section 209.1, RH-1 districts are occupied almost entirely by single-family houses on lots 25 feet in width and rarely exceed 40 feet in height. Building styles vary but tend to be uniform within tracts developed in distinct time periods. In some cases, senior housing and institutional uses are found in RH-1 districts, although nonresidential uses tend to be quite limited. Pursuant to planning code section 720, NCD districts are intended to provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market. Housing development in new buildings is encouraged above the second story. Parking for residential and commercial uses is not required. Buildings range in height, with height limits generally allowing up to four stories. Lots vary in size, generally small- or medium-sized with some very large parcels. The proposed residential and accessory office uses are principally permitted in the NCD district.

The proposed special use district seeks to resolve this split zoning and rezone the parcel to allow for the proposed residential density.

Height and Bulk

The project site is located in a 40-X height and bulk district, which permits a maximum building height of 40 feet. The planning department measures height for this project from Alemany Boulevard. The project would exceed the 40-foot height limit by 10 feet, reaching a height of 50 feet (56 feet including the evaluator penthouse). The project sponsor is therefore requesting approval of a special use district to rezone the site to 55-X to allow a height increase.

San Francisco General Plan

The San Francisco General Plan (general plan) establishes policies and objectives to guide land use decisions related to the physical development of San Francisco. It is comprised of 10 elements, each of which addresses a particular topic that applies citywide: Air Quality; Arts; Commerce and Industry; Community Facilities; Community Safety; Environmental Protection; Housing; Recreation and Open Space; Transportation; and Urban Design. Any conflict between the proposed project and polices that relate to physical environmental issues are discussed in Section E, Evaluation of Environmental Effects. The compatibility of the proposed project with general plan policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve, modify, or disapprove the proposed project.

Proposition M – The Accountable Planning Initiative

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

Prior to issuing a permit for any project that requires an initial study under CEQA, for any demolition, conversion, or change of use, and prior to taking any action that requires a finding of consistency with the general plan, the city is required to find that the proposed project or legislation would be consistent with the priority policies.

As noted above, the compatibility of the proposed project with general plan objectives and policies that do not relate to physical environmental issues will be considered by decision-makers as part

of their decision whether to approve or disapprove the proposed project. Any potential conflicts identified as part of that process would not alter the physical environmental effects of the proposed project.

Regional Plans and Policies

The five principal regional planning agencies and their overarching policies and plans (noted in parentheses) that guide planning in the nine-county bay area include the Association of Bay Area Governments (*Projections 2013 and Plan Bay Area*), the Bay Area Air Quality Management District (*2017 Bay Area Clean Air Plan*), the Metropolitan Transportation Commission (*Regional Transportation Plan – Transportation 2035*), the San Francisco Regional Water Quality Control Board (*San Francisco Basin Plan*), and the San Francisco Bay Conservation and Development Commission (*San Francisco Bay Plan*). Due to the location, size and nature of the proposed project, no anticipated conflicts with regional plans and policies would occur.

D. SUMMARY OF ENVIRONMENTAL EFFECTS

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

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

This initial study examines the proposed project to identify potential effects on the environment. For each item on the initial study checklist, the evaluation has considered the impacts of the proposed project both individually and cumulatively. All items on the initial study checklist that have been checked “Less than Significant Impact with Mitigation Incorporated,” “Less than Significant Impact,” “No Impact” or “Not Applicable” indicate that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect relating to that issue. A discussion is included for those issues checked “Less than Significant Impact with Mitigation Incorporated” and “Less than Significant Impact” and for most items checked with “No Impact” or “Not Applicable.” For items checked “No Impact” or “Not Applicable” without discussion, the conclusions regarding potential significant adverse

environmental effects are based upon field observation, staff experience and expertise on similar projects, and/or standard reference material available within the planning department, such as the *Transportation Impact Analysis Guidelines for Environmental Review* or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Wildlife. For each checklist item, the evaluation has considered the impacts of the proposed project both individually and cumulatively. The items checked above have been determined to be “Less than Significant with Mitigation Incorporated.”

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Aesthetics and Parking

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

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

The proposed project meets each of the above criteria; therefore, this initial study does not consider aesthetics and the adequacy of parking in determining the significance of project impacts under CEQA.⁷

E. EVALUATION OF ENVIRONMENTAL EFFECTS

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

⁷ San Francisco Planning Department, *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 915 Cayuga Avenue*, November 6, 2018. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of case file no. 2016-013850ENV.

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

The division of an established community typically involves the construction of a physical barrier to neighborhood access, such as a new freeway, or the removal of a means of access, such as a bridge or a roadway. Implementation of the proposed project would not result in the construction of a physical barrier to neighborhood access or the removal of an existing means of access; it would result in the demolition of the existing building and construction of a new residential building within its established lot boundaries. In addition, the proposed project would not alter the established street grid or permanently close any streets or sidewalks. The proposed project would modify an existing driveway easement off of Cayuga Avenue, but it would not block access to existing garages of neighboring buildings. Although portions of the sidewalk, parking lanes, and travel lanes adjacent to the project site could be closed for periods of time during project construction, these closures would be temporary in nature. Therefore, the proposed project would not physically divide an established community and thus, would have no impact.

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

Land use impacts would be considered significant if the proposed project would conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Environmental plans and policies are those that directly address environmental issues and/or contain targets or standards that must be met in order to preserve or improve characteristics of the City's physical environment.

The proposed project is seeking legislative amendments through a special use district to permit additional height and density and to resolve split zoning. The project is also seeking a conditional use authorization for exceptions to the applicable use size limits and lot size limits, additional density, removal of an unauthorized dwelling unit, waiving the off-street freight loading requirement, excepting exposure, and rear yard requirements. Therefore, the proposed project would not substantially conflict with any applicable land use plan, policy, or regulation such that an adverse physical change would result (see Section C, Compatibility with Existing Zoning and Plans). Furthermore, the proposed project would not conflict with the San Francisco General Plan policies that relate to physical environmental issues.

In addition, the proposed project would not conflict with any such adopted environmental plan or policy, including Article 10 of the City's Planning Code, the 2017 Bay Area Clean Air Plan, San Francisco's Strategies to Address Greenhouse Gas Emissions (GHG Reduction Strategy) and the City's Urban Forestry Ordinance, as discussed in Section E.3, Cultural Resources, Section E.6, Air Quality, Section E.7, Greenhouse Gas Emissions, and Section E.12, Biological Resources,

respectively. Therefore, the proposed project would have a less-than-significant impact with regard to conflicts with land use plans, policies, or regulations.

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

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

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

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

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

Population growth is considered in the context of local and regional plans and population, housing, and employment projections. Substantial population growth is considered an increase in population that is unplanned without consideration of or planning for infrastructure services and housing needs to support new residents, employees, and visitors. Generally, a project that increases population is not viewed as having a significant impact on the environment unless the physical changes that would be needed to accommodate project-related population growth would have adverse impacts on the environment. Project-related employment and residential growth would result in some direct physical changes related to transportation, noise, air pollutant emissions, greenhouse gas emissions, increased demand for public services, increased demand for utility capacity, and increased demand for recreational facilities. These physical changes are evaluated under other environmental topics in this initial study.

An indirect environmental impact is a change to the physical environment that is not immediately related to a proposed project. Specifically, indirect project-related population growth includes ways in which a proposed project could foster economic or population growth in other locations or induce the construction of additional housing. Projects that would remove obstacles to population growth (e.g., a major expansion of a wastewater treatment plant or extension of roadways into a previously unserved area) might, for example, allow for development to occur in an area that was not previously considered feasible for development because of infrastructure limitations. This type of development pattern typically occurs in exurban and rural areas adjacent to undeveloped land and is not generally applicable to a site that is located in a built urban environment already served by infrastructure.

The proposed project, which would demolish an existing building and construct a 116-dwelling unit building with 400 square feet of accessory office, would directly increase the residential and employee population on the project site and contribute to anticipated population growth in both the neighborhood and citywide contexts.

The 2010 U.S. Census reported a population of 805,235 persons in San Francisco and a population of 6,810 persons in Census Tract 261, which includes the project site and its immediate vicinity.⁸ The population of census tracts within a quarter-mile radius of the project site is about 25,459 persons.⁹ Based on an average household size for San Francisco of 2.35 persons per unit, the addition of 116 dwelling units would increase the population at the project site by about 273 residents.¹⁰ This would represent a residential population increase of about 3 percent over the 2010 population within Census Tract 261, about 1 percent over the 2010 population within the project

⁸ U.S. Census Bureau, *American FactFinder, Profile of General Population and Housing Characteristics: 2010, 2010 Demographic Profile Data*. Available online at <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>, accessed September 21, 2018.

⁹ Census Tracts 260.01, 260.04, 255, and 261. U.S. Census Bureau, *American FactFinder, Profile of General Population and Housing Characteristics: 2010, 2010 Demographic Profile Data*. Available online at <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>, accessed September 21, 2018.

¹⁰ U.S. Census Bureau, *American FactFinder, Households and Families, 2013-2017 American Community Survey 5-Year Estimates*. Available online at <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>, accessed December 24, 2018.

vicinity (census tracts within a quarter-mile of the project site), and less than 0.01 percent over the 2010 citywide population. The population increase attributable to the proposed project would represent about 0.01 percent of the projected citywide increase in population of about 280,465 persons anticipated between 2010 and 2040.¹¹ Therefore, the proposed project would not result in a substantial increase in residential population.

Construction of the proposed project would result in temporary employees on the project site for the duration of the construction period. Operation of the proposed project would result in permanent employees on the project site. The proposed project's accessory office would generate two new employees, which would not result in substantial employment growth relative to existing conditions.¹²

The proposed project would be consistent with San Francisco General Plan and Housing Element goals and policies, and ABAG priority development area goals and criteria; i.e., it is located on an infill site, served by existing transit, and is in an area containing a mix of moderate density housing, services, retail, employment, and civic or cultural uses.¹³ Furthermore, as discussed in Section E.10, Utilities and Service Systems, and Section E.11, Public Services, the population growth generated under the proposed project would not require the expansion of infrastructure or services that would cause adverse physical impacts. Therefore, the proposed project's estimated population growth would not constitute substantial unplanned growth. Implementation of the proposed project would not directly or indirectly induce substantial population growth in the project vicinity that would cause a substantial adverse physical change to the environment. As such, the increase in the residential population associated with the project would have a less-than-significant impact related to population growth, and no mitigation measures are necessary.

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

According to the legally established floor plan, the existing mixed-use building contains the following land uses: a church, yoga/ dance studio, performance studios, automotive and metal working, and construction storage.¹⁴ During a 2015 reconnaissance visit to the site, a two-story residence was identified, which appeared to be inhabited by a family.^{15,16} At the time, the building was occupied by Featherpistol Fitness and an autobody shop; several tenant spaces appeared to be vacant. The proposed project would demolish the residence and mixed-use building, which would displace one housing unit and a small number of employees at the existing businesses. The proposed project, however, would construct 116 residential units, add two employees for

¹¹ ABAG, *Projections 2013*, p. 75. The projected residential population of San Francisco for 2040 is 1,085,700 persons.

¹² The number of employees generated by the proposed project was estimated using the *Planning Department's Transportation Impact Analysis Guidelines for Environmental Review*, which assumes 276 employees per 1,000 gross square feet of office space.

¹³ ABAG, *Projections 2013*, pp. 6-7; ABAG, *Plan Bay Area 2040*, pp. 28-29.

¹⁴ SIA Consulting, *915 Cayuga Avenue Project Plans, Sheet A-2.0, Legally Established Floor Plan*, December 19, 2018.

¹⁵ Basics Environmental, *Phase I Environmental Site Assessment, 915 Cayuga Avenue, San Francisco*, July 16, 2015.

¹⁶ As listed in the Section A, Project Description, the proposed project would require conditional use authorization for removal of an unauthorized dwelling unit.

operation, and could readily accommodate the one housing unit displaced. Therefore, the proposed project would have a less-than-significant impact related to the displacement of substantial numbers of housing units or people and would not necessitate the construction of replacement housing.

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

The cumulative context for population and housing effects are typically citywide. Over the last several years, the supply of housing has not met the demand for housing within San Francisco. In July 2013, the ABAG projected regional housing needs in the Regional Housing Need Plan for the San Francisco Bay Area: 2014–2022. According to this report, the housing growth need of San Francisco for 2015 through 2023 is 28,869 dwelling units: 6,234 dwelling units in the very low income level (0–50 percent); 4,639 units in the low income level (51–80 percent); 5,460 units in the moderate income level (81–120 percent); and 12,536 units in the above moderate income level (120 percent plus).¹⁷ These numbers are consistent with the development pattern identified in Plan Bay Area: 2040, a state-mandated, integrated long-range transportation, land use, and housing plan.¹⁸ As part of the planning process for Plan Bay Area, San Francisco identified *priority development areas*, which consist of areas where new development will support the day-to-day needs of residents and workers in a pedestrian-friendly environment served by transit. The project site is located within the Mission-San Jose Corridor Priority Development Area. Therefore, although the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would increase the population in the area, it would not induce substantial population growth beyond that already anticipated to occur.

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

¹⁷ Association of Bay Area Governments (ABAG), Regional Housing Need Plan for the San Francisco Bay Area: 2015 – 2023, July 2013, https://abag.ca.gov/files/ABAG_Final_RHNA_Publication.pdf, accessed December 10, 2018.

¹⁸ Metropolitan Transportation Commission and ABAG, Plan Bay Area: 2040, July 26, 2017, <http://2040.planbayarea.org/>, accessed on January 12, 2018.

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

Impact CR-1: The proposed project would not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines section 15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code. (No Impact)

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

Implementation of the proposed project would include the demolition of the existing building at 915 Cayuga Avenue. In evaluating whether the proposed project would cause a substantial adverse change in the significance of a historical resource, the planning department must first determine whether the existing building on the project site is a historical resource. A property may be considered a historical resource if it meets any of the California register criteria related to (1) events, (2) persons, (3) architecture, or (4) information potential, that make it eligible for listing in the California register, or if it is considered a contributor to a potential historic district.

The building at 915 Cayuga Avenue was constructed in the 1890s. A *Historic Resource Evaluation* was prepared for the building to assist the planning department in determining whether the

existing building is a historical resource.¹⁹ The planning department reviewed the evaluations, concurred with the findings, and issued a *preservation team review form* determining that the building is not a historical resource.²⁰

The building at 915 Cayuga Avenue was built in the 1890s as the Hayes Park Laundry and continued to function in this capacity through the 1970s. The subject building has not been found eligible for individual listing in the California Register of Historical Resources under criterion 1 (events), 2 (persons), or 3 (architecture). While the building can be generally associated with the French-American community in San Francisco, there is no evidence that the building is associated with any specific events that have made a significant contribution to the broad patterns of California history and cultural heritage. Therefore, the building is not eligible for listing under criterion 1 (events). The building is not eligible under criterion 2 (persons) because none of the owners or occupants have been identified as important to history. The building is not eligible under criterion 3 (architecture) because it is an unremarkable utilitarian industrial structure that has been altered numerous times. Finally, the building is not eligible for listing under criterion 4 (information) because this criterion typically applies to rare construction types when involving the built environment, and the subject property is not an example of a rare construction type.

In addition to not being eligible for listing as an individual resource, the existing building on the project site is not located in a known or potential historic district. The buildings in the immediate area exhibit a wide range of construction dates and architectural styles, and therefore do not cohere into a recognizable district.

In conclusion, the existing building at 915 Cayuga Avenue is not eligible for listing in the California register as an individual resource or as a contributor to a historic district and thus is not considered a historical resource under CEQA. For these reasons, the proposed project would have no impact on historical resource, and no mitigation measures are necessary.

Impact CR-2: The proposed project could result in a substantial adverse change in the significance of an archeological resource. (Less than Significant with Mitigation)

Determining the potential for encountering archeological resources includes relevant factors such as the location, depth, and amount of excavation proposed as well as any recorded information on known resources in the area. Construction of the proposed project would require excavation to a depth of up to 3 feet along the western property line (along Cayuga Avenue) and up to about 22 feet along the eastern property line (along Alemany Boulevard) and the removal of approximately 1,760 cubic yards of soil. A substantial portion of the existing project site would be excavated. The project site is located in an area historically transected by Islais Creek as it flowed north from the

¹⁹ ICF, 915 Cayuga Avenue, *Historic Resource Evaluation*, June 2014/Updated September 2017.

²⁰ San Francisco Planning Department, *Preservation Team Review Form*, 915 Cayuga Avenue, October 10, 2017.

freshwater Geneva Lake a short distance to the south. The planning department conducted a preliminary archeological review²¹ and determined that deposits associated with temporary encampments of prehistoric populations, as well as Hispanic Period, and 19th to early 20th century archeological resources, may be present within areas proposed to be excavated. Excavation could damage or destroy these subsurface archeological resources, which would impair their ability to convey important scientific and historical information. As such, the proposed project could result in a significant impact on archeological resources, if such resources are present within the project site.

Implementation **Mitigation Measure M-CR-1, Archeological Testing**, would be required to reduce the potential impact on archeological resources to a less-than-significant level. Implementation of the approved plans for archeological testing, monitoring, and data recovery would preserve and realize the information potential of archeological resources. The recovery, and documentation of information about archeological resources that may be encountered within the project site would enhance knowledge of prehistory and history. This information would be available to future archeological studies, contributing to the collective body of scientific and historic knowledge. With the implementation of Mitigation Measure M-CR-1, the proposed project would not cause a substantial adverse change to the significance of an archeological resource, if present within the project site. Therefore, this impact would be less than significant with mitigation.

Mitigation Measure M-CR-1: Archeological Testing

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

²¹ San Francisco Planning Department, *Preliminary Archeological Review Form*, 915 Cayuga Avenue, October 16, 2018.

Consultation with Descendant Communities: On discovery of an archeological site²² associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative²³ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

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

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

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

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

²² By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

²³ An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving or deep foundation activities (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving or deep foundation activities may affect an archeological resource, the pile driving or deep foundation activities shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

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

Archeological Data Recovery Program. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely

affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

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

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

Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data

recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

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

Impact CR-3: The project may disturb human remains, including those interred outside of formal cemeteries. (Less than Significant with Mitigation)

In the unlikely event that human remains are encountered during construction, any inadvertent damage to human remains would be considered a significant impact. Accordingly, in order to reduce this potential impact to a less-than-significant level, the project sponsor must comply with **Mitigation Measure M-CR-1, Archeological Testing**, which includes the required procedures for the treatment of human remains. With implementation of **Mitigation Measure M-CR-1, Archeological Testing**, as described above, the proposed project would have a less-than-significant impact on previously unknown human remains.

Impact CR-4: The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource. (Less than Significant with Mitigation)

CEQA Section 21074.2 requires the lead agency to consider the effects of a project on tribal cultural resources. As defined in Section 21074, tribal cultural resources are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are listed, or determined to be eligible for listing, on the national, state, or local register of historic resources. Pursuant to CEQA section 21080.3.1(d), on February 12, 2018, the planning department contacted Native American individuals and organizations for the San Francisco area, providing a description of the project and requesting comments on the identification, presence and significance of tribal cultural resources in the project vicinity. During the 30-day comment period, no Native American tribal representatives contacted the planning department to request consultation.

Based on the background research there are no known tribal cultural resources in the project area; however, as discussed under Impact CR-2, the project site is an archeological sensitive area with the potential for prehistoric archeological resources. Prehistoric archeological resources may also be considered tribal cultural resources. In the event that construction activities disturb unknown

archeological sites that are considered tribal cultural resources, any inadvertent damage would be considered a significant impact.

With implementation of **Mitigation Measure M-CR-2, Tribal Cultural Resources Interpretive Program**, impacts to previously unknown tribal cultural resources would be less-than-significant with mitigation.

Mitigation Measure M-CR-2: Tribal Cultural Resources Interpretive Program

If the Environmental Review Officer (ERO) determines that a significant archeological resource is present, and if in consultation with the affiliated Native American tribal representatives, the ERO determines that the resource constitutes a tribal cultural resource (TCR) and that the resource could be adversely affected by the proposed project, the proposed project shall be redesigned so as to avoid any adverse effect on the significant tribal cultural resource, if feasible.

If the Environmental Review Officer (ERO) determines that preservation-in-place of the TCR is both feasible and effective, then the archeological consultant shall prepare an archeological resource preservation plan (ARPP). Implementation of the approved ARPP by the archeological consultant shall be required when feasible.

If the ERO, in consultation with the affiliated Native American tribal representatives and the project sponsor, determines that preservation-in-place of the tribal cultural resources is not a sufficient or feasible option, the project sponsor shall implement an interpretive program of the TCR in consultation with affiliated tribal representatives. An interpretive plan produced in consultation with the ERO and affiliated tribal representatives, at a minimum, and approved by the ERO would be required to guide the interpretive program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long- term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, artifacts displays and interpretation, and educational panels or other informational displays.

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

As discussed under Impact CR-1, implementation of the proposed project would not cause a substantial adverse change in the significance of a historical resource because the existing building on the project site is not historically significant or in proximity to a historic district, thus the proposed project would have no direct impact on historic resources.

As previously noted, the proposed project would be required to implement **Mitigation Measures M-CR-1, Archeological Testing** and **Mitigation Measure M-CR-2: Tribal Cultural Resources Interpretive Program**. These mitigation measures would ensure that project-related impacts on archeological resources, human remains, and tribal cultural resources would be less than significant. Because these impacts are site-specific and generally limited to the immediate construction area, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a significant cumulative impact on archeological resources, tribal cultural resources, or human remains. This impact would be less than significant.

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

The project is not located within an airport land use plan area or in the vicinity of a private airstrip. Therefore, Question 4c is not applicable to the project. A transportation study was prepared for the proposed project.²⁴

Setting

The following discussion is based on the information provided in the transportation study. As described above, the project site is located between Cayuga Avenue and Alemany Boulevard, south of Ocean Avenue, on lots 011C and 039 of Assessor's Block 6954 within the Outer Mission neighborhood. The 32,182-square-foot lot lies within Superdistrict 3, Census Tract 261, and Transportation Analysis Zone (TAZ) 48 in the San Francisco County Transportation Authority model. The project site is an irregularly shaped lot with the majority of the project frontage on Alemany Boulevard. The project site includes an existing access easement off Cayuga Avenue that provides access to the project site and to off-street parking for adjacent residential units (lots 034, 035, 037, and 038).

The project site is currently occupied by a two-story mixed-used building and a surface parking lot with 12 parking spaces. The existing building currently contains the following land uses a church, yoga/ dance studio, performance studios, automotive and metal working, and construction storage yard. The proposed project would replace the existing building with a 50-foot-tall (56 feet including the elevator penthouse), five-story residential building above a two-story basement. The 115,610-square-foot building would include approximately 89,510 square feet of residential space, totaling 116 units (including 16 studio, 18 one-bedroom, 70 two-bedroom, and 12 three-bedroom units). The first floor of the proposed project would also include 400-square-feet of accessory office (rental office). The project includes 69 off-street vehicle parking spaces (including three Americans with Disabilities Act (ADA) spaces and three car share spaces) that would be provided for the residential use in the below grade garage. The three ADA-compliant spaces, three car share spaces, and 47 vehicle spaces would be independently accessible; the remaining 16 vehicle parking spaces would be provided using mechanical stackers. The garage would be accessible via a 16-foot-wide two-way driveway with adjacent 4-foot walkway leading to Cayuga Avenue. The driveway, walkway, and proposed 16-foot curb cut would replace the existing approximately 20-foot curb cut at the same location.

For drivers exiting the garage, there would be a painted yield waiting area on the project site to allow vehicles that have exited the garage space to yield to incoming vehicles. At the driveway on Cayuga Avenue, the proposed project would include a convex mirror to increase visibility for people entering, exiting, and passing by the project driveway. The existing access easement would be retained via a 16-foot driveway. The project proposes approximately 8,605 square feet of common open space at the backyard. The internal driveway aisle would be bordered by metal

²⁴ Kittelson & Associates, Inc., *915 Cayuga Avenue Transportation Circulation Memorandum*, San Francisco, CA. December 18, 2018. The transportation analysis evaluated the proposed project with 116 vehicle parking spaces. Subsequent revisions to reduce the project's parking to 69 vehicle spaces do not affect the study's findings and conclusions.

bollards designed to channelize the vehicle movements and keep them separate from the back yard open space.

A total of 116 class 1 bicycle parking spaces would be provided in the Basement 1 level in a designated bicycle parking room. This room would be accessible in two ways. Residents could access it from the main entrance on Alemany Boulevard on the first floor via the hallway and an elevator to the bike parking room on the floor below, or by riding into the Basement 2 level and taking the elevator up to the Basement 1 level above. Eighteen class 2 bicycle parking spaces would be provided along the sidewalk on Alemany Boulevard.

The proposed project does not include off-street freight loading; however, a 66-foot dual passenger (white) and freight (yellow) loading zone is proposed on Alemany Boulevard adjacent to the building's main entrance (see Figure 4 and Section 1.2.2). The proposed 66-foot dual use zone would replace approximately three existing unmetered street parking spaces. The loading zone would be a time-restricted zone that would be designated for freight loading midday through afternoon (10 a.m. - 1 p.m.) and designated for passenger loading the rest of the day.

According to the General Plan, Ocean Avenue is considered a *secondary transit* street.²⁵ Ocean Avenue is an east-west neighborhood residential street as defined by the Better Streets Plan and is on a *Vision Zero High Injury Network*.²⁶ Cayuga Avenue is a north-south neighborhood residential street as defined by the Better Streets Plan and operates as a two-way street with two travel lanes (one in each direction) and on-street unmetered parking on both sides of the street. Alemany Boulevard is a north-south residential throughway as defined by the Better Streets Plan. Alemany Boulevard is a median-separated roadway east of the project site, operating as a two-way street with two travel lanes in each direction and unmetered on-street parking on both sides of the street. The street features northbound and southbound class 2 bicycle facilities and is on the Vision Zero High Injury Network.

The following Muni transit lines operate within one-quarter mile of the project site: 14-Mission, 14R-Mission Rapid, 14X-Mission Express, 29-Sunset, 49-Van Ness/Mission, 52 Excelsior. Balboa Park BART Station is located approximately half-mile from the project site and Glen Park BART Station is approximately a mile from the project site. The closest transit stops are located at the Cayuga Avenue/ Ocean Avenue/ Santa Ynez intersection. The Muni 29-Sunset and 49-Van Ness/Mission lines run along Ocean Avenue and have stops at this intersection, with p.m. peak

²⁵ According to the Transportation Element of the San Francisco General Plan (Table 4: Transit Preferential Street Classification System), a *secondary transit street* meets one of three criteria: medium transit ridership and low-to-medium frequency of service, or; medium frequency of service and low-to-medium transit ridership, or; connects two or more major destinations.

²⁶ Vision Zero SF. In San Francisco, more than 70 percent of severe and fatal traffic injuries occur on just 12 percent of city streets. Map available at; <https://visionzerosf.org/vision-zero-in-action/evaluating-monitoring-our-progress/>.

hour headways of 9 and 12 minutes, respectively. Both lines have a far side eastbound stop and a near side westbound stop on Ocean Avenue.

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

Vehicle Miles Traveled in San Francisco and Bay Area

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

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

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

estimate VMT.^{27,28} For residential development, existing regional average daily VMT per capita is 17.2. For office development, existing regional average daily work-related VMT per employee is 19.1.

San Francisco 2040 cumulative conditions were projected using a SF-CHAMP model run, applying the same methodology as outlined above for existing conditions, but also incorporated residential and job growth estimates and reasonably foreseeable transportation investments through 2040. For residential development, the projected 2040 regional average daily VMT per capita is 16.1. For office development, the projected 2040 regional average daily VMT per employee is 17.1. Table 3, Daily Vehicle Miles Traveled, summarizes existing and cumulative VMT for the region and for the transportation analysis zone (TAZ) in which the project site is located, TAZ 48.

Table 3: Daily Vehicle Miles Traveled

Land Use	Existing			Cumulative 2040		
	Bay Area Regional Average	Bay Area Regional Average minus 15% (threshold)	TAZ 48	Bay Area Regional Average	Bay Area Regional Average minus 15% (threshold)	TAZ 48
Households (Residential)	17.2	14.6	10.3	16.1	13.7	9.3
Employment (Office)	19.1	16.2	11.5	17.1	14.5	9.9

A project would have a significant effect on the environment if it would cause substantial additional VMT. California Governor’s Office of Planning and Research’s (OPR’s) Technical Advisory on Evaluating Transportation Impacts in CEQA (transportation impact guidelines) recommends screening criteria to identify types, characteristics, or locations of projects that would not result in significant impacts to VMT. If a project meets one of the three screening criteria provided (Map- Based Screening, Small Projects, and Proximity to Transit Stations), then it is presumed that VMT impacts would be less than significant for the project and a detailed VMT analysis is not required. Map-Based Screening is used to determine if a project site is located within a TAZ that exhibits low levels of VMT. Small Projects are projects that would generate fewer than 100 vehicle trips per day. The Proximity to Transit Stations criterion includes projects that are within a half- mile of an existing major transit stop, have a FAR that is equal to or greater than 0.75, vehicle parking that is less than or equal to that required or allowed by the planning code without

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

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

conditional use authorization, and are consistent with the applicable Sustainable Communities Strategy.

In TAZ 48, the existing average daily household VMT per capita is 10.3, and the future 2040 average daily household VMT per capita is estimated to be 9.3, the existing average daily VMT per employee is 11.5, and the future 2040 average daily household VMT per capita is estimated to be 9.9. Given that the project site is located in an area in which the existing and future 2040 residential and office employee VMT would be more than 15 percent below the existing and future 2040 regional averages, the proposed project's residential and office uses would not result in substantial additional VMT, and impacts would be less than significant. Furthermore, the project site meets the Proximity to Transit Stations screening criterion, which also indicates the proposed project's residential uses would not cause substantial additional VMT.²⁹ Therefore, VMT impacts would be less than significant.

Induced Automobile Travel Analysis

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

The proposed project is not a transportation project. However, the proposed project would include changes within the public right of way, such as conversion of on-street parking spaces to a dual passenger and freight loading zone, installation of bicycle parking and walking amenities. These features fit within the general types of projects that would not be considered to substantially induce automobile travel.³⁰ The proposed project would not increase physical roadway capacity or add new roadways to the transportation network. Thus, the proposed project would not result in a significant impact with respect to induced automobile travel.

Travel Demand

Localized trip generation of the proposed project was calculated using a trip-based analysis and information included in the 2002 *Transportation Impact Analysis Guidelines for Environmental Review*

²⁹ San Francisco Planning Department, *Eligibility Checklist for CEQA section 21099: Modernization of Transportation Analysis*, 915 Cayuga Avenue, November 6, 2018.

³⁰ San Francisco Planning Commission Staff Report Summarizing the Resolution Modifying Transportation Impact Analysis. March 3, 2016.
http://commissions.sfplanning.org/cpcpackets/Align-CPC%20exec%20summary_20160303_Final.pdf

(SF Guidelines) developed by the San Francisco Planning Department.^{31,32} The proposed project would generate an estimated 1,083 person trips (inbound and outbound) on a weekday daily basis, consisting of 609 person trips by auto (331 vehicle trips accounting for vehicle occupancy data for this census tract), 274 transit trips, 133 walk trips and 67 trips by other modes, which include bicycle, taxi, and motorcycle trips. During the p.m. peak hour, the proposed project would generate an estimated 187 daily person trips, consisting of 106 person trips by auto (63 vehicle trips accounting for vehicle occupancy data), 53 transit trips, 19 walk trips and 9 trips by other modes.

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

The proposed project, which consists of a demolition of an existing building and new construction of a 116-unit residential building with 400 square feet of accessory office. The proposed project would not include any design features that would substantially increase traffic-related hazards (e.g., a new sharp curve or dangerous intersections) or include any incompatible uses. Additionally, the proposed project would add five new street trees, 18 class 2 bicycle parking spaces, and a dual use 66-foot-long passenger and freight loading zone on Alemany Boulevard. The project would also add interior walkways and bollards, and a convex mirror at the driveway, which would increase safety by providing additional barriers between people walking and cars entering and exiting the proposed garage and increasing visibility. The project would also include a painted yield area for outgoing vehicles to yield to incoming vehicles at the driveway. Therefore, traffic hazard impacts due to a design feature or incompatible uses from the proposed project would be less than significant.

Improvement Measure I-TR-1 Queue Abatement below would further reduce the project's less-than-significant effects on people walking and biking from cars entering the proposed garage.

Improvement Measure I-TR-1: Queue Abatement

As an improvement measure to further minimize the potential for vehicle queues at the project driveway into the public right-of-way, the project would be subject to the Planning Department's vehicle queue abatement measure.

Prior to a recurring queue occurring (e.g., if queues are observed for a consecutive period of two minutes or longer), the owner/operator of the parking facility will employ abatement methods as needed to abate a reoccurring queue. Appropriate abatement

³¹ Kittelson & Associates, Inc., *915 Cayuga Avenue Transportation Circulation Memorandum*, San Francisco, CA. November 2018.

³² Trip calculations are conservative (overestimates) because they do not subtract trips associated with existing uses from proposed new construction and changes in uses.

methods will be tailored to the characteristics and causes of a reoccurring queue on Cayuga Avenue, as well as the characteristics of the project driveway and garage.

Suggested abatement methods may include, but are not limited to, the following: redesign of the garage, rear yard, and/or driveway to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; additional transportation demand management (TDM) strategies such as additional bicycle parking, or parking demand management strategies.

If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Planning Department shall notify the property owner in writing. Upon request, the owner/operator shall hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant shall prepare a monitoring report to be submitted to the Planning Department for review. If the Planning Department determines that a recurring queue does exist, the facility owner/operator shall have 90 days from the date of the written determination to abate the queue.

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

Emergency vehicle access is currently provided along the project frontage of Alemany Boulevard and Cayuga Avenue. Emergency access would remain unchanged from existing conditions. In addition, the proposed project would not close off any existing streets or entrances to public uses. The proposed project has been reviewed by the San Francisco Fire Department, as required, for emergency access conditions. As part of the review feedback, the project proposes a red curb south of the driveway to facilitate emergency access. Therefore, the proposed project would have a less-than-significant impact on emergency access.

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

Transit Facilities

The project site is well served by public transit. Within one-quarter mile of the project site, Muni operates the following local transit lines: 14-Mission, 14R-Mission Rapid, 14X-Mission Express, 29-Sunset, 49-Van Ness/Mission, and 52 Excelsior. The Balboa Park BART station is located approximately one half-mile from the project site and Glen Park BART station is approximately 1 mile from the project site. The closest transit stops are located at the Cayuga Avenue/Ocean Avenue/Santa Ynez intersection. The Muni 29-Sunset and 49-Van Ness/Mission lines run along Ocean Avenue and have stops at this intersection, with p.m. peak hour headways of 9 and 12

minutes, respectively. Both lines have a far side eastbound stop and a near side westbound stop on Ocean Avenue. Based on the Southeast Mission Transit Screenline data, the existing peak hour capacity utilization of these lines is approximately 54 percent during the p.m. peak hour, respectively.^{33,34}

As described above, the proposed project would generate 274 daily transit trips, including 53 during the p.m. peak hour. These transit trips would be distributed among the multiple transit lines serving the project vicinity and would be accommodated by the existing capacity (54 percent), of the Southeast Mission Transit Screenline, which is well below the SFMTA capacity utilization performance standard of 85 percent.³⁵ For these reasons, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result. Thus, the proposed project's impact on transit service would be less than significant.

Bicycle

The proposed project would add approximately 67 person-trips by "other" modes, which includes trips made by bicycle. The project vicinity is served by existing bicycle routes and lanes located along Ocean Avenue and Alemany Boulevard. The bicycle facilities along Ocean Avenue and Alemany Boulevard were observed to be underused during a field visit to the site.³⁶ Implementation of the proposed project would not alter the existing street grid or result in other physical changes that would affect bicycle facilities. In addition, the proposed project would include 116 class 1 bicycle parking spaces (located in the garage) and 18 class 2 bicycle parking spaces (located on the Alemany Boulevard sidewalk in front of the project site). For these reasons, project-generated bicycle trips would not have a significant impact on existing bicycle facilities.

The proposed project would also generate 331 daily and 63 p.m. peak-hour vehicle trips. While the project would increase the amount of vehicle traffic along Cayuga Avenue and other streets in the project vicinity, the expected magnitude of this increase on any one street would not be substantial

³³ San Francisco Planning Department, *Memorandum: Transit Data for Transportation Impact Studies*, May 15, 2015.

³⁴ Typically, the Planning Department assesses transit impacts through a screenline analysis. A screenline analysis assumes that there are identifiable corridors or directions of travel which are served by a grouping of transit lines. Therefore, an individual line would be combined with other transit lines in a corridor and corridors combined into a screenline in determining significance. The Southeast Mission Transit Screenline is an average of the 14 Mission, 14L Mission Limited, 14X Mission Express, and 49 Van Ness-Mission transit lines.

³⁵ The SFMTA uses a capacity utilization performance standard of 85 percent for transit vehicle loads. In other words, SFMTA local transit lines should operate at or below 85 percent capacity utilization. The Planning Department, in preparing and reviewing transportation impact studies, has similarly used the 85 percent capacity utilization standard as a threshold of significance for determining peak period transit demand impacts to the SFMTA lines. By contrast, regional transit agencies use a 100 percent capacity utilization standard, and therefore the Planning Department uses 100 percent capacity utilization as a threshold of significance for determining peak period transit demand impacts to regional transit.

³⁶ Field observations were made at the subject property, 915 Cayuga Avenue, and the project vicinity on December 5, 2017, between 3:00-6:00 p.m.

enough to result in conflicts with cyclists or affect overall bicycle circulation or the operations of bicycle facilities. Therefore, impacts related to bicycle travel would be less than significant.

Walking

Trips generated by the proposed project would include walk trips to and from the proposed residential and office uses, plus walk trips to and from transit stops. The proposed project would generate about 133 daily walk trips to and from the project site, including 19 walk trips during the weekday p.m. peak hour. The proposed project would retain the existing 10-foot wide sidewalk widths along Cayuga Avenue and Alemany Boulevard. In addition, there are curb ramps, crosswalks, and stop signs provided at the nearest intersections (Cayuga Avenue/Ocean Avenue/Santa Ynez Avenue and Ocean Avenue/Alemany Boulevard) to facilitate crossings. As a result, the existing sidewalks at the site and within the project vicinity would be able to accommodate the additional project-generated walk trips without becoming substantially overcrowded or unsafe.

The proposed project would enhance safety at the project site by providing a barrier between pedestrians and vehicles traveling within the interior of the project site. In addition, the project includes a convex mirror at the project driveway to enhance driver's visibility of people walking. Furthermore, project-generated vehicle traffic (331 daily and 63 p.m. peak hour vehicle-trips) would be dispersed among multiple streets within the project vicinity and therefore, would not be expected to result in substantial conflicts with pedestrians on Cayuga Avenue or other streets in the project vicinity. As a result, project-related impacts on people walking would be less than significant. To further reduce the less-than-significant impacts on pedestrians, the project sponsor has agreed to implement **Improvement Measure I-TR-2** as described below.

Improvement Measure I-TR-2: Install Audible or Visual Warning Device for Pedestrians

The project sponsor will install a visual or audible warning device at the driveway entrance/exit to automatically alert pedestrians walking along Cayuga Avenue when a vehicle is exiting the facility.

Loading

Pursuant to Planning Code section 152, the proposed project is required to provide one off-street loading space. The project is proposing a 66-foot-long dual use passenger and freight loading zone on Alemany Boulevard.

Loading demand for the proposed project was calculated using the methodology set forth in the Transportation Impact Analysis Guidelines. The proposed project would generate an average peak-hour freight loading demand of less than one space. Passenger loading demand is estimated to equal nine vehicles in the p.m. peak hour. The proposed loading zone would be sufficient to accommodate the anticipated demand.

Residential move-in/move-out activities could be accommodated by one of two options. Residents' private vehicles and/or small moving trucks could park in the project's garage or use available on-street parking spaces near the project site. In the event that longer moving trucks are needed, residents would be required to obtain permits to temporarily reserve on-street parking spaces near the project site.

The proposed supply of loading spaces is sufficient to satisfy calculated demand. Therefore, passenger and freight loading activities resulting from the proposed project would have a less-than-significant impact on people walking, biking, and transit operations.

Construction Activities

Construction of the proposed project would take approximately 18 months. Construction staging would occur primarily on Alemany Boulevard. Construction-related trucks to and from the project site could result in a temporary increase in traffic volumes on local streets. In addition, construction activities would generate construction worker trips to and from the project site and temporary demand for parking and public transit. However, the temporary demand for public transit would not be expected to exceed the capacity of local or regional transit service.. The project sponsor would be required to follow the *Regulations for Working in San Francisco Streets* ("The Blue Book") and coordinate temporary traffic lane closures with SFMTA to minimize the impacts on local traffic.

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

Impact C-TR-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not have a cumulative impact on transportation. (Less than Significant)

There are currently four proposed development projects within the project vicinity (see Table 2 and Figure 3, Section B, Project Setting) in addition to the proposed project at 915 Cayuga Avenue which would increase the demand for transit within the project vicinity. The cumulative p.m. peak hour capacity utilization of the Southeast Muni Screenline is projected to reach 89 percent by the year 2040.³⁷ This would be considered a significant cumulative impact on transit capacity. The proposed project's contribution to transit ridership in 2040 would be minimal and would be dispersed among various lines. The number of passengers on any one line would not result in a 5 percent increase in transit demand. Therefore, the proposed project would not have a cumulatively considerable contribution to the significant impact on transit capacity under the 2040 cumulative scenario.

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

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

Construction of the proposed project could overlap with construction activities associated with the cumulative development projects described in Table 2. However, the combined construction-related traffic would be temporary and localized, and therefore would not result in permanent impacts related to transportation and circulation. In addition, all construction-related temporary traffic lane closures must be coordinated with the SFMTA to minimize the impacts on local traffic. The cumulative impact of construction worker-related vehicle or transit trips would also not substantially affect transportation conditions, due to their temporary and limited nature. Therefore, the combined construction-related traffic of the proposed project and other projects in the vicinity would have a less-than-significant impact on people walking, biking, and transit operations.

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

If construction of the proposed project and the adjacent property at 65 Ocean Avenue were to occur at the same time, construction-related vehicles could temporarily constrain traffic along their routes and may result in temporary rerouting of local trips. **Improvement Measure I-TR-3 (Coordinated Construction Traffic Management Plan)** would further reduce these temporary less-than-significant transportation impacts related to cumulative construction.

Improvement Measure I-TR-3: Coordinated Construction Traffic Management Plan

The project sponsor will participate in the preparation and implementation of a coordinated construction traffic management plan that includes measures to reduce hazards between construction-related traffic and pedestrians, bicyclists, and transit vehicles. The coordinated construction traffic management plan will be prepared in coordination with other public and private projects within a one block radius that may have overlapping construction schedules and shall be subject to review and approval by the TASC. The plan will include, but not necessarily be limited to the following measures:

- **Restricted Construction Truck Access Hours:** Limit truck movements and deliveries requiring lane closures to occur between 9 a.m. to 4 p.m., outside of peak morning and evening weekday commute hours.
- **Alternative Transportation for Construction Workers:** Provide incentives to construction workers to carpool, use transit, bike, and walk to the project site as alternatives to driving

alone to and from the project site. Such incentives may include, but not be limited to, providing secure bicycle parking spaces, participating in free-to-employee and employer ride matching program from www.511.org, participating in emergency ride home program through the City of San Francisco (www.sferh.org), and providing transit information to construction workers.

- **Construction Worker Parking Plan:** The location of construction worker parking shall be identified as well as the person(s) responsible for monitoring the implementation of the proposed parking plan. The use of on-street parking to accommodate construction worker parking shall be discouraged. The project sponsor could provide on-site parking once the below grade parking garage is usable.
- **Project Construction Updates for Adjacent Businesses and Residents:** Provide regularly updated information regarding project construction, including a construction contact person, construction activities, duration, peak construction activities (e.g., concrete pours), travel lane closures, and lane closures (bicycle and parking) to nearby residences and adjacent businesses through a website, social media, or other effective methods acceptable to the ERO.

Implementation of Improvement Measure I-TR-3, Coordinated Construction Traffic Management Plan, would minimize less-than-significant localized impacts related to coincident construction and would reduce or confine construction-related transportation to routes and times with the least impact. It would also promote communication of local construction activities to local residents and businesses.

<u>Topics:</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<u>Not Applicable</u>
5. NOISE -- Would the project result in:					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<u>Topics:</u>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

Ambient noise levels in the project vicinity are typical of noise levels found in San Francisco, which are dominated by vehicular traffic, including cars, Muni buses, and emergency vehicles. The existing traffic noise levels are between 65 - 70 A-weighted decibels (dBA) day average sound level (Ldn) on Cayuga Avenue and above 75 dBA (Ldn) on Alemany Boulevard.^{38,39,40} Cayuga Avenue is generally a low volume street: in the p.m. peak hour, 176 vehicles were counted on Cayuga Avenue near the Ocean Avenue intersection.⁴¹ While land uses in the project site vicinity do not generate a substantial amount of noise, high traffic volumes along the surrounding roadways result in a relatively loud noise environment. The project site driveway is located approximately 100 feet from Ocean Avenue where the noise environment is dominated by nearby vehicle noise.

The proposed project would include residential uses that would place sensitive receptors within this noise environment. The Environmental Protection Element of the San Francisco General Plan contains Land Use Compatibility Guidelines for Community Noise.⁴² These guidelines, which are

³⁸ San Francisco General Plan, Environmental Protection Element, Map 1, Background Noise Levels – 2009, http://generalplan.sfplanning.org/images/I6.environmental/ENV_Map1_Background_Noise%20Levels.pdf, accessed on October 10, 2018.

³⁹ The dBA, or A-weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sounds of different frequencies. On this scale, the normal range of human hearing extends from about 0 dBA to about 140 dBA. A 10-dBA increase in the level of a continuous noise represents a perceived doubling of loudness.

⁴⁰ The DNL or Ldn is the Leq, or Energy Equivalent Level, of the A-weighted noise level over a 24-hour period with a 10-dB penalty applied to noise levels between 10 p.m. to 7 a.m. Leq is the level of a steady noise which would have the same energy as the fluctuating noise level integrated over the time period of interest.

⁴¹ Kittleson & Associates, *915 Cayuga Avenue Transportation Circulation Memorandum – Final, Case No. 2016-013850ENV*, December 18, 2018.

⁴² San Francisco General Plan, Environmental Protection Element, Policy 11.1, http://generalplan.sfplanning.org/I6_Environmental_Protection.htm#ENV_TRA_11_1, accessed October 10, 2018.

similar to state guidelines promulgated by the Governor’s Office of Planning and Research, indicate maximum acceptable noise levels for various newly developed land uses. These guidelines present a range of noise levels that are considered compatible or incompatible with various land uses. Specifically, the maximum “satisfactory, with no special noise insulation” exterior noise level is 60 dBA (Ldn) for residential and hotel uses, 65 dBA (Ldn) for schools classrooms, libraries, churches and hospitals, 70 dBA (Ldn) for playgrounds, parks, office buildings, retail commercial uses and noise-sensitive manufacturing/communications uses, and 77 dBA (Ldn) for other commercial uses such as wholesale, some retail, industrial/manufacturing, transportation, communications, and utilities.

The proposed project would include residential and office uses, which are common uses in the neighborhood. These uses would not generate groundborne vibration or noise levels in excess of established standards and would not expose nearby sensitive receptors to substantial permanent, temporary or periodic increases in ambient noise levels. Vehicular traffic makes the largest contribution to ambient noise levels throughout most of San Francisco. Generally, traffic would have to double in volume to produce a noticeable 3 dBA increase in the ambient noise level in the project vicinity.⁴³ The existing p.m. peak hour vehicle volume on Cayuga Avenue is 176 vehicle trips. The proposed project would generate approximately 331 daily vehicle trips, approximately 63 of which would occur during the p.m. peak hour. This increase in vehicle trips would not cause p.m. traffic volumes to double on nearby streets and as a result, project-generated traffic noise would not have a noticeable effect on ambient noise levels in the project site vicinity.

Mechanical building equipment, such as elevators and heating, ventilation and air conditioning (HVAC) systems, would also create operational noise. However, these noise sources would be subject to the San Francisco Noise Ordinance (Article 29 of the Police Code). Section 2909(d) of the noise ordinance establishes maximum noise levels for fixed noise sources (e.g., mechanical equipment) of 55 dBA (from 7 a.m. to 10 p.m.) and 45 dBA (from 10 p.m. to 7 a.m.) inside any sleeping or living room in any dwelling unit located on residential property to prevent sleep disturbance. The proposed project’s mechanical and HVAC systems would be required to meet these noise ordinance standards.

Furthermore, section 2909 of the noise ordinance regulates noise levels at residential and commercial properties. Noise at residential properties are limited to no more than 5 dBA above the ambient noise level at the *property plane*.⁴⁴ The proposed project’s operational noise would be required to meet these

⁴³ United States Department of Transportation, Federal Highway Administration, *Highway Traffic Noise: Analysis and Abatement Guidance*, December 2011, p. 9. Available online at http://www.fhwa.dot.gov/environment/noise/regulations_and_guidance/analysis_and_abatement_guidance/revguidance.pdf, accessed October 10, 2018.

⁴⁴ Property plane means a vertical plane including the property line that determines the property boundaries in space.

noise standards. The Department of Public Health and Police Department may investigate and take enforcement action in response to noise complaints.

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

In the *California Building Industry Association v. Bay Area Air Quality Management District* case decided in 2015,⁴⁵ the California Supreme Court held that CEQA does not generally require lead agencies to consider how existing environmental conditions might impact a project's users or residents, except where the project would significantly exacerbate an existing environmental condition. Accordingly, the significance criteria above related to exposure of persons to noise levels in excess of standards in the general plan or noise ordinance, exposure of persons to excessive groundborne vibration or groundborne noise levels, and people being substantially affected by existing noise levels are relevant only to the extent that a project significantly exacerbates the existing noise environment. As discussed above, the proposed project would not significantly exacerbate existing noise conditions; however, the following is provided for informational purposes.

The proposed project's residential uses would be subject to the noise insulation requirements in both the California Building Code and the San Francisco Building Code. The 2013 California Building Code requires that interior noise levels from outside sources not exceed 45 dBA (Ldn or CNEL) in any habitable room (rooms for sleeping, living, cooking, and eating, but excluding bathrooms, closets, and the like) or a residential unit, except for residential additions to structures constructed before 1974. The building code also mandates that walls and floor/ceiling assemblies separating dwelling units from each other or from public or service areas have a *sound transmission* class of at least 50, meaning they can reduce noise by a minimum of 50 decibels.

The San Francisco Building Code was amended in 2015 to incorporate language included in section 1207.4 (interior noise standards) of the state building code. San Francisco's current section 1207.6.2 accordingly reads the same as section 1207.4 of the state building code. The San Francisco Building Code also includes a requirement that residential structures in "noise critical areas, such as in proximity to highways, county roads, city streets, railroads, rapid transit lines, airports, nighttime entertainment venues, or industrial areas," be designed to exceed the code's quantitative noise reduction requirements, and specifies, "[p]roper design to accomplish this goal shall include, but not be limited to, orientation of the residential structure, setbacks, shielding, and

⁴⁵ *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal.4th 369. Opinion Filed December 17, 2015. Case No. S213478. Available at: <http://www.courts.ca.gov/33098.htm>.

sound insulation of the building” (section 1207.6.1). Section 1207.7 requires submittal of an acoustical report along with a project’s building permit application to demonstrate compliance with the building code’s interior noise standards.

While the proposed project would include residential uses that would place sensitive receptors in the vicinity of a noisy environment, compliance with Title 24 standards and the San Francisco Building Code would ensure that appropriate insulation is included in the project to meet the 45 dBA interior noise standard in the San Francisco Building Code. Furthermore, the proposed project does not include features or uses that would significantly exacerbate the existing noise environment.

Impact NO-2: The proposed project construction would not generate noise levels in excess of established standards or result in substantial temporary increases in noise levels or vibration in the project vicinity. (Less than Significant)

Demolition, excavation, and building construction would cause a temporary increase in noise levels within the project vicinity. Construction equipment and activities would generate noise and possibly vibrations that could be considered an annoyance by occupants of nearby properties. The construction period for the proposed project would last approximately 18 months. Construction noise levels would fluctuate depending on construction phase, equipment type and duration of use, distance between noise source and affected receptor, and the presence (or absence) of barriers. Impacts would generally be limited to periods during which excavation and grading occurs, new foundations are installed, and exterior structural and facade elements are constructed. According to the project sponsor, no pile driving would be required.

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the Police Code). The noise ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. For reference, Table 4 provides typical noise levels produced by various types of construction equipment. Impact tools (e.g., jackhammers, hoe rams, impact wrenches) must have manufacturer-recommended and city-approved mufflers for both intake and exhaust. Section 2908 of the noise ordinance prohibits construction work between 8 p.m. and 7 a.m., if noise would exceed the ambient noise level by 5 dBA at the project property line, unless a special permit is authorized by the Director of the Department of Public Works or the Director of Building Inspection. The project would be required to comply with these noise ordinance standards.

Table 4 Maximum Noise Levels from Construction Equipment

Construction Equipment	Noise Level (dBA, 50 feet from source)	Noise Level (dBA, 100 feet from source)
Jackhammer (Pavement Breaker) ¹	89	83
Auger Drill Rig	84	78
Backhoe	78	72
Loader	79	73
Dozer	82	76
Excavator	81	75
Grader	85	79
Dump Truck	76	70
Flatbed Truck	74	68
Concrete Truck	81	75
Man Lift	75	69
Generator	81	75
Compressor	78	72
San Francisco Noise Ordinance Limit	86	80
Source: United States Department of Transportation, Federal Highway Administration, Construction Noise Handbook, Chapter 9, Table 9.1, https://www.fhwa.dot.gov/ENVIRONMENT/noise/construction_noise/handbook/handbook09.cfm , accessed November 6 2018.		
¹ Exempt from the ordinance noise limit of 86 dBA at 50 feet or 80 dBA at 100 feet.		

Construction of the proposed project would require excavation and removal of approximately 1,760 cubic yards of soil. According to a geotechnical investigation report prepared for the proposed project,⁴⁶ the proposed construction would require installation of permanent below-grade walls, soldier pile lagging shoring, drilled displacement sand-cement columns, and a waterproof mat foundation.

The nearest noise sensitive uses to the project site include 12 residential homes surrounding the project site to the west and south, the Little Bear Pre-school and Golden Bridge School located at 65 Ocean Avenue, adjacent to the project site to the north. The residences and schools surrounding the project site would experience temporary and intermittent noise associated with construction activities as well as the passage of construction trucks to and from the project site. The noisiest construction activities associated with the project would likely be excavation, which can generate noise levels up to 89 dBA for a jackhammer. The duration of excavation would be relatively brief given the limited amount of excavation required. Impact equipment used for construction would be expected to comply with noise ordinance provisions with respect to muffling of particularly noisy equipment; all other non-impact equipment would be expected to comply with noise

⁴⁶ Rockridge Geotechnical, *Geotechnical investigation Proposed Mixed-Use Building 915 Cayuga Avenue, San Francisco, California*, September 12, 2017.

ordinance section 2907(a) limit of 80 dBA from the equipment noise source. Furthermore, the project does not propose work during nighttime hours and impact pile driving is not required.

Construction noise from the project would be attenuated by distance and the noise reduction provided by the buildings/windows of sensitive receptor residences. The typical range of noise reduction provided by residential dwellings is 12 to 18 dB with windows partially open, and 20 to 25 dB with windows and doors kept closed.⁴⁷ In addition, construction noise would be temporary and intermittent, and the project would be required to comply with the provisions of the noise ordinance during construction. For these reasons, the construction-related noise impact would be less than significant.

Older buildings, particularly masonry buildings, can be damaged by excessive vibration associated with construction activities. Construction of the proposed project would not generate excessive vibration that could damage the immediately adjacent buildings. No pile driving is proposed; a soldier pile and lagging shoring system would install steel beams and concrete in predrilled holes. According to the geotechnical study, soil improvement by drilled displacement sand-cement columns in conjunction with mat foundations would result in low vibrations during installation and is appropriate for use near adjacent structures.⁴⁸ In addition, the building department is responsible for reviewing the building permit application to ensure that proposed construction activities, including shoring and underpinning, comply with all applicable procedures and requirements and would not damage adjacent or nearby buildings.

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

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

As described above, project-generated operational and construction noise would not substantially increase ambient noise levels within the project vicinity. Of the four cumulative development projects described in Table 2, Section B, Project Setting, the closest development to the project site is located at 65 Ocean Avenue, adjacent to the project site. The other three cumulative projects are separated from the proposed project by distance and multiple buildings that would provide shielding of their construction noise such that it would be unlikely to noticeably combine with project construction noise at the nearest receptor locations, even if they were to be constructed simultaneously. Construction noise from the 65 Ocean Avenue project would not have such intervening structures and would have the potential to combine with project construction noise to

⁴⁷ Wyle Laboratories, Wyle Research Report WR 94-23, Raleigh-Durham International Airport New Construction Acoustical Design Guide, Prepared for Raleigh-Durham Irport Authority, September 30, 1994.

⁴⁸ Ibid.

affect the same sensitive receptors (nearby residences) if construction were to occur at the same time. However, construction of the 65 Ocean Avenue project would be subject to the same noise regulations as the proposed project, which limit construction hours and noise levels. In addition, the noisiest phases of construction, excavation and foundation installation, would be relatively brief and less likely to overlap than the less noisy phases of building structure and interior work. Accordingly, cumulative construction noise impacts would be less than significant.

With respect to operational noise, the proposed project’s mechanical equipment and mechanical equipment from reasonably foreseeable cumulative projects would be required to comply with the noise ordinance and would not combine to cause a significant cumulative noise impact. Cumulative projects would also result in operational noise from vehicular traffic. Of the cumulative projects, only 65 Ocean Avenue, given the close proximity of its driveway adjacent to the proposed project’s driveway on Cayuga Avenue, could potentially combine with the proposed project to result in a cumulative noise impact from vehicular noise. The proposed project and the 65 Ocean Avenue project would add approximately 63 vehicle trips and 144 vehicle trips, respectively, during the p.m. peak hour,⁴⁹ The combined addition of 207 vehicles would double the existing traffic volume of 176 vehicles in the p.m. peak hour on Cayuga Avenue. As discussed under Impact NO-1, a doubling in traffic volume could produce a noticeable 3 dBA increase in the ambient noise level in the project vicinity. In the existing noise environment which is dominated by roadway noise from Alemany Boulevard and Ocean Avenue, the incremental noise from the cumulative-plus-project vehicle trips on Cayuga Avenue while possibly noticeable, would not be substantial. As the driveway on Cayuga Avenue is within 100 feet from the Ocean Avenue intersection, vehicles would be rapidly dispersed along the local roadways and would not all be on Cayuga Avenue. In combination with reasonably foreseeable cumulative projects, the project would not result in significant cumulative noise impacts.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
6. AIR QUALITY.—Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

⁴⁹ San Francisco Planning Department, 65 Ocean Avenue Revised Transportation Calculations, Case No. 2016-006860ENV, January 7, 2019

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

The Bay Area Air Quality Management District (air district) is the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (air basin), which includes San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, and Napa counties and portions of Sonoma and Solano counties. The air district is responsible for attaining and maintaining federal and state air quality standards in the air basin, as established by the federal Clean Air Act and the California Clean Air Act, respectively. Specifically, the air district has the responsibility to monitor ambient air pollutant levels throughout the air basin and to develop and implement strategies to attain the applicable federal and state standards. The federal and state clean air acts require plans to be developed for areas that do not meet air quality standards. On April 19, 2017, the air district adopted the 2017 Clean Air Plan, its most recent air quality plan.⁵⁰ The 2017 Clean Air Plan updates the most recent Bay Area ozone plan, the 2010 Clean Air Plan, in accordance with the requirements of the state Clean Air Act to implement all feasible measures to reduce ozone; provide a control strategy to reduce particulate matter, air toxics, and greenhouse gases in a single, integrated plan; and establish emission control measures to be adopted or implemented. The 2017 Clean Air Plan contains the following primary goals:

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

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

⁵⁰ Bay Area Air Quality Management District, 2017 Clean Air Plan: Spare the Air, Cool the Climate, April 2017, <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/plans-under-development>, accessed October 10, 2018.

Criteria Air Pollutants

In accordance with the state and federal clean air acts, air pollutant standards are identified for the following six *criteria air pollutants*: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. In general, the air basin experiences low concentrations of most pollutants when compared with federal or state standards. Specifically, the air basin is designated as either in attainment⁵¹ or unclassified for most criteria air pollutants with the exception of ozone, PM_{2.5}, and PM₁₀, for which it is in non-attainment with respect to either state or federal standards.

By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts would be considerable, then the project's impact on air quality would be considered significant.⁵² Land use projects may contribute to regional criteria air pollutants during the construction and operational phases of a project. Table 5 identifies air quality significance thresholds followed by a discussion of each threshold. Projects that would result in criteria air pollutant emissions below these significance thresholds would not violate an air quality standard, contribute substantially to an air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants within the air basin.

Table 5: Criteria Air Pollutant Significance Thresholds

Pollutant	Construction Thresholds	Operational Thresholds	
	Average Daily Emissions (lbs/day)	Average Daily Emissions (lbs/day)	Maximum Annual Emissions (tons/year)
ROG	54	54	10
NO _x	54	54	10
PM ₁₀	82 (exhaust)	82	15
PM _{2.5}	54 (exhaust)	54	10
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices	Not Applicable	

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

⁵¹ "Attainment" status refers to those regions that are meeting federal and/or state standards for a specified criteria pollutant. "Non-attainment" refers to regions that do not meet federal and/or state standards for a specified criteria pollutant. "Unclassified" refers to regions where there is not enough data to determine the region's attainment status for a specified criteria air pollutant.

⁵² Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2017, page 2-2.

Ozone Precursors. As discussed previously, the air basin is currently designated as non-attainment for ozone and particulate matter. Ozone is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG) and nitrogen oxides (NO_x). The potential for a project to result in a cumulatively considerable net increase in criteria air pollutants, which may contribute to an existing or projected air quality violation, are based on the state and federal clean air acts emissions limits for stationary sources. To ensure that new stationary sources do not cause or contribute to a violation of an air quality standard, air district regulation 2, rule 2, requires that any new source that emits criteria air pollutants above a specified emissions limit must offset those emissions. For ozone precursors ROG and NO_x, the offset emissions level is an annual average of 10 tons per year (or 54 pounds per day).⁵³ These levels represent emissions below which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants.

Although this regulation applies to new or modified stationary sources, land use development projects result in ROG and NO_x emissions as a result of increases in vehicle trips, architectural coatings, and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of land use projects and those projects that result in emissions below these thresholds would not be considered to contribute to an existing or projected air quality violation or result in a considerable net increase in ROG and NO_x emissions. Due to the temporary nature of construction activities, only the average daily thresholds are applicable to construction phase emissions.

Particulate Matter (PM₁₀ and PM_{2.5}).⁵⁴ The air district has not established an offset limit for PM_{2.5}. However, the emissions limits established in the federal New Source Review⁵⁵ for stationary sources in nonattainment areas is an appropriate significance threshold. For PM₁₀ and PM_{2.5}, the New Source Review emissions limits are 15 tons per year (82 pounds per day) and 10 tons per year (54 pounds per day), respectively. These emissions limits represent levels below which a source is not expected to have an impact on air quality.⁵⁶ Similar to the ozone precursor thresholds identified above, land use development projects typically result in particulate matter emissions as a result of increases in vehicle trips, space heating and natural gas combustion, landscape maintenance, and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of a land use project. Again, because construction activities are temporary in nature, only the average daily thresholds are applicable to construction-phase emissions.

⁵³ Bay Area Air Quality Management District, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 17.

⁵⁴ PM₁₀ is often termed “coarse” particulate matter and is made of particulates that are 10 microns in diameter or smaller. PM_{2.5}, termed “fine” particulate matter, is composed of particles that are 2.5 microns or less in diameter.

⁵⁵ Code of Federal Regulations (CFR), PSD (40 CFR 52.21, 40 CFR 51.166, 40 CFR 51.165 (b)) and Non-attainment NSR (40 CFR 52.24, 40 CFR 51.165, 40 CFR part 51, Appendix S)

⁵⁶ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 16.

Fugitive Dust. Fugitive dust emissions are typically generated during construction phases. Studies have shown that the application of best management practices at construction sites significantly controls fugitive dust;⁵⁷ individual measures have been shown to reduce fugitive dust by anywhere from 30 to 90 percent.⁵⁸ The air district has identified a number of best management practices to control fugitive dust emissions from construction activities.⁵⁹ The City's Construction Dust Control Ordinance (ordinance 176-08, effective July 30, 2008) requires a number of measures to control fugitive dust. Best management practices employed in compliance with the ordinance are an effective strategy for controlling construction-related fugitive dust.

Other Criteria Pollutants. Regional concentrations of CO in the Bay Area have not exceeded the state standards in the past 12 years and SO₂ concentrations have never exceeded the standards. The primary source of CO emissions from development projects is vehicle traffic. Construction-related SO₂ emissions represent a negligible portion of the total basin-wide emissions and construction-related CO emissions represent less than 5 percent of the Bay Area total basin-wide CO emissions. As discussed previously, the Bay Area is in attainment for both CO and SO₂. Furthermore, the air district has demonstrated, based on modeling, that to exceed the California ambient air quality standard of 9.0 parts per million (eight-hour average) or 20.0 parts per million (one-hour average) for CO, project traffic in addition to existing traffic would need to exceed 44,000 vehicles per hour at affected intersections (or 24,000 vehicles per hour where vertical and/or horizontal mixing is limited). Therefore, given the Bay Area's attainment status and the limited CO and SO₂ emissions that could result from development projects in the project vicinity, the development projects would not result in a cumulatively considerable net increase in CO or SO₂ emissions, and quantitative analysis is not required.

Local Health Risks and Hazards

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

Unlike criteria air pollutants, TACs do not have ambient air quality standards but are regulated by the air district using a risk-based approach to determine which sources and pollutants to control as well as the degree of control. A *health risk assessment* is an analysis in which human health

⁵⁷ Western Regional Air Partnership. 2006. *WRAP Fugitive Dust Handbook*. September 7, 2006. This document is available online at http://www.wrapair.org/forums/dejff/dh/content/FDHandbook_Rev_06.pdf, accessed December 18, 2017.

⁵⁸ Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2017, page D-47.

⁵⁹ *Ibid.*

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.⁶⁰

Air pollution does not affect every individual in the population in the same way, and some groups are more sensitive to adverse health effects than others. Land uses such as residences, schools, children's day care centers, hospitals, and nursing and convalescent homes are considered to be the most sensitive to poor air quality because the population groups associated with these uses have increased susceptibility to respiratory distress or, as in the case of residential receptors, their exposure time is greater than that for other land uses. Therefore, these groups are referred to as sensitive receptors. Exposure assessment guidance typically assumes that residences would be exposed to air pollution 24 hours per day, seven days a week, for 30 years.⁶¹ Therefore, assessments of air pollutant exposure to residents typically result in the greatest adverse health outcomes of all population groups.

Exposures to fine particulate matter (PM_{2.5}) are strongly associated with mortality, respiratory diseases, and lung development impacts in children, and other endpoints such as hospitalization for cardiopulmonary disease.⁶² In addition to PM_{2.5}, diesel particulate matter (DPM) is also of concern. The California Air Resources Board (California air board) identified DPM as a TAC in 1998, primarily based on evidence demonstrating cancer effects in humans.⁶³ The estimated cancer risk from exposure to diesel exhaust is much higher than the risk associated with any other TAC routinely measured in the region.

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the air district to conduct a citywide health risk assessment based on an inventory and assessment of air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed the "Air Pollutant Exposure Zone" (APEZ), were identified based on health-protective criteria that consider estimated cancer risk, exposure to fine particulate matter, proximity to freeways, and locations with particularly vulnerable populations. The project site is not located within the Air Pollutant Exposure Zone. Each of the Air Pollutant Exposure Zone criteria is discussed below.

⁶⁰ In general, a health risk assessment is required if the air district concludes that projected emissions of a specific air toxic compound from a proposed new or modified source suggest a potential public health risk. In such a case, the project sponsor would be subject to a health risk assessment for the source in question. Generally, the assessment would evaluate chronic, long-term effects by estimating the increased risk of cancer as a result of exposure to one or more TACs.

⁶¹ California Office of Environmental Health Hazard Assessment, Air Toxics Hot Spots Program Risk Assessment Guidelines, February 2015, 4-44 and 8-6, <https://oehha.ca.gov/media/downloads/crnrr/2015guidancemanual.pdf>, accessed October 18, 2018.

⁶² San Francisco Department of Public Health, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 2008.

⁶³ California Air Resources Board (ARB), *Fact Sheet: The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines*, October 1998.

Excess Cancer Risk. The Air Pollutant Exposure Zone includes areas where modeled cancer risk exceeds 100 incidents per million persons exposed. This criterion is based on U.S. Environmental Protection Agency (EPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and community-scale level.⁶⁴ As described by the air district, the EPA considers a cancer risk of 100 per million to be within the “acceptable” range of cancer risk. Furthermore, in the 1989 preamble to the benzene National Emissions Standards for Hazardous Air Pollutants rulemaking,⁶⁵ the EPA states that it “...strives to provide maximum feasible protection against risks to health from hazardous air pollutants by (1) protecting the greatest number of persons possible to an individual lifetime risk level no higher than approximately one in one million and (2) limiting to no higher than approximately one in ten thousand [100 in one million] the estimated risk that a person living near a plant would have if he or she were exposed to the maximum pollutant concentrations for 70 years.” The 100 per one million excess cancer cases is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on air district regional modeling.⁶⁶

Fine Particulate Matter. EPA staff’s 2011 review of the federal PM_{2.5} standard concluded that the then current federal annual PM_{2.5} standard of 15 µg/m³ (micrograms per cubic meter) should be revised to a level within the range of 13 to 11 µg/m³, with evidence strongly supporting a standard within the range of 12 to 11 µg/m³.⁶⁷ The Air Pollutant Exposure Zone for San Francisco is based on the health protective PM_{2.5} standard of 11 µg/m³, as supported by the EPA’s assessment, although lowered to 10 µg/m³ to account for uncertainty in accurately predicting air pollutant concentrations using emissions modeling programs.

Proximity to Freeways. According to the California air board, studies have shown an association between the proximity of sensitive land uses to freeways and a variety of respiratory symptoms, asthma exacerbations, and decreases in lung function in children. Siting sensitive uses in close proximity to freeways increases both exposure to air pollution and the potential for adverse health effects. As evidence shows that sensitive uses in an area within a 500-foot buffer of any freeway are at an increased health risk from air pollution,⁶⁸ parcels that are within 500 feet of freeways are included in the Air Pollutant Exposure Zone.

⁶⁴ Bay Area Air Quality Management District, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, 67.

⁶⁵ 54 Federal Register 38044, September 14, 1989.

⁶⁶ Bay Area Air Quality Management District, 2017 Clean Air Plan: Spare the Air, Cool the Climate, April 2017, <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/plans-under-development>, accessed October 18, 2018.

⁶⁷ U.S. EPA, Policy Assessment for the Review of the Particulate Matter National Ambient Air Quality Standards, April 2011, <https://www3.epa.gov/ttn/naaqs/standards/pm/data/20110419pmpafinal.pdf>, accessed October 18, 2018.

⁶⁸ California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective*, April 2005, <http://www.arb.ca.gov/ch/landuse.htm>, accessed October 18, 2018.

Health Vulnerable Locations. Based on the air district's evaluation of health vulnerability in the Bay Area, those zip codes (94102, 94103, 94105, 94124, and 94130) in the worst quintile of Bay Area health vulnerability scores as a result of air pollution-related causes were afforded additional protection by lowering the standards for identifying parcels in the Air Pollutant Exposure Zone to: (1) an excess cancer risk greater than 90 per one million persons exposed, and/or (2) PM2.5 concentrations in excess of 9 µg/m³.⁶⁹

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

Construction Air Quality Impacts

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

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

Construction activities (short-term) typically result in emissions of ozone precursors and fine particulate matter in the form of dust (fugitive dust) and exhaust (e.g., vehicle tailpipe emissions). Emissions of ozone precursors and fine particulate matter result primarily from the combustion of fuel from on-road and off-road vehicles. However, ROG's are also emitted as a result of activities involving painting, application of other types of architectural coatings, or asphalt paving. The proposed project would demolish the existing building on the site and construct a new 116-unit residential building with 400 square feet of accessory office and 69 parking spaces. During the project's approximately 18-month construction period, construction activities would have the potential to result in emissions of ozone precursors and fine particulate matter, as discussed below.

⁶⁹ San Francisco Planning Department and San Francisco Department of Public Health, *2014 Air Pollutant Exposure Zone Map (Memo and Map)*, April 9, 2014. These documents are part of San Francisco Board of Supervisors File No. 14806, Ordinance No. 224-14; Amendment to Health Code Article 38.

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. Depending on exposure, adverse health effects can occur due to this particulate matter in general and also due to specific contaminants such as lead or asbestos that may be constituents of soil. Although there are federal standards for air pollutants and implementation of state and regional air quality control plans, air pollutants continue to have impacts on human health throughout the country. California has found that particulate matter exposure can cause health effects at lower levels than national standards. The current health burden of particulate matter demands that, where possible, public agencies take feasible available actions to reduce sources of particulate matter exposure. According to the California Air Resources Board, reducing PM_{2.5} concentrations to state and federal standards of 12 µg/m³ in the San Francisco Bay Area would prevent between 200 and 1,300 premature deaths.⁷⁰

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

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

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

For projects over one half-acre, such as the proposed project, the Dust Control Ordinance requires that the project sponsor submit a Dust Control Plan for approval by the San Francisco Department of Public Health. The Department of Building Inspection will not issue a building permit without written notification from the Director of Public Health that the applicant has a site-specific Dust

⁷⁰ California Air Resources Board, *Methodology for Estimating Premature Deaths Associated with Long-term Exposure to Fine Airborne Particulate Matter in California*, Staff Report, Table 4c, October 24, 2008.

Control Plan, unless the director waives the requirement. Interior-only tenant improvement projects that are over one-half acre in size that will not produce exterior visible dust are exempt from the site-specific Dust Control Plan requirement.

The site-specific Dust Control Plan would require the project sponsor to: submit of a map to the Director of Public Health showing all sensitive receptors within 1,000 feet of the site; wet down areas of soil at least three times per day; provide an analysis of wind direction and install upwind and downwind particulate dust monitors; record particulate monitoring results; hire an independent, third-party to conduct inspections and keep a record of those inspections; establish shut-down conditions based on wind, soil migration, etc.; establish a hotline for surrounding community members who may be potentially affected by project-related dust; limit the area subject to construction activities at any one time; install dust curtains and windbreaks on the property lines, as necessary; limit the amount of soil in hauling trucks to the size of the truck bed and securing with a tarpaulin; enforce a 15-mph speed limit for vehicles entering and exiting construction areas; sweep affected streets with water sweepers at the end of the day; install and utilize wheel washers to clean truck tires; terminate construction activities when winds exceed 25-miles per hour; apply soil stabilizers to inactive areas; and sweep off adjacent streets to reduce particulate emissions. The project sponsor would be required to designate an individual to monitor compliance with these dust control requirements. San Francisco ordinance 175-91 restricts the use of potable water for soil compaction and dust control activities undertaken in conjunction with any construction or demolition project occurring within the boundaries of San Francisco, unless permission is obtained from the San Francisco Public Utilities Commission. Non-potable water must be used for soil compaction and dust control activities during project construction and demolition. The San Francisco Public Utilities Commission operates a recycled water truck-fill station at the Southeast Water Pollution Control Plant that provides recycled water for these activities at no charge.

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

Criteria Air Pollutants

As discussed above, construction activities would result in emissions of criteria air pollutants from the use of off- and on-road vehicles and equipment. The air district has developed screening criteria to assist lead agencies in determining whether short-term construction-related air pollutant emissions require further analysis to assess whether the project may exceed the criteria air pollutant significance thresholds shown in Table 5. If a proposed project meets the screening criteria, then construction of the project would result in less-than-significant criteria air pollutant impacts. A

project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds.

The proposed project would construct a new, 5-story, 116-unit building. The proposed project is well below the criteria air pollutant screening sizes for a mid-rise residential building identified in the *BAAQMD CEQA Air Quality Guidelines*.⁷¹ In addition, the proposed project would excavate and remove less than 10,000 cubic yards of soil and therefore would not require extensive material transport via haul truck.⁷² Thus, quantification of construction-related criteria air pollutant emissions is not required, and the proposed project's construction activities would result in a less-than-significant criteria air pollutant impact.

Impact AQ-2: The proposed project's construction activities would generate toxic air contaminants, including diesel particulate matter, but would not expose sensitive receptors to substantial pollutant concentrations. (Less than Significant)

Existing sensitive receptors in the project vicinity include residential and school uses adjacent to the project site.

As discussed above, the project site is not within an Air Pollutant Exposure Zone. With regards to construction emissions, off-road equipment (which includes construction-related equipment) is a large contributor to diesel particulate matter emissions in California, although since 2007, the California air board has found the emissions to be substantially lower than previously expected.⁷³ Newer and more refined emission inventories have substantially lowered the estimates of DPM emissions from off-road equipment such that off-road equipment is now considered the sixth largest source of diesel particulate matter emissions in California.⁷⁴ For example, revised PM emission estimates for the year 2010, of which DPM is a major component of total PM, have decreased by 83 percent from previous 2010 emissions estimates for the air basin.⁷⁵ Approximately half of the reduction in emissions can be attributed to the economic recession and half to updated methodologies used to better assess construction emissions.⁷⁶

⁷¹ Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, May 2017. Table 3-1. Criteria air pollutant screening sizes for a mid-rise apartment is 494 dwelling units for operation and 240 dwelling units for construction. For general office building it is 346,000 square feet for operational and 277,000 square feet for construction.

⁷² Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2017, page 3-5.

⁷³ Air Resources Board (ARB), *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, pages 1 and 13 (Figure 4), October 2010.

⁷⁴ 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.

⁷⁵ ARB, In-Use Off-Road Equipment, 2011 Inventory Model, http://www.arb.ca.gov/msei/categories.htm#inuse_or_category, accessed April 2, 2012.

⁷⁶ 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.

Additionally, a number of federal and state regulations are requiring cleaner off-road equipment. Specifically, both the EPA and California Air Resources Board have set emissions standards for new off-road equipment engines, ranging from Tier 1 to Tier 4. Tier 1 emission standards were phased in between 1996 and 2000 and Tier 4 Interim and Final emission standards for all new engines were phased in between 2008 and 2015. To meet the Tier 4 emission standards, engine manufacturers are required to produce new engines with advanced emission-control technologies. Although the full benefits of these regulations will not be realized for several years, the EPA estimates that by implementing the federal Tier 4 standards, NO_x and PM emissions will be reduced by more than 90 percent.⁷⁷

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

“Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet (ARB 2005). In addition, current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 40, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. This results in difficulties with producing accurate estimates of health risk.”⁷⁸

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

The project site is not located within an Air Pollutant Exposure Zone, as mapped and defined by Health Code article 38. Therefore, although on-road heavy-duty diesel vehicles and off-road equipment would be used during the 18-month construction duration, emissions would be temporary and variable in nature and would not be expected to expose sensitive receptors to substantial air pollutants. Furthermore, the proposed project would be subject to California regulations limiting vehicle idling to no more than five minutes,⁷⁹ which would further reduce nearby sensitive receptor exposure to temporary and variable project-related DPM emissions.

⁷⁷ U.S. Environmental Protection Agency, *Clean Air Nonroad Diesel Rule: Fact Sheet*, May 2004.

⁷⁸ Bay Area Air Quality Management District, *California Environmental Quality Act Air Quality Guidelines*, May 2017, page 8-7.

⁷⁹ California Code of Regulations, Title 13, Division 3, section 2485 (on-road) and section 2449(d)(2) (off-road).

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

Operational Air Quality Impacts

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

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

As discussed above under Impact AQ-1, the air district has developed screening criteria to determine whether a project requires an analysis of project-generated criteria air pollutants.⁸⁰ If all of the screening criteria are met by a proposed project, then the lead agency or applicant is not required to perform a detailed air quality assessment.

The proposed project involves the demolition of an existing building and construction of a new 116-unit residential building with 400 square feet of accessory office. The proposed project is below the air district's operational screening size for the closest equivalent land-use types: mid-rise apartment (494 dwelling units) and general office building (346,000 square feet). Therefore, quantification of the proposed project's operational criteria air pollutant emissions is not required and the proposed project would not exceed any of the significance thresholds for criteria air pollutants. For these reasons, the proposed project's operation would result in a less-than-significant impact related to criteria air pollutants.

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

As discussed above, the project site is not located within an Air Pollutant Exposure Zone. In addition, the proposed building would not require the use of a back-up diesel generator or generate substantial on-site quantities of TACs from other sources. The proposed project would increase the number of vehicle trips in the project vicinity, which would increase TAC emissions in the area. However, the air district considers roads with less than 10,000 vehicles per day "minor, low-impact" sources that do not pose a significant health impact, even in combination with other nearby sources, and recommends that these sources be excluded from environmental analysis. The proposed project's 331 daily vehicle trips would be well below this level and would be distributed among the local roadway network. Therefore, therefore an assessment of project-generated toxic air contaminants resulting from vehicle trips is not required and the proposed project would not

⁸⁰ Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2017, page 3-2.

generate a substantial amount of toxic air contaminant emissions that could affect nearby sensitive receptors. The impact would be less than significant.

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

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

The primary goals of the plan are to: (1) protect air quality and health at the regional and local scale; (2) eliminate disparities among Bay Area communities in cancer health risk from toxic air contaminants; and (3) protect the climate by reducing greenhouse gas emissions. To meet the primary goals, the plan recommends specific control measures and actions. These control measures are grouped into various categories and include stationary and area source measures, mobile source measures, transportation control measures, land use measures, and energy and climate measures. The plan recognizes that to a great extent, community design dictates individual travel mode, and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics, and greenhouse gases from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand, and people have a range of viable transportation options. To this end, the plan includes 85 control measures aimed at reducing air pollution in the air basin.

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

The compact development of the proposed project and high availability of viable transportation options ensure that employees and visitors could bicycle, walk, and ride transit to and from the project site instead of taking trips via private automobile. These features ensure that the project would avoid substantial growth in automobile trips and vehicle miles traveled. The proposed project's anticipated 331 new vehicle trips per day would result in a negligible increase in air pollutant emissions. Furthermore, the proposed project would be generally consistent with the San Francisco General Plan. Transportation control measures that are identified in the 2017 Clean Air Plan are implemented by the San Francisco General Plan and the San Francisco Planning Code, for example, through the city's Transit First Policy, bicycle parking requirements, and transit impact development fees. Compliance with these requirements would ensure that the project includes

relevant transportation control measures specified in the 2017 Clean Air Plan. Therefore, the proposed project would include applicable control measures identified in the 2017 Clean Air Plan to meet the 2017 Clean Air Plan's primary goals.

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

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

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

Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. Additionally, the proposed project, which includes residential uses and accessory office uses, would not create substantial sources of new, objectionable odors. Therefore, odor impacts would be less than significant.

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

As discussed above, regional air pollution is by its nature largely a cumulative impact. The San Francisco Bay Area air basin, as governed by the air district, composes the geographic context for an evaluation of cumulative air quality impacts. Emissions from past, present, and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts.⁸¹ The project-level thresholds for criteria air pollutants are based on levels below which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project's construction and

⁸¹ Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2017.

operational emissions (Impacts AQ-1 and AQ-3, respectively) would not exceed the project-level thresholds for criteria air pollutants, the proposed project would not result in a cumulatively considerable contribution to regional air quality impacts.

Although the proposed project would add new sources of TACs, in the form of 331 additional daily vehicle trips, the project site is not located within an Air Pollutant Exposure Zone. Therefore, the project’s incremental increase in localized TAC emissions would be minor and would not contribute substantially to cumulative TAC emissions that could affect nearby sensitive land uses. Therefore, cumulative air quality impacts would be considered less than significant.

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

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

The Bay Area Air Quality Management District (air district) has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines sections 15064.4 and 15183.5, which address the analysis and determination of significant impacts from a proposed project’s GHG emissions. CEQA Guidelines section 15064.4 allows lead agencies to rely on a qualitative analysis to describe GHG emissions resulting from a project. CEQA Guidelines section 15183.5 allows for public agencies to analyze and mitigate GHG emissions as part of a larger plan for the reduction of GHGs and describes the required contents of such a plan. Accordingly, San Francisco has prepared *Strategies to Address Greenhouse Gas Emissions*,⁸² which

⁸² San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2017, <http://sfplanning.org/greenhouse-gas-reduction-strategies>, accessed October 18, 2018.

presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's qualified GHG reduction strategy in compliance with the CEQA guidelines. These GHG reduction actions have resulted in a 28 percent reduction in GHG emissions in 2015 compared to 1990 levels,⁸³ exceeding the year 2020 reduction goals outlined in the air district's 2017 Clean Air Plan, Executive Order S-3-05, and Assembly Bill 32 (also known as the Global Warming Solutions Act).⁸⁴

Given that the City' has met the state and region's 2020 GHG reduction targets and San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05⁸⁵, B-30-15,^{86,87} and Senate Bill 32^{88,89} the City's GHG reduction goals are consistent with orders S-3-05, B-30-15, Assembly Bill 32, Senate Bill 32 and the *Bay Area 2017 Clean Air Plan*. Therefore, proposed projects that are consistent with the City's GHG reduction strategy would be consistent with the aforementioned GHG reduction goals, would not conflict with these plans or result in significant GHG emissions, and would therefore not exceed San Francisco's applicable GHG threshold of significance.

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

⁸³ San Francisco Department of the Environment, *San Francisco's Carbon Footprint*. Available at <https://sfenvironment.org/carbon-footprint>, accessed October 18, 2018.

⁸⁴ Executive Order S-3-05, Assembly Bill 32, and the air district's 2017 Clean Air Plan (continuing the trajectory set in the 2010 Clean Air Plan) set a target of reducing GHG emissions to below 1990 levels by year 2020.

⁸⁵ Office of the Governor, Executive Order S-3-05, June 1, 2005, <http://www.pcl.org/projects/2008symposium/proceedings/Coatsworth12.pdf>, accessed October 18, 2018. Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million metric tons of carbon dioxide equivalents (MTCO₂E)); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO₂E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO₂E). Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

⁸⁶ Office of the Governor, *Executive Order B-30-15*, April 29, 2015, <https://www.gov.ca.gov/news.php?id=18938>, accessed October 18, 2018. Executive Order B-30-15, issued on April 29, 2015, sets forth a target of reducing GHG emissions to 40 percent below 1990 levels by 2030 (estimated at 2.9 million MTCO₂E).

⁸⁷ San Francisco's GHG reduction goals are codified in Section 902 of the Environment Code and include: (i) by 2008, determine City GHG emissions for year 1990; (ii) by 2017, reduce GHG emissions by 25 percent below 1990 levels; (iii) by 2025, reduce GHG emissions by 40 percent below 1990 levels; and by 2050, reduce GHG emissions by 80 percent below 1990 levels.

⁸⁸ Senate Bill 32 amends California Health and Safety Code Division 25.5 (also known as the California Global Warming Solutions Act of 2006) by adding Section 38566, which directs that statewide greenhouse gas emissions to be reduced by 40 percent below 1990 levels by 2030.

⁸⁹ Senate Bill 32 was paired with Assembly Bill 197, which would modify the structure of the State Air Resources Board; institute requirements for the disclosure of greenhouse gas emissions criteria pollutants, and toxic air contaminants; and establish requirements for the review and adoption of rules, regulations, and measures for the reduction of greenhouse gas emissions.

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

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

The proposed project would increase the intensity of the use of the site by introducing 116 dwelling units, 400 square-feet of accessory office, and 69 vehicle parking spaces. Therefore, the proposed project would contribute to annual long-term increases in GHGs related to increased vehicle trips (mobile sources) and residential and office operations that increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

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

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

The proposed project would be required to comply with the energy efficiency requirements of the City's Green Building Code, Building Code, Stormwater Management Ordinance, Water Efficient Irrigation Ordinance, Residential Water Conservation Ordinance, Residential Energy Conservation Ordinance and Environment Code, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.⁹⁰ Additionally, the project would be required to meet the renewable energy criteria of the Green Building Code, including renewable energy generation or green roof installation, further reducing the project's energy-related GHG emissions.

The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Compositing Ordinance, Construction and Demolition Debris Recovery

⁹⁰ Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

Ordinance, and Green Building Code requirements. These regulations reduce the amount of materials sent to a landfill, thus reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy⁹¹ and reducing the energy required to produce new materials.

Compliance with the city's street tree planting requirements would serve to increase carbon sequestration. Other regulations, such as the air district's wood-burning regulations would reduce emissions of GHGs and black carbon, respectively. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).⁹² Thus, the proposed project has been determined to be consistent with San Francisco's GHG reduction strategy.⁹³

The project sponsor is required to comply with these regulations, which have proven effective as San Francisco's GHG emissions have measurably decreased when compared to 1990 emissions levels, demonstrating that the City has met and exceeded Executive Order S-3-05, Assembly Bill 32, and the *Bay Area 2017 Clean Air Plan* GHG reduction goals for the year 2020. Furthermore, the city has met its 2017 GHG reduction goal of reducing GHG emissions to 25% below 1990 levels by 2017. Other existing regulations, such as those implemented through Assembly Bill 32, will continue to reduce a proposed project's contribution to climate change. In addition, San Francisco's local GHG reduction targets are consistent with the long-term GHG reduction goals of orders S-3-05, B-30-15, Assembly Bill 32, Senate Bill 32 and the *Bay Area 2017 Clean Air Plan*. Therefore, because the proposed project is consistent with the City's GHG reduction strategy, it is also consistent with the GHG reduction goals of orders S-3-05, B-30-15, Assembly Bill 32, Senate Bill 32 and the *Bay Area 2017 Clean Air Plan*, would not conflict with these plans, and would therefore not exceed San Francisco's applicable GHG threshold of significance. As such, the proposed project would result in a less-than-significant impact with respect to GHG emissions. No mitigation measures are necessary.

⁹¹ Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

⁹² While not a GHG, VOCs are precursor pollutants that form ground level ozone. Increased ground level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.

⁹³ San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 915 Cayuga Avenue*, September 20, 2018.

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

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

A proposed project’s wind impacts are directly related to its height, orientation, design, location, and surrounding development context. Based on wind analyses for other development projects in San Francisco, a building that does not exceed a height of 85 feet generally has little potential to cause substantial changes to ground-level wind conditions. The construction of the proposed project would result in a new residential building at a height of 72 feet (78 feet including the 6-foot-tall elevator penthouse) off Cayuga Avenue and 50-foot-tall (56 feet including the 6-foot-tall elevator penthouse) off Alemany Boulevard. The proposed building would be five stories above two basement levels. Existing development in the project vicinity ranges from one- to three-story buildings. Therefore, given its height and surrounding development context, the proposed building has a very low potential to cause substantial changes to ground-level wind conditions adjacent to and near the project site. For these reasons, the proposed project would not alter wind in a manner that substantially affects public areas, and this impact would be less than significant.

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

As discussed above, buildings shorter than 85 feet have little potential to cause substantial changes to ground-level wind conditions. Given that the height limit in the project vicinity is 40 to 65 feet, none of the nearby cumulative development projects would be tall enough to alter wind in a manner that substantially affects public areas. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative wind impact.

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

In 1984, San Francisco voters approved an initiative known as “Proposition K, The Sunlight Ordinance,” which was codified as Planning Code section 295 in 1985. Planning Code section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission

between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Public open spaces that are not under the jurisdiction of the Recreation and Park Commission as well as private open spaces are not subject to Planning Code section 295.

Implementation of the proposed project would result in the construction of a building exceeding 40 feet in height. The planning department prepared a preliminary shadow fan analysis to determine whether the proposed project would have the potential to cast new shadow on nearby parks or open spaces. The shadow fan analysis determined that the project, as proposed, would not cast shadow on any nearby public parks or open spaces.⁹⁴

The proposed project would shade portions of streets, sidewalks, and private properties in the project vicinity at various times of the day throughout the year, including the existing playground for the Little Bear pre-school and Golden Bridges School at 65 Ocean Avenue, directly adjacent to the project site.⁹⁵ The proposed project would not cast shadows on Balboa High School or James Denman Middle School, which are under the jurisdiction of the San Francisco Unified School District. Shadows on streets and sidewalks would be transitory in nature, would not substantially affect the use of the sidewalks, and would not increase shadows above levels that are common and generally expected in a densely developed urban environment. As such, shadows on streets and sidewalks would not be significant effect under CEQA. Although occupants of nearby properties may regard the increase in shadow as undesirable, the limited increase in shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA.

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

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

As discussed above, the proposed project would not shadow any nearby public parks or open spaces. Therefore, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to cause a significant cumulative shadow impact.

⁹⁴ San Francisco Planning Department, *Shadow Fan Analysis 915 Cayuga Avenue*, October 19, 2018.

⁹⁵ A redevelopment proposal for the adjacent 65 Ocean Avenue property has been submitted to the Planning Department. Refer to Section B.

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

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

There are several parks and open spaces located within a half-mile of the project site. These include Balboa Park, Excelsior Playground, and the Geneva Community Garden.

The proposed project would add approximately 273 residents to the project site; it is anticipated that these existing recreational facilities would be able to accommodate the increase in demand for recreational resources generated by the project residents. The proposed project would not increase the use of existing recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. Furthermore, project-related construction activities would occur within the boundaries of the project site, which does not include any existing recreational resources.

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

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

Cumulative development in the project vicinity would result in an intensification of land uses and a cumulative increase in the demand for recreational facilities and resources. The city has accounted for such growth as part of the Recreation and Open Space Element of the General Plan.⁹⁶ In addition, San Francisco voters passed two bond measures, in 2008 and 2012, to fund the acquisition, planning, and renovation of the city’s network of recreational resources. As discussed

⁹⁶ San Francisco Planning Department, *San Francisco General Plan, Recreation and Open Space Element*, April 2014, pp. 20-36. Available online at http://www.sf-planning.org/ftp/General_Plan/Recreation_OpenSpace_Element_ADOPTED.pdf, accessed October 19, 2018.

above, there are several parks and open spaces located within a half-mile of the project site. It is expected that these existing recreational facilities would be able to accommodate the increase in demand for recreational resources generated by nearby cumulative development projects. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact on recreational facilities or resources.

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

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

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

The project site is served by San Francisco's combined sewer system, which handles both sewage and stormwater runoff. The Southeast Water Pollution Control Plant provides wastewater and stormwater treatment and management for the east side of the city, including the project site. The proposed project would add approximately 273 residents, which would increase the amount of wastewater generated at the project site. The proposed project would incorporate water-efficient fixtures, as required by Title 24 of the California Code of Regulations, the San Francisco Building Code and the San Francisco Green Building Ordinance. Compliance with these regulations would reduce the amount of potable water used for building functions and also its wastewater flows. The incorporation of water-efficient fixtures into new development is also accounted for by the SFPUC in its projections of water demand (i.e., 2015 Urban Water Management Plan), because widespread adoption can lead to more efficient use of existing capacity.

The proposed project would also meet the wastewater pre-treatment requirements of the San Francisco Public Utilities Commission (SFPUC), as required by the San Francisco Industrial Waste Ordinance in order to meet Regional Water Quality Control Board requirements.⁹⁷ Although the proposed project would add new residents and employees to the project site, this additional population is not beyond the growth projections included in long range plans for the city's wastewater system. Therefore, the incremental increase in the demand for wastewater treatment would not require construction of new wastewater treatment facilities or expansion of existing facilities.

The 32,182-square-foot project site is mostly covered by impervious surfaces with the exception of the slope along Alemany Boulevard, which has some vegetation. The proposed project, which would demolish the existing building and construct a new 116-unit building would not create substantial additional impervious surfaces. Therefore, the proposed project would not result in an increase in stormwater runoff. Compliance with the city's Stormwater Management Ordinance, adopted in 2010 and amended in 2016, and the 2016 Stormwater Management Requirements and Design Guidelines would require the proposed project to reduce or eliminate the existing volume and rate of stormwater runoff discharged from the project site. Because the proposed project (1) is located on a site with more than 50 percent existing impervious surface, (2) would replace more than 5,000 square feet of impervious surface, and (3) the project site is served by the combined sewer system, the proposed project must reduce the existing runoff flow rate and volume by 25 percent for a 2-year, 24-hour design storm. The stormwater management requirements set forth a

⁹⁷ 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.

hierarchy of best management practices to meet the stormwater runoff requirements. First priority best management practices involve reduction in stormwater runoff through approaches such as rainwater harvesting and reuse (e.g., for toilets and urinals and/or irrigation); infiltration through a rain garden, swale, trench, or basin; or through the use of permeable pavement or a green roof. Second priority best management practices include biotreatment approaches such as the use of flow-through planters or, for large sites, constructed wetlands. Third priority best management practices, only permitted under special circumstances, involve use of a filter to treat stormwater.

To achieve compliance with the stormwater management requirements, the proposed project would implement and install appropriate stormwater management systems, such as *low impact design* approaches, rainwater reuse, cistern, and green roofs that would manage stormwater on-site and limit demand on both the collection system and wastewater facilities resulting from stormwater discharges. A stormwater control plan would be designed for review and approval by the SFPUC. The stormwater control plan would also include a maintenance agreement that must be signed by the project sponsor to ensure proper care of the necessary stormwater controls. Through compliance with these requirements which require a 25 percent reduction of the existing runoff flow rate and volume, the proposed project would not substantially increase the amount of stormwater runoff to the extent that existing facilities would need to be expanded or new facilities would need to be constructed; as such, the impact to the stormwater system would be less than significant.

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

Impact UT-2: The proposed project would have sufficient water supply from existing entitlements and resources and would not require new or expanded water supply or facilities. (Less than Significant)

The proposed project's 116 residential units and 400 square feet of accessory office use would add approximately 273 residents to the project site, which would increase water demand relative to existing uses, but not in excess of amounts provided and planned for in the project area as set forth in the SFPUC's Urban Water Management Plan.⁹⁸ The proposed project would be designed to incorporate water-efficient fixtures as required by Title 24 of the California Code of Regulations

⁹⁸ San Francisco Public Utilities Commission, 2015 Urban Water Management Plan for the City and County of San Francisco, June 2016, <https://sfwater.org/modules/showdocument.aspx?documentid=9300>, accessed October 31, 2018.

and the City's Green Building Ordinance. As such, the proposed project would not result in the construction of new or expanded water supply facilities. This impact would be less than significant, and no mitigation measures are necessary.

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

In September 2015, the city approved an agreement with Recology, Inc. for the transport and disposal of the city's municipal solid waste at the Recology Hay Road Landfill in Solano County. The city began disposing its municipal solid waste at Recology Hay Road Landfill in January 2016, and that practice is anticipated to continue for approximately nine years, with an option to renew the agreement thereafter for an additional six years. San Francisco set a goal of 75 percent solid waste diversion by 2010, which it exceeded at 80 percent diversion, and currently has a goal of 100 percent solid waste diversion or "zero waste" to landfill or incineration by 2020. San Francisco Ordinance No. 27-06 (San Francisco Construction and Demolition Debris Recovery Ordinance) requires mixed construction and demolition debris to be transported by a Registered Transporter and taken to a Registered Facility that must recover for reuse or recycling and divert from landfill at least 65 percent of all received construction and demolition debris. The San Francisco Green Building Code also requires certain projects to submit a recovery plan to the San Francisco Department of the Environment demonstrating recovery or diversion of at least 75 percent of all demolition debris. San Francisco's Mandatory Recycling and Composting Ordinance No. 100-09 requires all properties and persons in the city to separate their recyclables, compostables, and landfill trash. The proposed project would be subject to and would comply with these ordinances and all other applicable statutes and regulations related to solid waste. Thus, the proposed project would have less-than-significant impacts related to solid waste.

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

The proposed project in combination with the cumulative development projects identified in Table 2 would contribute to planned population growth in San Francisco. As discussed under Impacts UT-1, UT-2, and UT-3 above, San Francisco's existing utility and service management plans are designed to accommodate the utility and service demands of anticipated growth throughout the city. Therefore, the proposed project would not have a cumulatively considerable contribution to any potential cumulative impacts that could result from the construction of new or expanded utility or service systems.

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

The proposed project’s impacts on parks are discussed under Section E.9, Recreation. Impacts on other public services are discussed below.

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

The project site receives fire protection and emergency medical services from the San Francisco Fire Department’s Fire Station No. 15 at 1000 Ocean Avenue, approximately 1 miles west of the project site and Fire Station No. 43 at 720 Moscow Street, approximately 1 mile southeast of the project site.⁹⁹ The project site receives police protection services from the San Francisco Police Department’s Ingleside Police Station at 1 Sgt John V Young Lane, approximately one-half-mile west of the project site.¹⁰⁰ Implementation of the proposed project would add about 273 residents to the project site, which would incrementally increase the demand for fire protection, emergency medical, and police protection services. However, this increase in demand would not be substantial given the overall demand for such services on a citywide basis. Fire protection, emergency medical, and police protection resources are regularly redeployed based on need in order to maintain acceptable service ratios. Moreover, the proximity of the project site to Fire Station No. 15 and 43 and the Ingleside Police Station would help minimize fire department and police department response times should incidents occur at the project site. The proposed project would also incrementally increase the demand for other governmental services and facilities, such as libraries. The San Francisco Public Library operates 27 branches throughout San Francisco.¹⁰¹ The Excelsior and Ingleside branches, located approximately one-half-mile and one mile northeast and west,

⁹⁹ San Francisco Fire Department, Fire Station Locations, <http://sf-fire.org/FIRE-STATION-LOCATIONS#divisions>, accessed October 31, 2018.

¹⁰⁰ San Francisco Police Department, Police District Maps, <http://sanfranciscopolice.org/police-district-maps?page=796>, accessed October 31, 2018.

¹⁰¹ San Francisco Public Library, Libraries, <https://sfpl.org/index.php?pg=000000501>, accessed October 31, 2018.

respectively, of the project site, would accommodate the minor increase in demand for library services generated by the proposed project. Therefore, impacts on police, fire, and other governmental services would be less than significant.

Impact PS-2: The proposed project could increase the population of school-aged children and the demand for school services, but not to the extent that would require new or physically altered school facilities, the construction of which could result in significant environmental impacts. (Less than Significant)

Implementation of the proposed project would result in the construction of 116 residential units, which would increase the population by about 273 residents. Some of the new residents could consist of families with school-aged children who might attend schools operated by the San Francisco Unified School District, while other children might attend private schools. It is anticipated that existing public schools would be able to accommodate this minor increase in demand. Furthermore, the proposed project would be required to pay a school impact fee based on the construction of net new residential square footage to fund district facilities and operations. For these reasons, implementation of the proposed project would not result in a substantial unmet demand for school facilities and would not require the construction of new or alteration of existing school facilities. This impact would be less than significant.

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

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

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

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

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

The project site and surrounding area are in an urban environment with high levels of human activity. The project site has been developed since at least 1900 and adjacent sites are currently

developed; thus, any special-status species have been previously extirpated from the area. The project site is covered by impervious surfaces, except for the slope adjacent to Alemany Boulevard, which has some vegetation. The project site does not provide habitat for any rare or endangered plant or wildlife species and only common bird species are likely to nest in the vicinity. Therefore, the proposed project would have a less-than-significant impact on special-status species.

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

San Francisco is within the Pacific Flyway, a major north-south route of travel for migratory birds along the western portion of the Americas. Nesting birds, their nests, and eggs are fully protected by the California Fish and Game Code (sections 3503, 3503.5). For the purposes of CEQA, a project that has the potential to substantially reduce the habitat, restrict the range, or cause a population of a native bird species to drop below self-sustaining levels could be considered to have a potentially significant biological resource impact requiring mitigation.¹⁰² The proposed project would not remove any trees from the project site and therefore, would not have an adverse impact on nesting birds.

The location, height, and material of buildings, particularly transparent or reflective glass, may present risks for birds as they travel along their migratory paths. The city has adopted guidelines to address this issue and provided regulations for bird-safe design within San Francisco. Planning Code, section 139, Standards for Bird-Safe Buildings, establishes building design standards to reduce avian mortality rates associated with bird strikes.¹⁰³ The project site is not located in an *urban bird refuge*, so the standards concerning location-related hazards are not applicable to the proposed project.¹⁰⁴ The proposed project would comply, as necessary, with the building feature-related hazard standards of section 139 by using bird-safe glazing treatment on 100 percent of any building feature-related hazard.

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

¹⁰² California Fish and Game Code Section 3503; Section 681, Title 14, California Code of Regulations.

¹⁰³ San Francisco Planning Department, *Standards for Bird-Safe Buildings*, July 14, 2001.

¹⁰⁴ San Francisco Planning Department, Urban Bird Refuge Map, http://maps.sfpplanning.org/Urban_Bird_Refuge_Poster.pdf, accessed October 31, 2018.

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

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

The proposed project would not remove any trees from the project site. The proposed project would add five new street trees along Alemany Boulevard in compliance with the city's Urban Forestry Ordinance. Therefore, the proposed project would not conflict with the city's local tree ordinance and impacts would be less than significant.

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

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

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

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

As previously described, the proposed project would demolish the existing building on the site and construct a new 116 dwelling unit building with 400 square feet of accessory office. The proposed project would involve excavation of approximately 1,760 cubic yards of soil to a depth up to 3 feet along the western property line (along Cayuga Avenue) and up to about 22 feet along the eastern property line (along Alemany Boulevard).

The proposed project would remain connected to the combined sewer system, which is the wastewater and stormwater system for San Francisco and would not use septic tanks or other on-

site disposal systems for sanitary sewage. Therefore, topic 13e is not applicable to the proposed project.

CEQA does not require lead agencies to consider how existing hazards or conditions might impact a project's users or residents, except for specified projects or where the project would significantly exacerbate an existing environmental hazard.¹⁰⁵ Accordingly, locating new development in an existing seismic hazard area or an area with unstable soils is not considered an impact under CEQA unless the project would significantly exacerbate the existing hazards. Thus, the analysis below evaluates whether the proposed project would exacerbate future seismic hazards or unstable soils at the project site and result in a substantial risk of loss, injury, or death. The impact is considered significant if the proposed project would significantly increase the severity of these hazards in areas adjacent to the project site.

This section describes the geology, soils, and seismicity characteristics of the project area as they relate to the proposed project. The analysis in this section relies on the information and findings provided in the geotechnical investigation conducted for the proposed project.¹⁰⁶ The geotechnical investigation included site visits, a review of available geologic and geotechnical data for the site vicinity, an engineering analysis of the proposed project in the context of geologic and geotechnical site conditions, subsurface exploration including soil borings and cone penetration tests, and preparation of project-specific design and construction recommendations. The findings and recommendations presented in the geotechnical report are discussed below.

The project site is underlain by Early Pleistocene-age alluvium.¹⁰⁷ A historic creek crossed the site in the north-south direction. Most of the site is underlain by fill to about 4 feet. The fill is underlain by interbedded alluvium consisting of soft to medium stiff clay with variable amounts of silt and sand and loose to medium dense sand with variable amounts of silt and clay to a depth of approximately 16 to 20 feet. Below these depths, alluvium consists of dense to very dense sand to 22 to 29 feet. Groundwater was found at various depths around the project site, ranging from approximately 2 to 6 feet. The depth of groundwater is expected to vary several feet annually depending on the rainfall. According to the U.S. Geological Survey map, underlying bedrock at depth is a sedimentary rock of the Franciscan Formation.

¹⁰⁵ *California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478, <http://www.courts.ca.gov>, accessed October 31, 2018.

¹⁰⁶ Rockridge Geotechnical, *Geotechnical Investigation, Proposed Mixed-Use Building at 915 Cayuga Avenue, San Francisco, California*, September 12, 2017.

¹⁰⁷ Alluvium is sedimentary deposits (sand, silt, clay or gravel) deposited by flowing water as in a riverbed, floodplain, or delta.

Impact GE-1: The proposed project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslides. (Less than Significant)

Fault Rupture

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

Strong Seismic Ground Shaking

The project site is located approximately 4 miles west of the San Andreas Fault. According to the U.S. Geological Survey, the overall probability of a magnitude 6.7 or greater earthquake to occur in the San Francisco Bay Region during the next thirty years is 72 percent. Therefore, it is possible that a strong to very strong earthquake would affect the proposed project during its lifetime. The severity of the event would depend on several conditions, including; generating fault, distance to the earthquake epicenter, and magnitude and duration of the earthquake. The proposed project would be required to comply with the California Building Code and the San Francisco Building Code, which includes up-to-date seismic safety standards for new construction. Compliance with these standards would ensure that the proposed project would meet current seismic and geotechnical safety standards. In comparison, the existing building on the project site, constructed in the 1890s, and other existing buildings in the immediately surrounding area dating from the 1900s to the 1950s were not constructed in accordance with current seismic safety requirements. Therefore, the proposed project would likely decrease rather than exacerbate the exposure of people or structures on and adjacent to the project site to substantial adverse effects due to seismic hazards.

Liquefaction and Lateral Spreading

Liquefaction and lateral spreading of soils can occur when ground shaking causes saturated soils to lose strength due to an increase in pore pressure. The project site is not in a mapped liquefaction hazard zone.¹⁰⁸ However, a liquefaction hazard evaluation was performed for the project due to the shallow groundwater table and loose sandy soil encountered at the project site. The analysis indicated that loose to medium dense sand encountered beneath the groundwater is susceptible to soil liquefaction during a major earthquake from nearby faults. The potentially liquefiable soil

¹⁰⁸ California Geological Survey, *State of California Seismic Hazard Zones, City and County of San Francisco, (map scale 1:24,000)*, November 17, 2000.

layers are about 2 to 7 feet thick and extend to maximum depths of 16 to 20 feet below ground surface.

Based on the depth and thickness of the potentially liquefiable soil layers, the geotechnical investigation concluded that the site is susceptible to surface manifestations from liquefaction, such as sand boils, where the ground surface is not covered by improvements such as concrete floor slabs or pavements. Considering the potentially liquefiable soil layers are not continuous, the risk of lateral spreading was concluded to be very low.

According to the project geotechnical report, the site can be developed as planned, provided the geotechnical recommendations contained in the report are incorporated into the project plans and specifications and implemented during construction. Specifically, soil improvement must be implemented to stiffen the overall soil matrix by densifying loose soil layers and/or transferring the foundation loads to more competent material below the compressible and liquefiable layers. Drilled displacement sand-cement columns that extend into the dense sands underlying the compressible soils are recommended to reduce settlement of the mat foundations.

Adequate investigation and mitigation of failure-prone soils are required by the mandatory provisions of the California Building Code. The San Francisco Building Code has adopted the state building code with certain local amendments. The proposed project is required to conform to the local building code, which ensures the safety of all new construction in the city. In particular, Chapter 18 of state building code, Soils and Foundations, provides the parameters for geotechnical investigations and structural considerations in the selection, design and installation of foundation systems to support the loads from the structure above. Section 1803 sets forth the basis and scope of geotechnical investigations conducted. Section 1804 specifies considerations for excavation, grading and fill to protect adjacent structures and prevent destabilization of slopes due to erosion and/or drainage. In particular, section 1804.1, which addresses excavation near foundations, requires that adjacent foundations be protected against a reduction in lateral support as a result of project excavation. This is typically accomplished by underpinning or protecting adjacent foundations from detrimental lateral or vertical movement or both. Section 1807 specifies requirements for foundation walls, retaining walls, and embedded posts and poles to ensure stability against overturning, sliding, and excessive pressure, and water lift including seismic considerations. Sections 1808 (foundations) and 1810 (deep foundations) specify requirements for foundation systems such that the allowable bearing capacity of the soil is not exceeded and differential settlement is minimized based on the most unfavorable loads specified in Chapter 16, Structural, for the structure's seismic design category and soil classification at the project site.

The Department of Building Inspection will review the project-specific geotechnical report during its review of the building permit for the project. In addition, the building department may require additional site-specific soils report(s) through the building permit application process, as needed. The requirement for a geotechnical report and review of the building permit application pursuant to the building code, local implementing procedures, and state laws, regulations and guidelines

would ensure that the proposed project would not exacerbate hazards from seismic-related ground failure. Therefore, impacts would be less than significant.

Seismic Densification

Seismic densification is a phenomenon that can occur during strong seismic shaking in loose, clean granular deposits above the water table, resulting in ground surface settlement that can cause damage to overlying structures. As noted in the geotechnical investigation, the site is underlain by loose to medium dense sand with variable amounts of silt and clay above the water table. The loose and medium dense sand may densify during an earthquake. However, excavation for the proposed building would remove most of the soil above the groundwater table susceptible to seismic densification, and the potential for densification is considered low. The impact would be less than significant.

Landslides

According to the California Geological Survey, the project site is not within a designated earthquake-induced landslide hazard zone¹⁰⁹ and, therefore, would not exacerbate the potential for landslide hazards. This impact would be less than significant.

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

The project site is occupied by an existing building and surface parking lot that covers almost entire site, except for the slope on Alemany Boulevard. The proposed project would involve excavation of approximately 1,760 cubic yards of soil to a depth up to 3 feet along the western property line (along Cayuga Avenue) and up to about 22 feet along the eastern property line (along Alemany Boulevard). The proposed building would require excavation into the existing slope and the installation of permanent below-grade walls, soldier pile lagging shoring, and a waterproof mat foundation.

The proposed project would be required to comply with the Construction Site Runoff Ordinance, which was adopted by the city in 2013. The SFPUC currently manages the Construction Site Runoff Control Program, which ensures that all construction sites implement best management practices to control construction site runoff.¹¹⁰ The program also requires that projects disturbing 5,000 square feet or more of ground surface, such as the proposed project, submit an erosion and sediment control plan prior to commencing construction.

¹⁰⁹ *Ibid.*

¹¹⁰ San Francisco Public Utilities Commission, 2017, Construction Site Runoff Control Program, <http://sfwater.org/index.aspx?page=235>, accessed October 31, 2018.

These regulatory safeguards would ensure that the proposed project would not have significant impacts due to soil erosion or the loss of topsoil.

Impact GE-3: The proposed project site would not be located on a geologic unit or soil that is unstable, or that could become unstable as a result of the project, resulting in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse. (Less than Significant)

Although the project site has been preliminarily identified as having a greater than 20 percent slope by the planning department, the steep slope is limited to the eastern property boundary adjacent to Alemany Boulevard, where the site elevation is approximately 20 feet higher than rest of the site. The average slope over the site is less than 25 percent and would not be considered a geologic hazard due to slope stability under the Slope Protection Act (San Francisco Building Code section 106A.4.1.4).

As previously discussed under Impact GE-1, the project site is underlain by relatively weak and highly compressible soil that extends to depths of 16 to 20 feet below ground surface; this weak soil may experience liquefaction. The mandatory provisions of the California Building Code and San Francisco Building Code would ensure that the project sponsor adequately addresses any potential impacts related to unstable soils as part of the design-level geotechnical investigation prepared for the proposed project. Therefore, any potential impacts related to unstable soils would be less than significant.

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

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

Impact GE-5: The proposed project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. (Less than Significant)

Paleontological resources, or fossils, are the remains, imprints, or traces of mammals, plants, and invertebrates from a previous geological period. Such fossil remains as well as the geological formations that contain them are also considered a paleontological resource. Together, they represent a limited, non-renewable scientific and educational resource. The potential to affect fossils varies with the depth of disturbance, construction activities and previous disturbance.

The project site is underlain by Early Pleistocene-age alluvium and a historic creek crossed the site in the north-south direction. The proposed project excavation would predominantly occur in fill materials and alluvial sediments. Underlying bedrock of the Franciscan Complex at depth has the potential to contain previously undiscovered fossil specimens. However, the Franciscan Complex is heavily deformed and metamorphosed in many locations, and fossils contained in these strata are often destroyed. Fossils from the Franciscan Complex therefore are generally rare. Based on the the underlying site conditions and the depth of excavation, the proposed project would not result in significant impacts to a unique paleontological resource or site.

A unique geologic or physical feature embodies distinctive characteristics of any regional or local geologic principles, provides a key piece of information important to geologic history, contains minerals not known to occur elsewhere in the county, and/or is used as a teaching tool. No unique geologic features exist at the project site; therefore, no impacts on unique geological features would occur.

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

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

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

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

The project site is located within the area of the city served by a combined stormwater and sewer system. With implementation of the proposed project, stormwater and wastewater from the project would continue to be discharged to an underground piping network, which conveys the waters to the Southeast Water Pollution Control Plant for treatment to standards contained in the city's permit for the plant prior to discharge into San Francisco Bay. The treatment standards are set and regulated by the San Francisco Bay Regional Water Quality Control Board. The proposed project's discharges from residential operations and stormwater would be typical of wastewaters in the city and would not exceed water quality standards. The project also would be required to comply with Article 4.2 of the San Francisco Public Works Code, section 147 (Stormwater Management). The intent of the city's stormwater management program is to reduce the volume of stormwater entering the city's combined and separate sewer systems and to protect and enhance the water quality of receiving waters, pursuant to, and consistent with federal and state laws, lawful standards and orders applicable to stormwater and urban runoff control, and the city's authority to manage and operate its drainage systems. As detailed in Impact UT-1 in Section E.10, Utilities and Service Systems, the proposed project would be required to reduce the project site's existing runoff flow rate and volume by 25 percent for a two-year 24-hour design storm. Therefore, the proposed project operations would not violate water quality standards or waste discharge requirements.

Construction activities such as excavation, earthmoving, and grading would expose soil and could result in erosion and excess sediments being carried in stormwater runoff to the combined stormwater/sewer system. In addition, stormwater runoff from temporary on-site use and storage of vehicles, fuels, waste, and other hazardous materials could carry pollutants to the combined sewer system if proper handling methods are not employed. The proposed project would be required to comply with Article 4.2 of the San Francisco Public Works Code, section 146 (Construction Site Runoff Control). The purpose of the city's construction site runoff control program is to protect water quality by controlling the discharge of sediment or other pollutants from construction sites and preventing erosion and sedimentation due to construction activities. As described in Impact GE-2, the proposed project would disturb more than 5,000 square of ground surface and, accordingly, the project sponsor must prepare and implement an erosion and sediment control plan during project construction. The erosion and sediment control plan must include best management practices designed to prevent discharge of sediment and other pollutants from the site, and is subject to review and approval by the SFPUC. Compliance with the ordinance would reduce the potential for sediments and other pollutants to enter the combined sewer system. In addition, the proposed project would be required to comply with the Maher Ordinance (Article 22A of the San Francisco Health Code), which requires further site management and reporting requirements for potential hazardous soils (see Impact HZ-1 for a discussion of the Maher Ordinance).

As discussed in Section E.13, Geology and Soils, groundwater is anticipated at a depth of approximately 2 to 6 feet below the project site. Because construction of the proposed project would require excavation to a depth up to 3 feet along the western property line (along Cayuga Avenue) and up to about 22 feet along the eastern property line (along Alemany Boulevard), dewatering will likely be required. If construction dewatering is required, the proposed project would be required to obtain a Batch Wastewater Discharge Permit from the SFPUC prior to any dewatering activities. Groundwater encountered during construction activities would be subject to the requirements of Article 4.1 of the Public Works Code, Industrial Waste, which requires that groundwater meet specified water quality standards before it may be discharged into the sewer system. The discharge permit would contain appropriate standards and may also require the installation of meters to measure the volume of discharge. These measures would ensure protection of water quality from discharge of groundwater during construction of the proposed project.

Therefore, the proposed project would not substantially degrade water quality and water quality standards or waste discharge requirements would not be violated. Thus, the proposed project would have a less-than-significant impact on water quality.

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

Most of the project site is covered with impervious surfaces, except for the slope adjacent to Alemany Boulevard, which has some vegetation. Impervious surfaces greatly limit the amount of surface water that can infiltrate a site to recharge the groundwater. The proposed project would not result in an increase in impervious surface. Therefore, the proposed project would not interfere with groundwater recharge.

Although project construction could require dewatering in shallow sediments, any effects related to lowering the water table would be temporary and would not be expected to substantially deplete groundwater resources in any underlying aquifers. In addition, the proposed project does not include any groundwater wells to extract groundwater supplies.

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

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

The project site is mostly covered with impervious surfaces (i.e., an existing building and paved surface parking lot) and does not contain any surface streams or water courses. Although a portion of Islais Creek historically crossed the site, the creek was filled sometime between 1905 and 1913¹¹¹ and the drainage is no longer extant. Surface water runoff from the project site would continue to be directed to the combined sewer system. Because the amount of impervious surfaces would remain essentially unchanged, the project would not increase the amount of surface water runoff from the site. As discussed above under Impacts UT-1 and HY-1, the project must comply with the Stormwater Control Guidelines administered by the SFPUC which require that the project reduce the site's existing runoff flow rate and volume by 25 percent for a two-year, 24-hour design storm.

Construction activities would have the potential to result in erosion and transportation of soil particles off site through excavation and grading activities. However, as discussed previously under Impact HY-1, the project sponsor would be required to implement best management practices to control construction site runoff.

Therefore, the proposed project would not result in substantial erosion or siltation onsite or off site, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on site or off site, and impacts would be less than significant.

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

During construction and operation of the proposed project, all wastewater and stormwater runoff from the project site would be directed to the combined wastewater collection, conveyance, and treatment system. As discussed above under Impact HY-1, during construction and operation, the proposed project would be required to comply with all local wastewater discharge, stormwater runoff, and water quality requirements. Compliance with these requirements would ensure that the proposed project would not exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

Impact HY-5: The proposed project would place housing within a 100-year flood hazard area but would not exacerbate exposure of people or structures to a significant risk of loss, injury, or death involving flooding. (Less than Significant)

The project site is located within a 100-year flood hazard area identified by the SFPUC, as shown on Figure 2.¹¹² A 100-year storm means a storm with a 1 percent chance of occurring in a given year. The flood map shows parcels that are highly likely to experience "deep and contiguous" flooding, meaning flooding that is at least 6-inches deep and spanning an area at least the size of

¹¹¹ ICF, *Historical Resource Evaluation, 915 Cayuga Avenue, San Francisco*, June 2014/updated September 2017.

¹¹² San Francisco Public Utilities Commission, 100-Year Storm Flood Risk Map, available at <https://www.sfwater.org/index.aspx?page=1229>, Accessed on December 28, 2018.

half an average city block, during a 100-year storm. Areas located on fill or bay mud, such as the project vicinity along the former Islais Creek, can subside to a point at which the sewers do not drain freely during a storm, and there can be backups or flooding near these streets and sewers.

The city implements a review process to avoid flooding problems caused by the relative elevation of proposed developments to the hydraulic grade line in the sewers.¹¹³ Building permit applications for new construction in flood-prone areas must be reviewed by the SFPUC to determine whether the project would result in ground-level flooding during storms. The side sewer connection permits for such projects also need to be reviewed and approved. The permit applicant must comply with all requirements, which may include provision of a pump station for the sewage flow, raised elevation of entryways, special sidewalk construction, and deep gutters.

The proposed project would create or replace more than 5,000 square feet of impervious surface; therefore, the project is subject to SFPUC's San Francisco Stormwater Management Ordinance. Compliance with this ordinance and attendant Stormwater Management Requirements and Design Guidelines will require the project to reduce by 25 percent the existing volume and rate of stormwater runoff discharged from the project site. To achieve this, the proposed project would be required to implement and install appropriate stormwater management systems that retain runoff on-site, promote stormwater reuse, and limit site discharges before entering the combined sewer collection system.

Furthermore, in the *California Building Industry Association v. Bay Area Air Quality Management District* case decided in 2015,¹¹⁴ the California Supreme Court held that CEQA does not generally require lead agencies to consider how existing hazards or conditions might impact a project's users or residents, except where the project would significantly exacerbate an existing environmental hazard. Accordingly, hazards resulting from a project that places development in an existing or future flood hazard area are not considered impacts under CEQA unless the project would significantly exacerbate the flood hazard. As shown from the analysis above, the proposed project would not exacerbate future flood hazards at the project site and its surroundings. Therefore, this impact would be less than significant.

Impact HY-6: The proposed project would not place within a 100-year flood hazard area structures that would impede or redirect flood flows. (Less than Significant)

As discussed above, the proposed project would place a structure (the proposed 5-story residential building) within a 100-year flood hazard area; however, the structure would not impede or redirect flood flows, exacerbating flooding in nearby areas. The project site is currently occupied by a building and paved parking areas, and the proposed building would not substantially alter the site

¹¹³ Administrative Code Section 2A.280-2A,285

¹¹⁴ *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal. 4th 369. Opinion Filed December 17, 2015.

configuration. The proposed project would be reviewed by the SFPUC to ensure that sewer laterals and stormwater management systems are compliant with the Stormwater Management and Design Guidelines. With mandatory compliance with these regulations, this impact would be less than significant.

Impact HY-7: The proposed project would not expose people or structures to a significant risk of loss, injury or death involving flooding as a result of the failure of a levee or dam, or involving inundation by seiche, tsunami, or mudflow. (No Impact)

The project site is not located within a dam failure area,¹¹⁵ or a tsunami hazard area.¹¹⁶ No mudslide hazards exist on the proposed project site because it is not located close enough to any landslide-prone areas.¹¹⁷ A seiche is an oscillation of a waterbody, such as a bay, that may cause local flooding. A seiche could occur in the San Francisco Bay due to seismic or atmospheric activity; however, the proposed project site is located approximately 3 miles from San Francisco Bay and would not be subject to a seiche. For these reasons, there would be no impact involving flooding related to these types of events.

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

The proposed project would result in no impact with respect to failure of dams or levees, and/or seiche, tsunami, or mudflow hazards. Therefore, the project would not have the potential to contribute to cumulative impacts related to these topics. As stated above, the proposed project would result in less-than-significant impacts related to water quality, groundwater levels, alteration of drainage patterns, and the capacity of the drainage infrastructure. The proposed project and the proposed adjacent cumulative project at 65 Ocean Avenue are both located within the 100-year flood zone and must comply with requirements for development within flood hazard areas. The proposed project and 65 Ocean Avenue project, in combination, would not exacerbate the existing flooding hazard in the area. The proposed project and all future projects within San Francisco would be required to comply with the water quality and drainage control requirements that apply to all land use development projects within San Francisco. Because all development projects would be required to follow the same regulations as the proposed project, peak stormwater drainage rates and volumes resulting from design storms would gradually decrease over time with the implementation of new, conforming development projects. As a result, no substantial adverse cumulative effects with respect to drainage patterns, water quality, stormwater runoff, or stormwater capacity of the combined sewer system would occur.

¹¹⁵ San Francisco Planning Department, San Francisco General Plan, Community Safety Element, Map 6, October 2012, <http://generalplan.sfplanning.org/index.htm>, accessed November 1, 2018.

¹¹⁶ *Ibid*, Map 5.

¹¹⁷ *Ibid*, Map 4.

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

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

The information in this section is based upon information provided in the following site investigations: a *phase I environmental site assessment* and *phase II environmental site assessment*.^{118,119} The subject site was developed by 1900 as the Hayes Park Laundry, with a large one-story commercial building for steam ironing and washing. Regulatory agency list review indicates that the site had three underground storage tanks, including a 550-gallon leaded gasoline tank, a 1,500-gallon concrete tank with unknown contents, and a 10,000-gallon bunker oil tank. During removal of two of the tanks in January 1993, fuel leaks affecting soil and groundwater were discovered. It is unknown whether the 1,500-gallon concrete tank has been removed. In addition, past project site uses have included businesses that involve the use, handling, and disposal of hazardous materials, such as dry cleaning, auto repair, and other various commercial and light industrial uses.

During the 1993 tank excavation, soil samples collected following over-excavation of the 10,000-gallon bunker oil tank reported concentrations of Total Petroleum Hydrocarbons (TPH) as diesel at 15,000 parts per million (ppm), benzene at 0.1 ppm, toluene at 0.23 ppm, and xylene at 0.25 ppm. Three groundwater wells were installed in July 1993 and groundwater samples detected fluctuating concentrations of TPH-diesel. The most recent groundwater monitoring was performed in October 1995 in which TPH-diesel ranged from 98 to 230 parts per billion (ppb); TPH-gasoline, benzene, toluene, ethylbenzene, and xylenes (BTEX) were not detected in any monitoring wells. Based upon the data, the San Francisco Department of Public Health granted case closure on December 19, 1995.

According to the public health department, the site previously contained a third underground storage tank. Health department records indicate that the third underground storage tank was 1,500 gallons and made of concrete. The status of this underground storage tank is listed as permanently closed. There were no records available as to whether this tank was removed from the site or abandoned in place.

In March 2007, a phase I environmental site assessment identified standing liquids in a three-stage clarifier and staining around a floor drain within the northwest portion of the building (Unit D). In April 2007, a phase II site assessment was performed consisting of four soil borings that were advanced to a depth of 15 feet and collection of 11 soil samples. For all four soil borings, the deepest soil samples or the soil sample with the highest level of volatile organic compounds (VOCs) from each boring was selected for laboratory analysis. The analysis found that one soil sample contained detectable levels of TPH-diesel at 16.1 ppm, below regulatory action levels. None of the soil samples contained detectable levels of VOCs or semi-VOCs. Heavy metals were detected, however, none exceeded action levels for residential use. The report recommended that the clarifier be abandoned; however, there is no indication that occurred.

¹¹⁸ AEI Consultants, Inc., *Phase I Environmental Site Assessment, 915 Cayuga Avenue, San Francisco, California*, July 30, 2013.

¹¹⁹ Phase One Inc., *Limited Phase II Environmental Site Assessment, 915 Cayuga Avenue, San Francisco, CA* April 4, 2007.

Impact HZ-1: The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. (Less than Significant)

Construction

Contaminated Soil and Groundwater

Based upon historical site uses and underground storage tank releases, the project site is located in the Maher zone, which is an area that the health department, as set forth in San Francisco Building Code section 106A.3.2.4, has identified as likely containing hazardous substances in the soil or groundwater. The proposed project would require excavation up to 3 feet along the western property line (along Cayuga Avenue) and up to about 22 feet along the eastern property line (along Alemany Boulevard) and would remove approximately 1,760 cubic yards of soil.

During construction, particularly during excavation and grading, construction workers and nearby residents could be exposed to chemicals in the soil through inhalation of airborne dust or vapors if proper precautions are not implemented. Prior to obtaining a building permit, the project sponsor must comply with the requirements of Article 22A of the San Francisco Health Code, which the health department administers. Under Article 22A (commonly called “the Maher Ordinance”), the project sponsor must retain the services of a qualified professional to prepare a phase I environmental site assessment to investigate known or potential hazardous materials contamination at or near the site based on available records. The site assessment must determine whether hazardous substances may be present on the site at levels that exceed health risk levels or other applicable standards established by the California Environmental Protection agencies: the Regional Water Quality Control Board, and the Department of Toxics Substances Control (Cal/EPA). If so, the project sponsor is required to conduct soil and/or groundwater sampling and analysis under a work plan approved by the health department.

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

safety hazards from hazardous substances through land use or activity restrictions, the project sponsor must record a deed restriction specifying the land use restrictions or other controls that will ensure protection of public health or safety from hazardous substances remaining on the site.

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

If remediation is required, it would typically be achieved through one of several methods that include off-haul and disposal of contaminated soils,¹²⁰ on-site treatment of soil or groundwater, or a vapor barrier installation. Alternatively or in addition, restriction on uses or activities at the project site may be required along with a recorded deed restriction. Compliance with health code article 22A and the related regulations identified above would ensure that project activities that disturb or release hazardous substances that may be present at the project site would not expose users of the site to unacceptable risk levels for the intended project uses.

In compliance with health code article 22A, the project sponsor has enrolled in the Maher program and submitted to the health department phase I and phase II investigation reports, discussed above, to assess the potential for site contamination.^{121,122} The health department reviewed the proposed project's Maher application and supporting documents, including the site assessments, and determined that the proposed project would be required to submit additional information to

¹²⁰ Off-haul and disposal of contaminated materials from the project site would be in accordance with the federal Resource Conservation and Recovery Act (RCRA) and United States Department of Transportation regulations and the California Hazardous Waste Control program (California Health and Safety Code section 21000 *et seq.*)

¹²¹ San Francisco Department of Public Health, *Review of Documents and Request for Work Plan, 915 Cayuga Avenue, San Francisco, CA*, October 24, 2013.

¹²² San Francisco Department of Public Health, *Phase 2 Site Investigation and Work Plan Addendum, 915 Cayuga Avenue, San Francisco, CA*, December 23, 2014.

the health department for review and approval.¹²³ Contingent upon the submitted documentation and analytical reports, the health department will also require the project sponsor to develop a site mitigation plan and to remediate potential soil and/or groundwater contamination described above in accordance with article 22A of the health code. The health department would oversee this process, and various regulations would apply to any disturbance of contaminants in soil or groundwater that would be encountered during construction to ensure that no unacceptable exposures to the public would occur. Thus, the proposed project would not result in a significant hazard to the public or environment from the disturbance or release of contaminated soil and/or groundwater and the proposed project would result in a less than significant impact with regard to the release of subsurface hazardous materials.

Hazardous Building Materials

Based on the building age, hazardous building materials such as asbestos, lead-based paint, electrical transformers containing polychlorinated biphenyls (PCBs), fluorescent light ballasts containing PCBs or bis (2-ethylhexyl) phthalate (DEHP), and fluorescent light tubes containing mercury vapors may be present. These materials could escape into the environment and pose health concerns for construction workers and the public if not properly handled or disposed of in accordance with applicable regulations.

Demolition and construction activities would comply with all applicable standards and regulations for hazardous building materials, including the California Health and Safety Code. Currently, section 19827.5 of the California Health and Safety Code 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 Bay Area Air Quality Management District is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement and is to be notified 10 days in advance of any proposed demolition or asbestos abatement work. The notification must include (1) the address of the operation; (2) the names and addresses of those who are responsible; (3) the location and description of the structure to be altered, including size, age, prior use, and the approximate amount of friable (i.e., easily crumbled) asbestos; (4) scheduled start and completion dates for the asbestos abatement work; (5) nature of the planned work and methods to be employed; (6) procedures to be employed to meet the air district's requirements; (7) and the name and location of the waste disposal site to be used. The air district randomly inspects asbestos removal operations and will inspect any removal operation about which a complaint has been received. Any asbestos-containing building material disturbance at the project site would be subject to the requirements of Bay Area Air Quality Management

¹²³ San Francisco Department of Public Health, *Phase 2 Site Investigation and Work Plan Addendum, 915 Cayuga Avenue, San Francisco, CA*, December 23, 2014.

District 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 any asbestos abatement that is to be carried out. Asbestos abatement contractors must follow state regulations contained in the California Code of Regulations, Title 8, section 1529, and Title 8, sections 341.6 through 341.14, where there is asbestos-related work involving 100 square feet or more of asbestos-containing building material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material are required to file a Hazardous Waste Manifest that details the hauling of the material from the site and the disposal of it. Pursuant to California law, the building department will not issue the required permit until the project sponsor has complied with the notice requirements described above.

If lead-based paint is present, demolition would be subject to the Cal/OSHA Lead in Construction Standard (8 CCR section 1532.1), which requires development and implementation of a lead compliance plan when materials that contain lead would be disturbed during construction. The plan must describe activities that could emit lead, methods that will be used to comply with the standard, safe work practices, and a plan to protect workers from exposure to lead during construction activities. Cal/OSHA would require 24-hour notification if more than 100 square feet of materials that contain lead would be disturbed. Any other hazardous building materials identified either before or during demolition or renovation would be abated according to federal, state, and local laws and regulations.

Disposal of PCBs is regulated at both the federal level (the Toxic Substances Control Act, U.S. Code, Title 15, Chapter 53; and implementing regulations in 40 Code of Federal Regulations [CFR] 761) and at the state level (22 California Code of Regulations [CCR] 66261.24), and DEHP is covered under federal regulations (40 CFR 261.33). Disposal of these materials as hazardous waste must comply with applicable laws and regulations and may involve incineration or other treatment or disposal in an approved chemical waste landfill. Mercury is regulated as a hazardous waste under 22 CCR 66262.11 and 22 CCR 66273.4 and its disposal as hazardous waste under 22 CCR 66261.50.

Compliance with the existing regulatory framework would provide protection to construction workers and the environment and therefore would also protect members of the nearby public and would ensure that potential impacts of exposure to these hazardous building materials would be less than significant.

Construction Chemicals

During construction of the proposed project, diesel fuel and hazardous materials such as paints, fuels, solvents, and adhesives would be used. In accordance with the stormwater erosion and sediment control plan, which would be reviewed and approved by the SFPUC as discussed in Impact GE-2, the construction contractor would identify hazardous materials sources within the construction area and recommend site-specific best management practices to prevent discharge of these materials. The minimum best management practices that would be required include maintaining an inventory of materials used onsite; storing chemicals in water-tight containers protected from rain; developing a spill response plan and procedures to address hazardous and nonhazardous spills; maintaining spill cleanup equipment onsite; assigning and training spill response personnel; and preventing leaks of oil, grease, and fuel from equipment. Compliance with these regulations would reduce the potential for releases and provide for containment of should such releases occur so that potential impacts to the public or the environment would be less than significant.

Operation

The proposed project's residential and office uses would involve the occasional use of relatively small quantities of common household materials. These projects are labeled to inform users of potential risks and instruct them in appropriate handling procedures. Routine use would result in little hazardous waste and would not result in the potential for upset and accident conditions involving the release of hazardous materials into the environment. For these reasons, the impacts of construction and operation of the project would be less than significant.

Impact HZ-2: The proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (Less than Significant)

There are four schools near the project site. Adjacent to the project, at 65 Ocean Avenue is a pre-kindergarten (Little Bear) and a private elementary school (Golden Bridges School). Balboa High School is approximately one quarter-mile south from the project site, and James Denman Middle School is approximately one half-mile south from the project site. As discussed under Impact HZ-1, the proposed project would include the use of common types of hazardous materials (i.e., cleaning products, disinfectants, and solvents) in quantities too small to create a significant hazard to the public or the environment. In addition, the proposed residential and office uses would not produce hazardous emissions and would not involve the handling of hazardous or acutely hazardous materials, substances, or waste. Therefore, project-related impacts would be less than significant.

Impact HZ-3: The project site is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. (Less than Significant)

The project site is included on a list of identified hazardous material sites compiled pursuant to Government Code section 65962.5, as determined by federal and state database searches.¹²⁴ As previously discussed in Impact HZ-1, the project site is listed on the state leaking underground storage tank list due to a historical tank release associated with the Hayes Park Laundry previously located on the site. The Hayes Park Laundry has since been designated as “completed-case closed” by the public health department.

Although the leaking underground storage tank case has been closed, the potential remains for additional underground storage tanks and residual soil and/or groundwater contamination to remain on the site. In compliance with health code article 22A, the project sponsor has enrolled in the Maher program and will be required to submit a phase II site characterization and work plan for review and approval. Contingent upon the submitted documentation and analytical reports, the health department will also require the project sponsor to develop a site mitigation plan and to remediate potential soil and/or groundwater contamination in accordance with article 22A of the health code. Because remediation to cleanup levels appropriate for the proposed residential uses are required by law, the proposed project would result in a less-than-significant impact related to its identification on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5.

Impact HZ-4: The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (Less than Significant)

Construction and operation of the project would not close roadways or impede access to emergency vehicles or emergency evacuation routes. The proposed project would conform to the provisions of the building and fire codes which ensure building safety. Final building plans would be reviewed by the San Francisco Fire Department and the Department of Building Inspection to ensure conformance with the applicable life-safety provisions, including development of an emergency procedure manual and an exit drill plan. Therefore, the proposed project would not obstruct implementation of the city’s emergency response and evacuation plans, and potential impacts would be less than significant.

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

¹²⁴ State Water Resources Control Board, GeoTracker, Hayes Park Laundry (T0607500427), 915 Cayuga Avenue, Leaking Underground Storage Tank. Available at: https://geotracker.waterboards.ca.gov/profile_report?global_id=T0607500427. Accessed on December 31, 2018.

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

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

The project site is located within Mineral Resource Zone 4 (MRZ-4) as designated by the California Division of Mines and Geology under the Surface Mining and Reclamation Act of 1975.¹²⁵ This designation indicates that the site contains no significant mineral deposits. Furthermore, according to the San Francisco General Plan, no significant mineral resources exist in all of San Francisco. Therefore, topics 17a and 17b are not applicable to the proposed project.

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

The proposed project would demolish the existing uses on the site and would construct a new 116 dwelling units building with 400 square-feet of accessory office. The project site is located within the Outer Mission neighborhood where it is surrounded by existing buildings and infrastructure; therefore, the proposed project would be served by existing utilities. As described in section E.10,

¹²⁵ California Division of Mines and Geology, Open File Report 96-03 and Special Report 146 Parts I and II, ftp://ftp.consrv.ca.gov/pub/dmg/pubs/ofr/OFR_96-03/OFR_96-03_Text.pdf, ftp://ftp.conservation.ca.gov/pub/dmg/pubs/sr/SR_146-1/SR_146-1_Text.pdf and ftp://ftp.conservation.ca.gov/pub/dmg/pubs/sr/SR_146-2/SR_146-2_Text.pdf accessed May 19, 2018.

Utilities and Service Systems, adequate water supplies exist to serve the proposed project. In addition, the proposed project is located within a developed urban area that is served by multiple transit systems. Use of these transit systems by residents, visitors, and employees would reduce the amount of fuel expended by private automobiles. The proposed project's energy demand would be typical for a development of this scope and nature and would comply with current state and local codes concerning energy consumption, including Title 24 of the California Code of Regulations, enforced by the Department of Building Inspection. The proposed project would also be required to comply with the city's Green Building Ordinance. Therefore, the proposed project would not result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner.

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

As described above, the entire City of San Francisco is designated as Mineral Resource Zone 4, which indicates that no known significant mineral resources exist at the project site or within the project vicinity. Therefore, the proposed project would not contribute to any cumulative impacts related to mineral resources.

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

<u>Topics:</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<u>Not Applicable</u>
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17. AGRICULTURE AND FORESTRY RESOURCES:

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

—Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

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

As discussed in Sections E.1 through E.17, project impacts and potential cumulative impacts resulting from the proposed project are anticipated to be less than significant or less than significant with mitigation, in the case of cultural resources. As described in Section E.3, Cultural Resources, construction activities associated with the proposed project could result in potential impacts on unknown archeological resources, human remains, and tribal culture resources. These impacts would be less than significant with implementation of **Mitigation Measures M-CR-1, Archeological Testing**, and **M-CR-2, Tribal Cultural Resources Interpretive Program**. Therefore, the proposed project would not result in a significant impact through the elimination of important examples of major periods of California history or prehistory.

In summary, both short-term and long-term project-level and cumulative environmental effects, associated with the proposed project would be less than significant or less than significant with mitigation, as discussed under each environmental topic. Accordingly, the project’s environmental effects would not cause substantial adverse effects on human beings, either directly or indirectly.

F. MITIGATION MEASURES AND IMPROVEMENT MEASURES

Mitigation Measures

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

Mitigation Measure M-CR-1: Archeological Testing

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

Consultation with Descendant Communities: On discovery of an archeological site¹²⁶ associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative¹²⁷ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

¹²⁶ By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

¹²⁷ An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

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

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

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

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

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

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

- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving or deep foundation activities (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving or deep foundation activities may affect an archeological resource, the pile driving or deep foundation activities shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

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

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

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.

- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

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

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

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

or the high interpretive value of the resource, the ERO may require an interpretation program or a different final report content, format, and distribution than that presented above.

Mitigation Measure M-CR-2: Tribal Cultural Resources Interpretive Program

If the Environmental Review Officer (ERO) determines that a significant archeological resource is present, and if in consultation with the affiliated Native American tribal representatives, the ERO determines that the resource constitutes a tribal cultural resource (TCR) and that the resource could be adversely affected by the proposed project, the proposed project shall be redesigned so as to avoid any adverse effect on the significant tribal cultural resource, if feasible.

If the Environmental Review Officer (ERO) determines that preservation-in-place of the TCR is both feasible and effective, then the archeological consultant shall prepare an archeological resource preservation plan (ARPP). Implementation of the approved ARPP by the archeological consultant shall be required when feasible.

If the ERO, in consultation with the affiliated Native American tribal representatives and the project sponsor, determines that preservation-in-place of the tribal cultural resources is not a sufficient or feasible option, the project sponsor shall implement an interpretive program of the TCR in consultation with affiliated tribal representatives. An interpretive plan produced in consultation with the ERO and affiliated tribal representatives, at a minimum, and approved by the ERO would be required to guide the interpretive program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, artifacts displays and interpretation, and educational panels or other informational displays.

Improvement Measures

The following improvement measures would further reduce the less-than-significant environmental impacts resulting from the proposed project.

Improvement Measure I-TR-1: Queue Abatement

Prior to a recurring queue occurring (e.g., if queues are observed for a consecutive period of two minutes or longer), the owner/operator of the parking facility shall employ abatement methods as needed to abate a reoccurring queue. Appropriate abatement methods shall be tailored to the characteristics and causes of a reoccurring queue on Cayuga Avenue, as well as the characteristics of the project driveway and garage.

Suggested abatement methods may include but are not limited to the following: redesign of the garage, rear yard, and/or driveway to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; additional Transportation Demand Management (TDM) strategies such as additional bicycle parking, or parking demand management strategies.

If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Planning Department shall notify the property owner in writing. Upon request, the owner/operator shall hire a qualified transportation consultant to evaluate the conditions at the site for no less than 7 days. The consultant shall prepare a monitoring report to be submitted to the Planning Department for review. If the Planning Department determines that a recurring queue does exist, the facility owner/operator shall have 90 days from the date of the written determination to abate the queue.

Improvement Measure I-TR-2: Install Audible or Visual Warning Device for People Walking

The project sponsor will install a visual or audible warning device at the driveway entrance/exit to automatically alert people walking along Cayuga Avenue when a vehicle is exiting the facility.

Improvement Measure I-TR-3: Coordinated Construction Traffic Management Plan

The project sponsor will participate in the preparation and implementation of a coordinated construction traffic management plan that includes measures to reduce hazards between construction-related traffic and pedestrians, bicyclists, and transit vehicles. The coordinated construction traffic management plan will be prepared in coordination with other public and private projects within a one block radius that may have overlapping construction schedules and shall be subject to review and approval by the TASC. The plan will include, but not necessarily be limited to the following measures:

- **Restricted Construction Truck Access Hours:** Limit truck movements and deliveries requiring lane closures to occur between 9 a.m. to 4 p.m., outside of peak morning and evening weekday commute hours.
- **Alternative Transportation for Construction Workers:** Provide incentives to construction workers to carpool, use transit, bike, and walk to the project site as alternatives to driving alone to and from the project site. Such incentives may include, but not be limited to, providing secure bicycle parking spaces, participating in free-to-employee and employer ride matching program from www.511.org, participating in emergency ride home program through the City of San Francisco (www.sferh.org), and providing transit information to construction workers.

- **Construction Worker Parking Plan:** The location of construction worker parking shall be identified as well as the person(s) responsible for monitoring the implementation of the proposed parking plan. The use of on-street parking to accommodate construction worker parking shall be discouraged. The project sponsor could provide on-site parking once the below grade parking garage is usable.
 - **Project Construction Updates for Adjacent Businesses and Residents:** Provide regularly updated information regarding project construction, including a construction contact person, construction activities, duration, peak construction activities (e.g., concrete pours), travel lane closures, and lane closures (bicycle and parking) to nearby residences and adjacent businesses through a website, social media, or other effective methods acceptable to the ERO.
-

G. PUBLIC NOTICE AND COMMENT

On January 19, 2018, the Planning Department mailed a Notification of Project Receiving Environmental Review to owners of properties within 300 feet of the project site, adjacent occupants, and neighborhood groups. Eleven comments were received in response to the notification: The following concerns were expressed by members of the public:

- Increase in traffic from on-site parking and limited vehicular access
- Proximity to schools and pedestrian safety
- Transit rich neighborhood that should reduce parking
- Vehicular traffic safety concerns due to visibility and speeds
- Availability of parking
- Flooding from the high water-table and effects on neighborhood properties
- Population density
- Shadow effects on adjacent neighbors
- Construction and operational noise
- Effects on public utilities
- Compatibility of building with the neighborhood

These concerns were incorporated into the environmental review of the proposed project and addressed in sections E.2 Population and Housing, E. 4 Transportation and Circulation, E.5, Noise, E. 8 Wind and Shadow, E. 10 Utilities/ Service Systems, E. 11 Public Services, E 13. Hydrology and Water Quality, E. 14 Hazards and Hazardous Materials.


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.

1/23/19

DATE



for Lisa M. Gibson
Environmental Review Officer
for
John Rahaim
Director of Planning

I. INITIAL STUDY PREPARERS

Report Authors

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

Environmental Review Officer:	Lisa M. Gibson
Principal Environmental Planner:	Chris Kern
Senior Environmental Planner:	Julie Moore
Transportation Supervisor	Manoj Madhavan
Senior Transportation Planner:	Lana Wong
Preservation Planner:	Jorgen Cleemann
Archeologist:	Allison Vanderslice
Current Planner:	Veronica Flores

Environmental Consultants

ICF

620 Folsom Street, Suite 200
San Francisco, CA 94107

Senior Architectural Historian: Edward Yarbrough

Kittelson & Associates, Inc

155 Grand Avenue, Suite 900
Oakland, CA 94612

Project Analysts: Mike Alston, Alex Garbier
Project Manager: Erin Ferguson, PE
Project Principal: Tim Erney, AICP, PTP, CTP

Project Sponsor

SIA Consulting

1256 Howard Street
San Francisco, CA 94103

Project Sponsor Representative: Reza Khoshnevisan, SIA Consulting

J. FIGURES

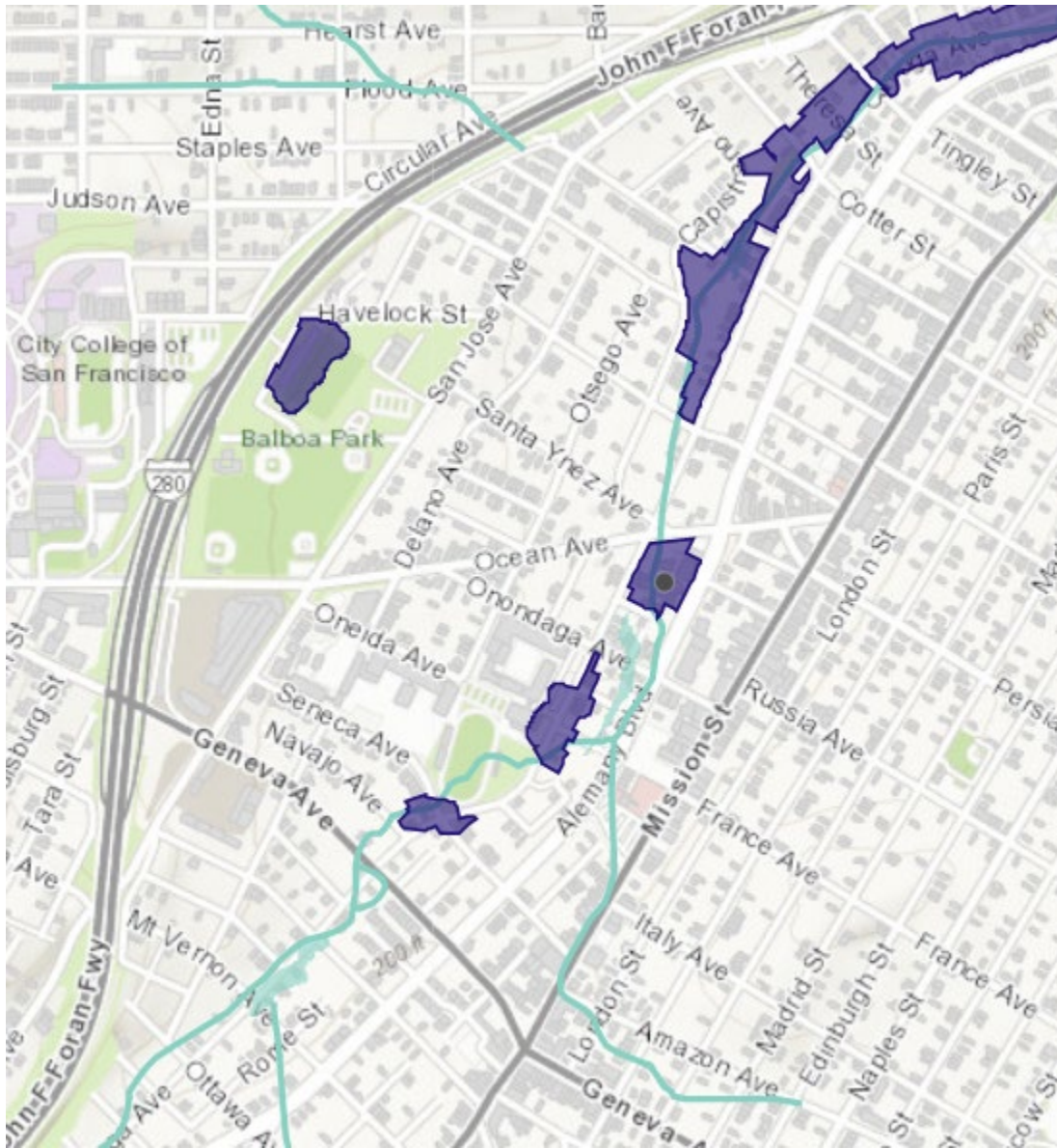
- Figure 1. Project Location
- Figure 2. 100-Year Flood Hazard Map
- Figure 3. Map of Cumulative Development Projects
- Figure 4. Sheet A-1.0: Proposed Site Plan
- Figure 5. Sheet A-2.1: Proposed Basement-2 Plan
- Figure 6. Sheet A-2.2: Proposed Basement-1 Plan
- Figure 7. Sheet A-2.3: Proposed First Floor Plan
- Figure 8. Sheet A-2.4: Proposed Second Floor Plan
- Figure 9. Sheet A-2.5: Proposed Third Floor Plan
- Figure 10. Sheet A-2.6: Proposed Fourth Floor Plan
- Figure 11. Sheet A-2.7: Proposed Fifth Floor Plan
- Figure 12. Sheet A-2.8: Proposed Roof Plan
- Figure 13. Sheet A-3.1: Proposed Alemany and Cayuga Elevations
- Figure 14. Sheet A-4.1: Building Section

Figure 1: Project Location



Source: San Francisco Planning Department, August 2018.

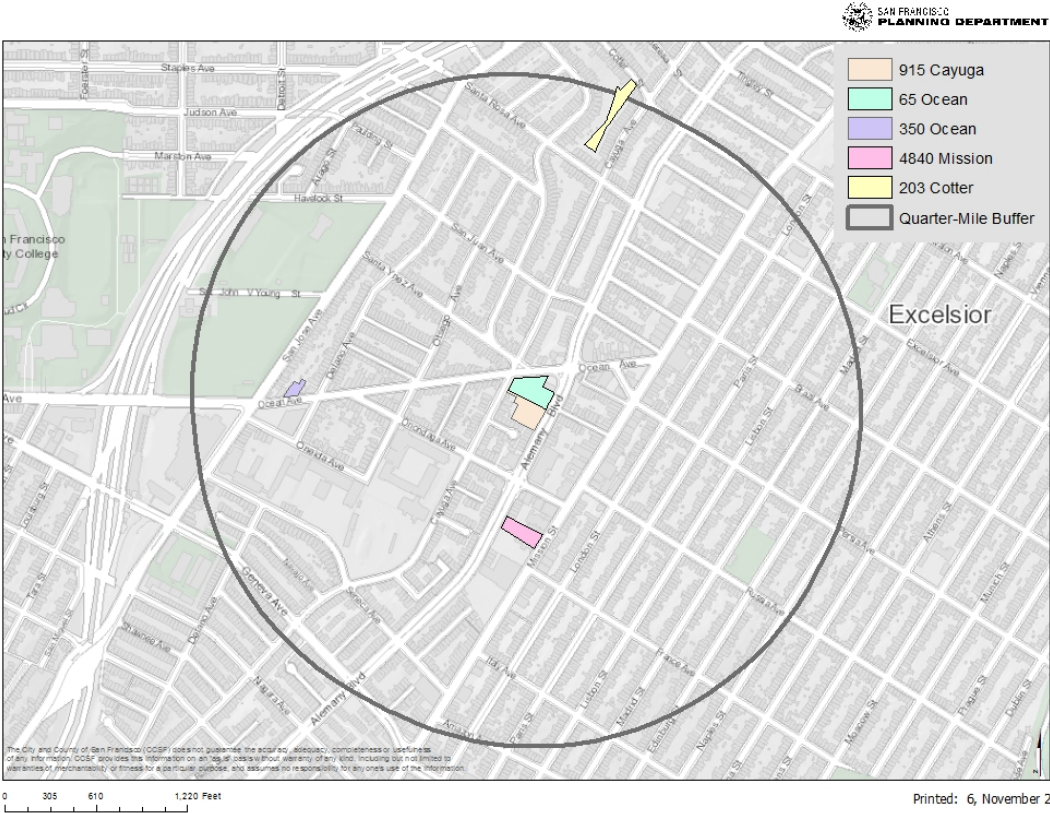
Figure 2. 100-Year Flood Hazard Map for Project Vicinity



Source: San Francisco Public Utilities Commission

Available at: <https://www.sfwater.org/index.aspx?page=1229>

Figure 3. Cumulative Projects within One-Quarter Mile Radius



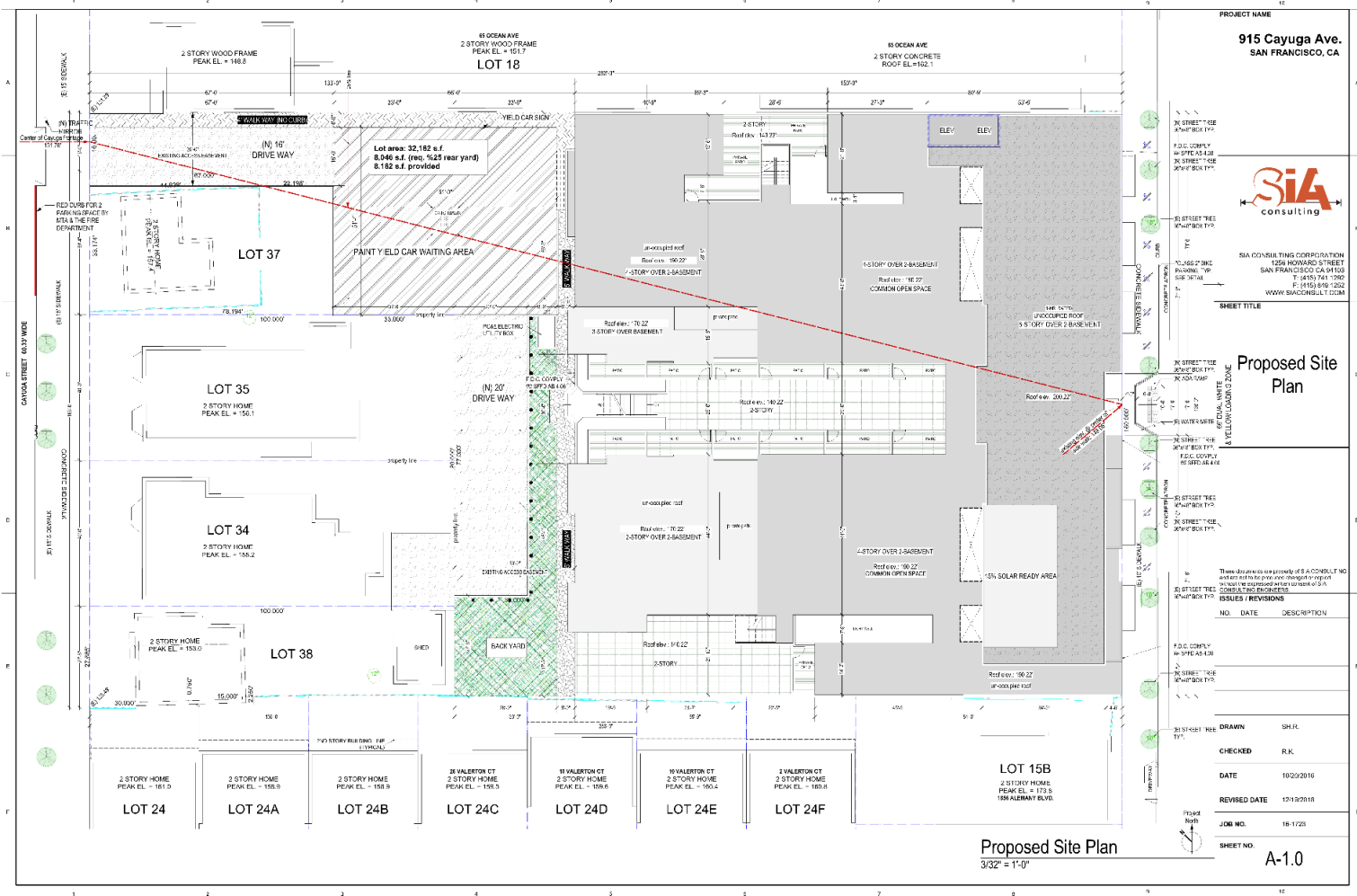


Figure 4: Sheet A-1.0: Proposed Site Plan

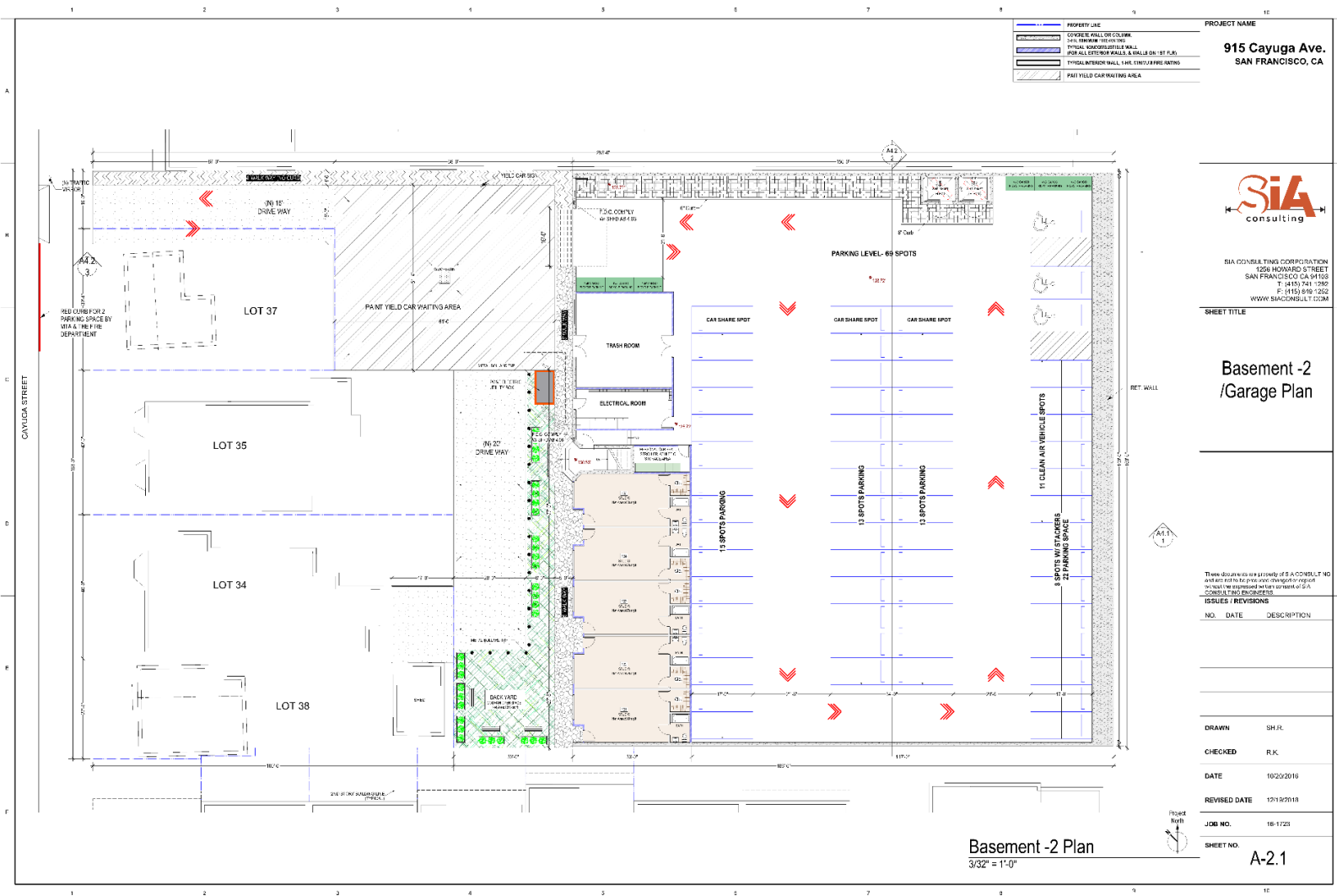


Figure 5. Sheet A-2.1: Proposed Basement-2 Plan

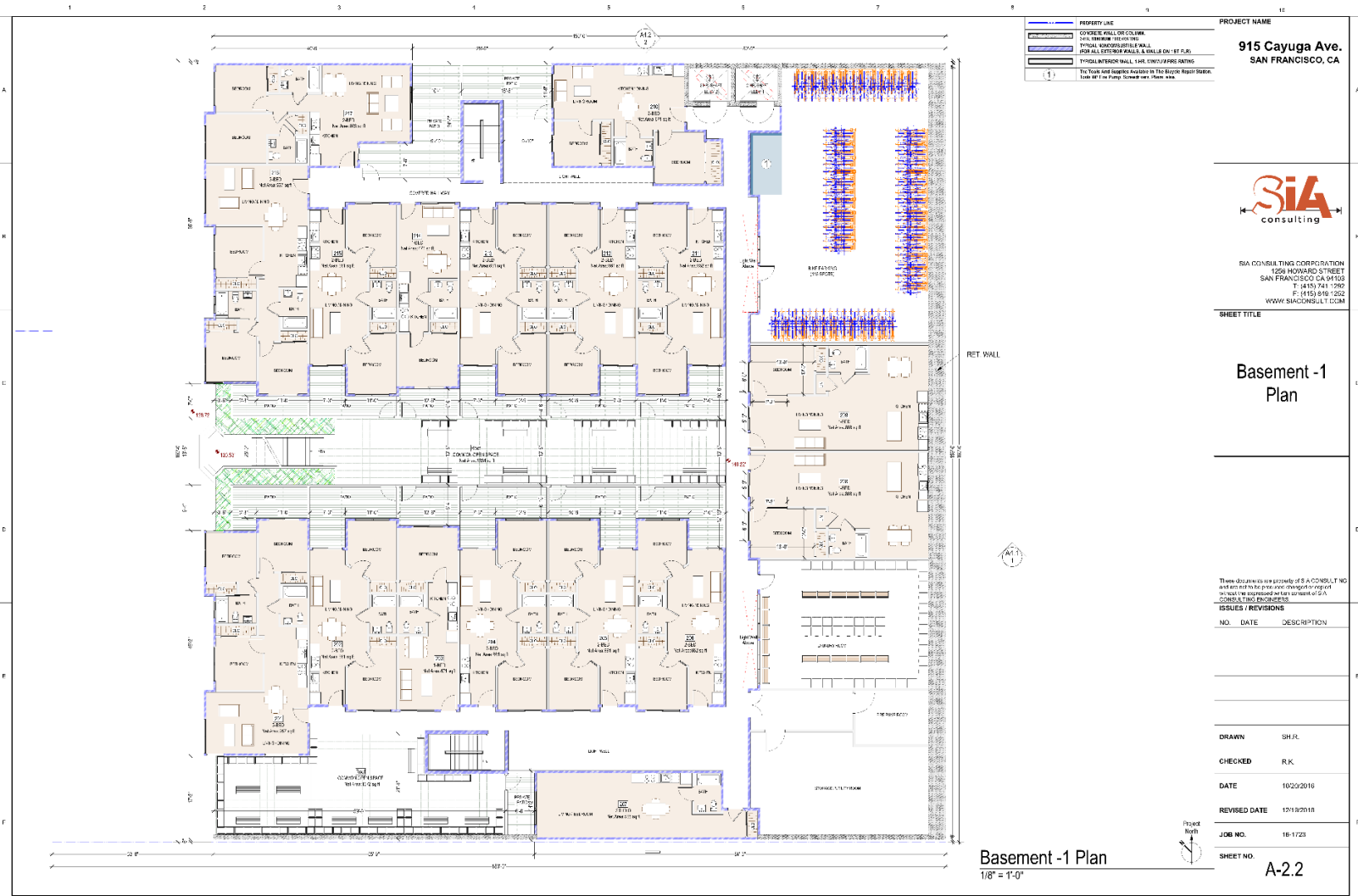


Figure 6. Sheet A-2.2: Proposed Basement-1 Plan

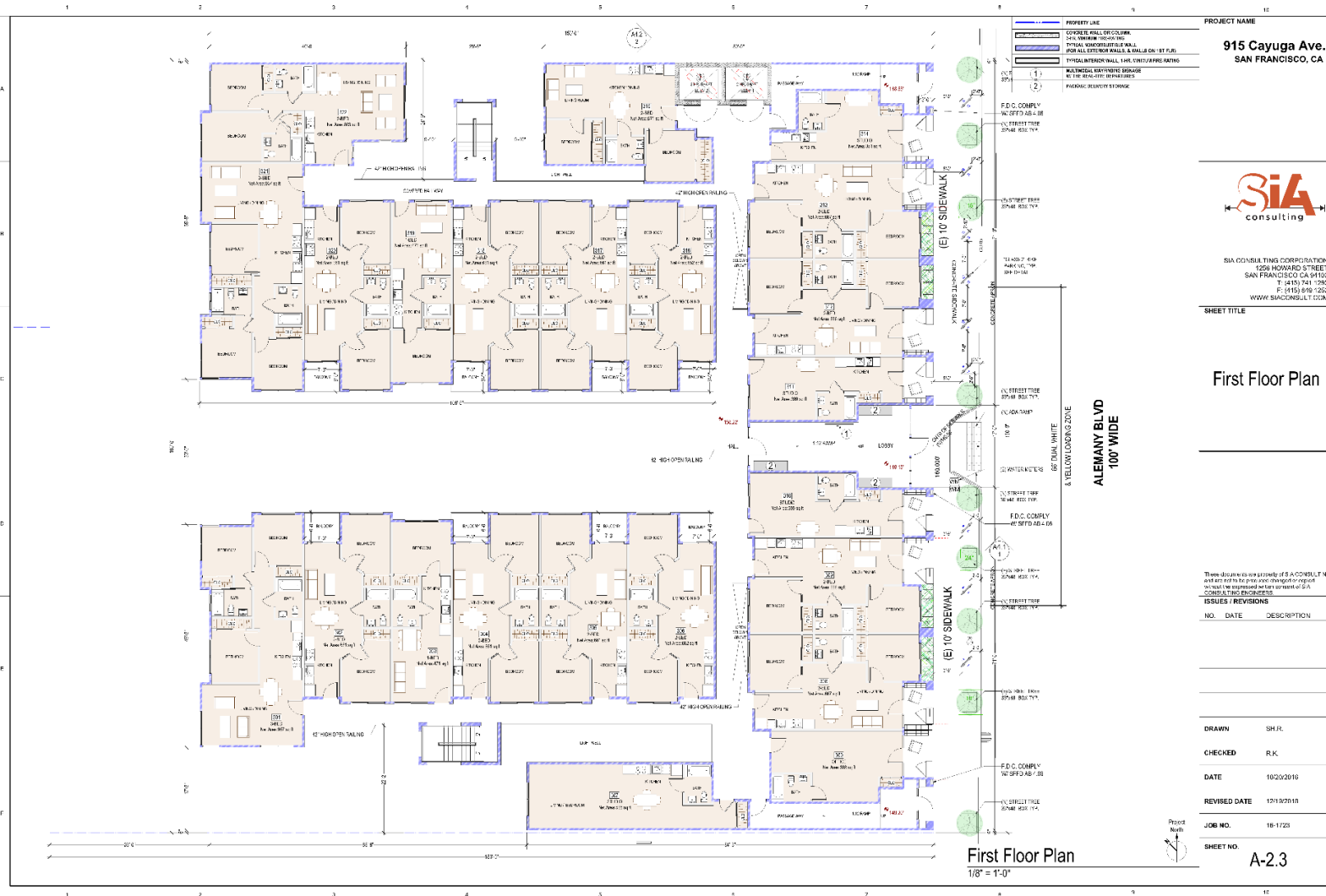


Figure 7. Sheet A-2-3: Proposed First Floor Plan

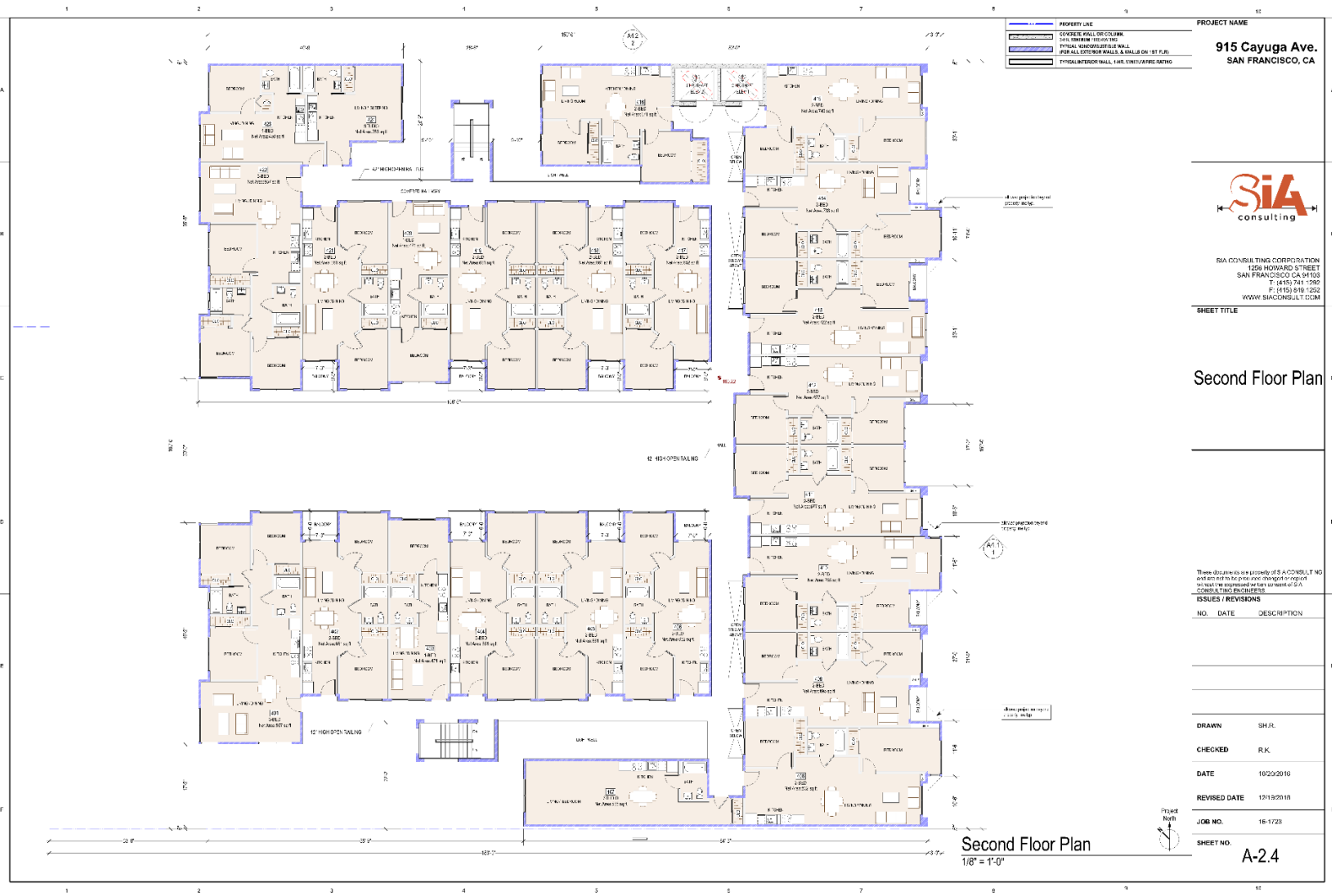


Figure 8. Sheet A-2.4: Proposed Second Floor Plan

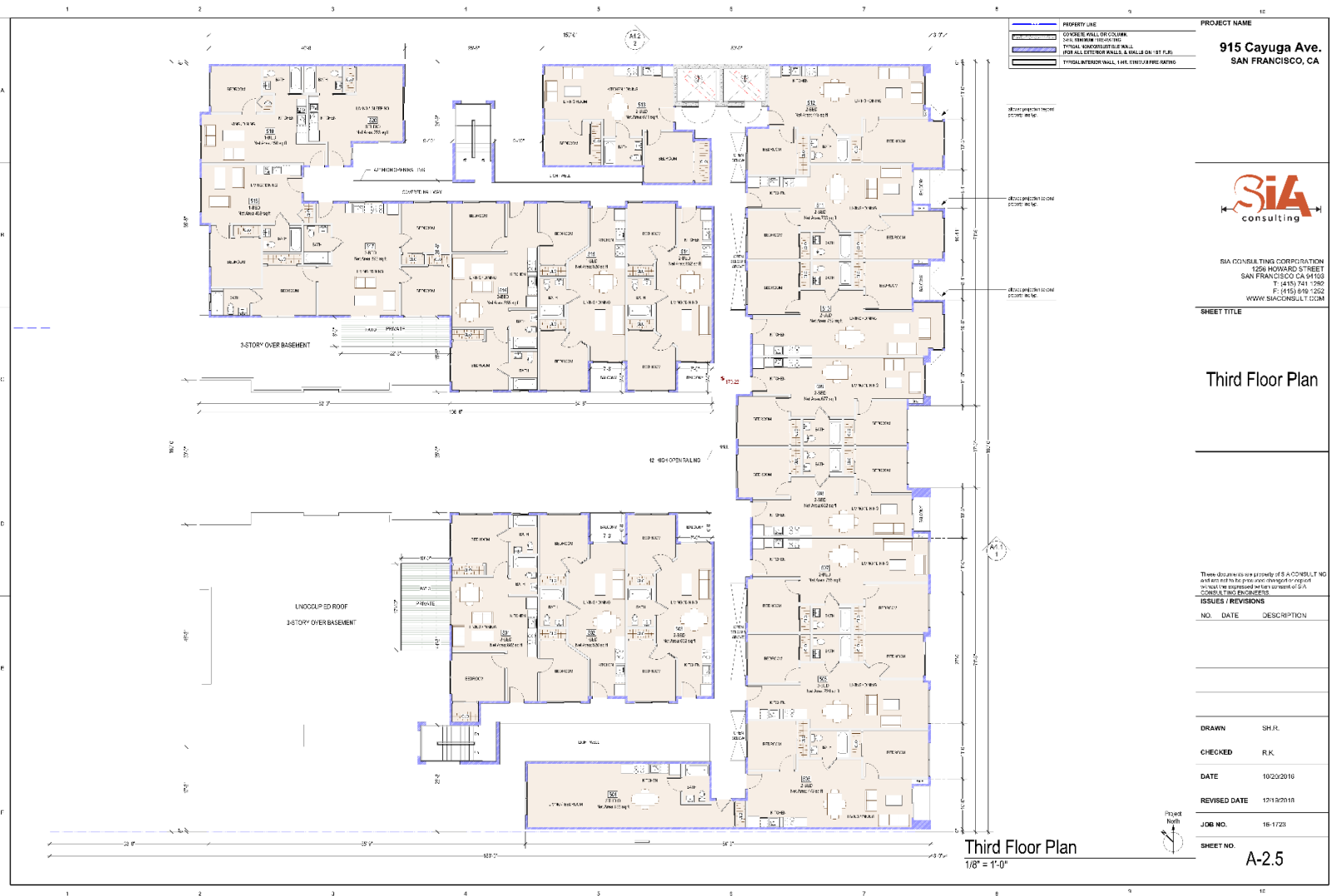


Figure 9. Sheet A-2.5: Proposed Third Floor Plan

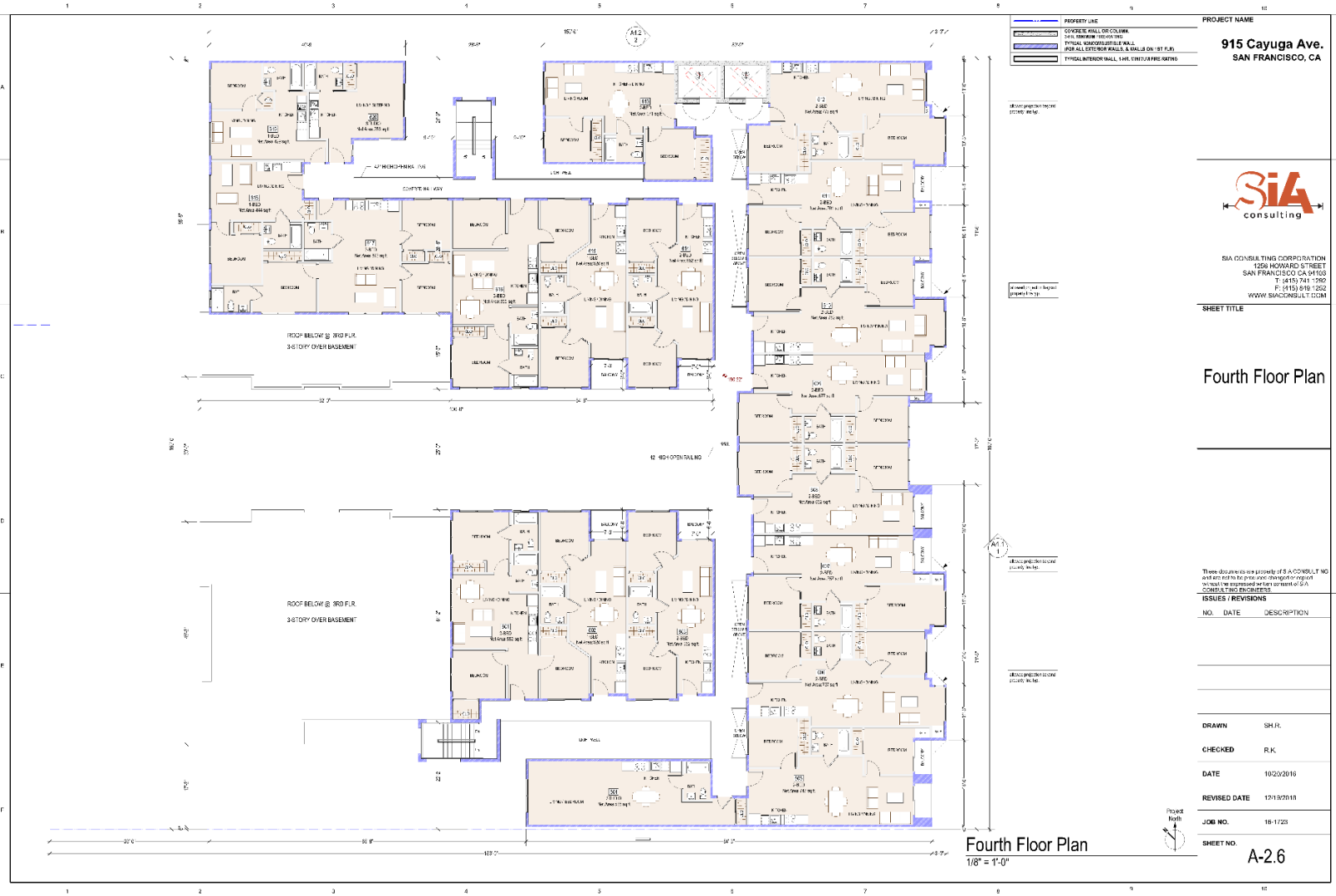


Figure 10. Sheet A-2.6: Proposed Fourth Floor Plan

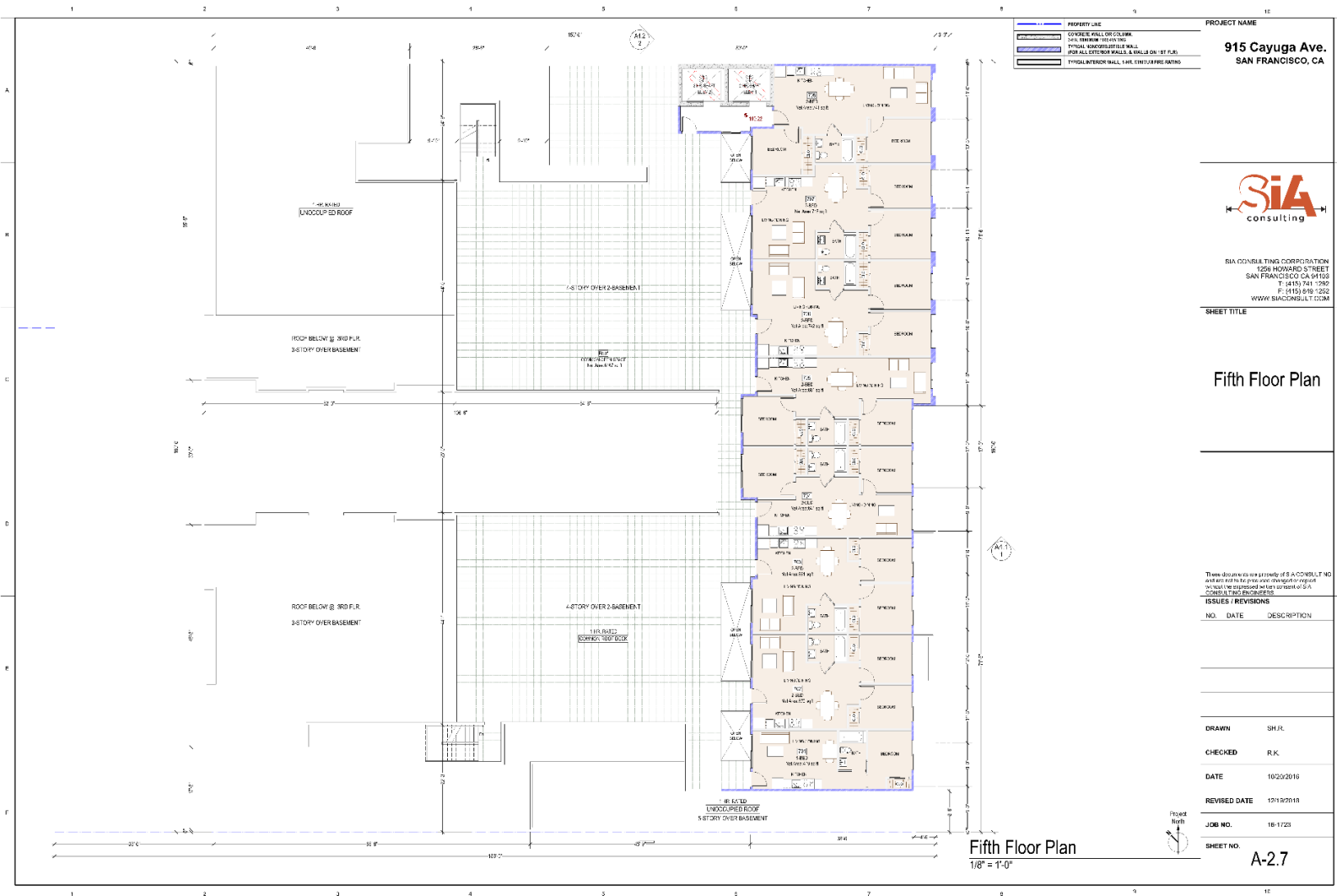


Figure 11. Sheet A-2.6: Proposed Fifth Floor Plan

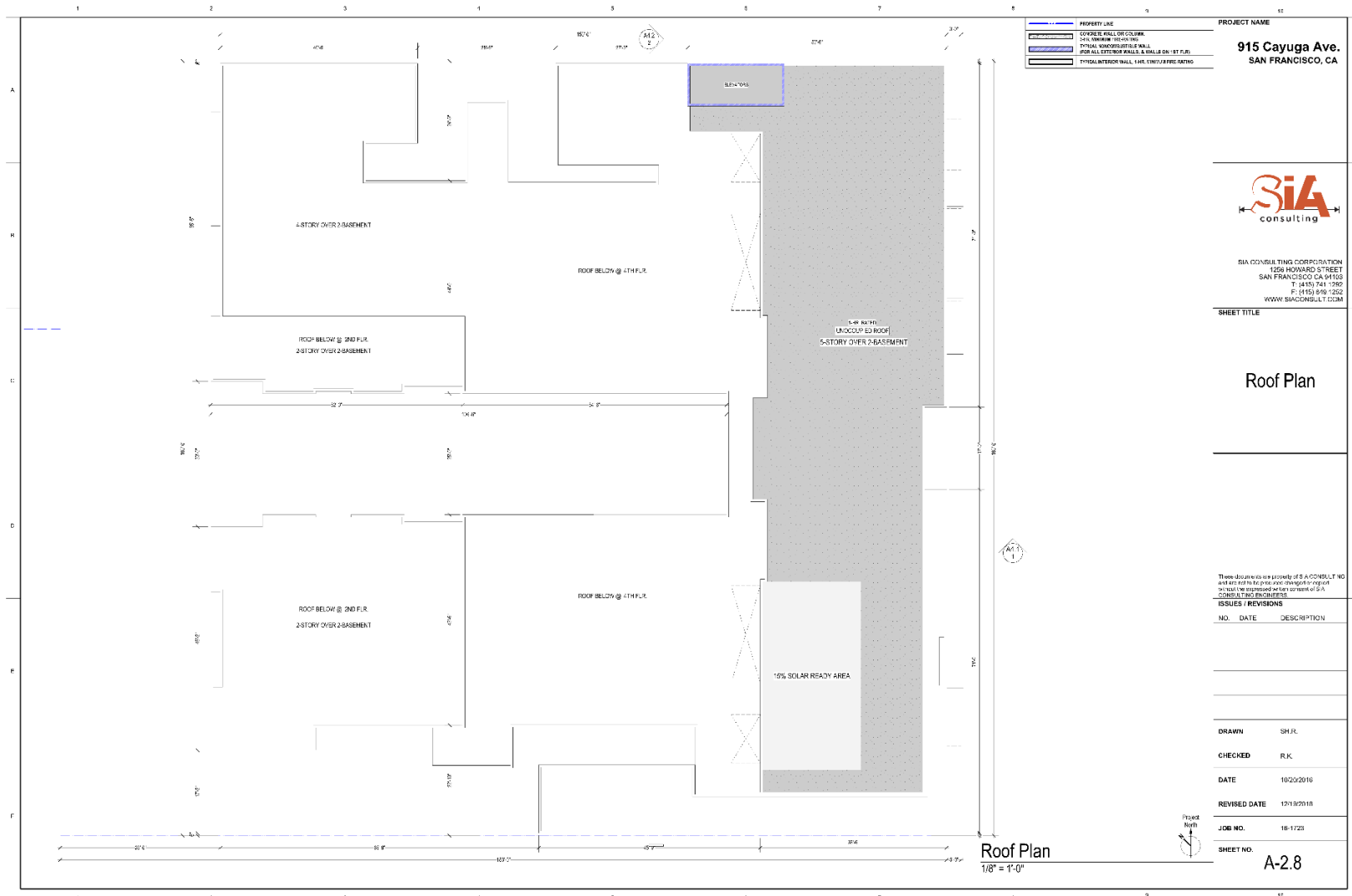


Figure 12. Sheet A-2.8: Proposed Roof Plan



Figure 14. Sheet A-4.1: Building Section

After considering all proposals and evidence presented during the hearings, the assigned Judge will issue a proposed decision which may adopt PG&E's proposal, modify it or deny it. Any of the five CPUC Commissioners may sponsor an alternate decision. The proposed decision, and any alternate decisions, will be discussed and voted upon at a scheduled CPUC Voting Meeting.

The California Public Advocates Office (CalPA) may review this application. CalPA is the independent consumer advocate within the CPUC with a legislative mandate to represent investor-owned utility customers to obtain the lowest possible rate for service consistent with reliable and safe service levels. CalPA has a multidisciplinary staff with expertise in economics, finance, accounting and engineering. For more information about CalPA, please call **1-415-703-1584**, email **PublicAdvocatesOffice@cpuc.ca.gov** or visit CalPA's website at **www.publicadvocates.cpuc.ca.gov**.

Stay informed

If you would like to follow this proceeding, or any other issue before the CPUC, you may use the CPUC's free subscription service. Sign up at **<http://subscribecpuc.cpuc.ca.gov/>**. If you would like to learn how you can participate in the proceeding, have informal comments about the application or have questions about the CPUC processes, you may access the CPUC's Public Advisor Office (PAO) webpage at **<http://consumers.cpuc.ca.gov/pao/>**.

You may also contact the PAO as follows:

Email: public.advisor@cpuc.ca.gov

Mail: CPUC

Public Advisor's Office

505 Van Ness Avenue

San Francisco, CA 94102

Call: 1-866-849-8390 (toll-free) or **1-415-703-2074**

TTY: 1-866-836-7825 (toll-free) or **1-415-703-5282**

If you are contacting the CPUC, please include the application number (Customer Data Access Application; A.18-11-015). All comments will be circulated to the Commissioners, the assigned Judge and appropriate CPUC staff and will become public record.

Commissioners
Eric Sklar, President
 Saint Helena
Vacant, Vice President
Jacque Hostler-Carmesin, Member
 McKinleyville
Russell E. Burns, Member
 Napa
Peter S. Silva, Member
 Jamul

STATE OF CALIFORNIA
 Gavin Newsom, Governor

Fish and Game Commission



Wildlife Heritage and Conservation
 Since 1870

Melissa Miller-Henson
 Acting Executive Director
 P.O. Box 944209
 Sacramento, CA 94244-2090
 (916) 653-4899
 fgc@fgc.ca.gov
 www.fgc.ca.gov

RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO
 2019 JAN 28 PM 4:20

January 24, 2019

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a notice of availability of documents added to the rulemaking file to amend Section 27.65, Title 14, CCR, Re: Filleting of California Sheephead on vessels. The following documents are being added to the rulemaking file:

- Beasley, J. C., Olson, Z. H., and Devault, T. L. (2012). Carrion cycling in food webs: comparisons among terrestrial and marine ecosystems. *Oikos*, 121(7), 1021–1026.
- Burkepile, D. E., Parker, J. D., Woodson, C. B., Mills, H. J., Kubanek, J., Sobczyk, P. A., and Hay, M. E. (2006). Chemically Mediated Competition between Microbes and Animals: Microbes as Consumers in Food Webs. *Ecology*, 87(11), 2821–2831.
- Garthe, S., Camphuysen, C. J., and Furness, R. W. (1996). Amounts of discards by commercial fisheries and their significance as food for seabirds in the North Sea. *Marine Ecology Progress Series*, 136, 1–11.
- Holmlund, C. M., and Hammer, M. (1999). Ecosystem services generated by fish populations. *Ecological Economics*, 29, 253–268.
- Montevecchi, W. A. (2002). Interactions between Fisheries and Seabirds. In Schreiber, E. A. and Burger, J. (eds.) *Biology of Marine Birds* (pp. 528-547). CRC Press.
- Stenhouse, I. J., and Montevecchi, W. A. (1999). Indirect effects of the availability of capelin and fishery discards: gull predation on breeding storm-petrels. *Marine Ecology Progress Series* 184, 303–307.

These documents are available for public inspection between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except holidays, at 1416 Ninth Street, Suite 1320, Sacramento, California.

These documents are also available for public inspection between the hours of 8:00 a.m. and 11:30 a.m. and between 12:30 p.m. and 4:30 p.m., Monday through Friday, except holidays at 4665 Lampson Avenue, Suite C, Los Alamitos, California.

Please refer to the original notice for additional information.

Written comments must be received in the Commission office by 12:00 noon on January 31, 2019. Interested persons may attend the February 6, 2019 hearing in Sacramento and offer testimony.

Sincerely,

Sherrie Fonbuena
 Associate Governmental Program Analyst

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors; Young, Victor \(BOS\)](#)
Subject: FW: Support for Housing Conservatorships-File Number 181042
Date: Friday, January 25, 2019 5:07:00 PM
Attachments: [Support for Conservatorship BOS - 01-23-19.pdf](#)

From: Cassandra Costello <cassandra@sftravel.com>

Sent: Friday, January 25, 2019 3:43 PM

To: Brown, Vallie (BOS) <vallie.brown@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>

Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Cancino, Juan Carlos (BOS) <juancarlos.cancino@sfgov.org>; Remski, Derek (BOS) <derek.remski@sfgov.org>; Simley, Shakirah (BOS) <shakirah.simley@sfgov.org>; Yu, Angelina (BOS) <angelina.yu@sfgov.org>; Fregosi, Ian (BOS) <ian.fregosi@sfgov.org>; Boilard, Chelsea (BOS) <chelsea.boilard@sfgov.org>; RivamonteMesa, Abigail (BOS) <abigail.rivamontemesa@sfgov.org>; Mcdonald, Courtney (BOS) <courtney.mcdonald@sfgov.org>; Mahogany, Honey (BOS) <honey.mahogany@sfgov.org>; Smeallie, Kyle (BOS) <kyle.smeallie@sfgov.org>; Temprano, Tom (BOS) <tom.temprano@sfgov.org>; Mundy, Erin (BOS) <erin.mundy@sfgov.org>; Quan, Daisy (BOS) <daisy.quan@sfgov.org>; Wong, Alan (BOS) <alan.wong1@sfgov.org>; Wright, Edward (BOS) <edward.w.wright@sfgov.org>; Angulo, Sunny (BOS) <sunny.angulo@sfgov.org>; Hepner, Lee (BOS) <lee.hepner@sfgov.org>; Yan, Calvin (BOS) <calvin.yan@sfgov.org>; Goossen, Carolyn (BOS) <carolyn.goossen@sfgov.org>; Morales, Carolina (BOS) <carolina.morales@sfgov.org>; Beinart, Amy (BOS) <amy.beinart@sfgov.org>; Meyer, Catherine (BOS) <cathy.mulkeymeyer@sfgov.org>; Sandoval, Suhagey (BOS) <suhagey.sandoval@sfgov.org>; Ho, Tim (BOS) <tim.h.ho@sfgov.org>; Gallagher, Jack (BOS) <jack.gallagher@sfgov.org>; Miller Hall, Ellie (BOS) <ellie.millerhall@sfgov.org>; Donnelly-Landolt, Wyatt (BOS) <wyatt.donnelly-landolt@sfgov.org>; Burch, Percy (BOS) <percy.burch@sfgov.org>; Gallardo, Tracy (BOS) <tracy.gallardo@sfgov.org>; Gee, Natalie (BOS) <natalie.gee@sfgov.org>

Subject: Support for Housing Conservatorships-File Number 181042

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good Afternoon Supervisors,

Please see attached letter from a number of partner organizations regarding support for Housing Conservatorships, file number 181042.

Thank you,
Cassandra



January 23, 2019

San Francisco Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Honorable Members of the Board of Supervisors:

We represent a broad range of the business community including tourism, hospitality, and healthcare in San Francisco who all want San Francisco to be the best city it can be. We are concerned about the situation on our streets and are looking to support individuals to receive the care that they need. We are writing to support SB 1045 and the local implementation ordinance sponsored by Mayor Breed and Supervisor Mandelman, co-sponsored by Supervisors Brown and Stefani (File Number 181042 - Housing Conservatorships). Implementation of SB 1045 will expand San Francisco's existing conservatorship program to serve individuals suffering from serious mental illness and substance use disorder, whose needs have been unmet by voluntary services including Assisted Outpatient Treatment (AOT) and other support services.

The public health and humanitarian crisis playing out on our streets impacts all of us. Without adequate tools to intervene, people battling untreated mental illness and drug addiction will continue to deteriorate on sidewalks, in parks, and across our public spaces. The status quo is unacceptable to those who are left outside to suffer. Housing Conservatorships present a unique opportunity to bring stability to the lives of those who are unable to make decisions for themselves, keeping those who are conserved out of jail, off the streets, and focused on their path to health and well-being.

We believe firmly in the dignity and civil liberties of those who are struggling. But there is no dignity nor freedom in being left to die on the street. SB 1045 has strong due process protections in place to safeguard the rights of potential conservatees, including the right to a public defender, the right to a jury trial, and the right to contest or petition to terminate a conservatorship at any point in the process. These are important protections that will ensure Housing Conservatorships are effective, appropriate, and necessary.

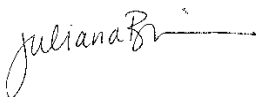
We understand that Housing Conservatorships aren't a complete solution, and will only serve a small number of people. We look forward to working with you to identify additional solutions to address the crisis on our streets. But San Francisco can't afford to pass up any tool to deliver services and care to the most vulnerable, who frequently cycle between the emergency room, psychiatric facilities, jail, and the street.

We live here, work here, and represent businesses that collectively employ tens of thousands of people who also live in this city. We believe that Housing Conservatorships will make a lasting, positive long-term impact in the lives of our neighbors most in need. We strongly urge you to support this ordinance. On behalf of those signed below, we thank you for considering this important step forward in addressing the crisis on our streets.

Sincerely,



Joe D'Alessandro | President and CEO, San Francisco Travel Association



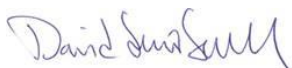
Juliana Bunim | Interim Executive Director, San Francisco Chamber of Commerce



Kevin Carroll | President and CEO, Hotel Council of San Francisco



Gwyneth Borden | Executive Director, Golden Gate Restaurant Association



David Serrano Sewell | Regional Vice President, Hospital Council of Northern and Central California



Chris Wright | Executive Director, Committee on Jobs



Karin Flood | Executive Director, Union Square Business Improvement District



Tracy Everwine | Executive Director, Mid Market Community Benefit District



Cathy Maupin | Executive Director, Yerba Buena Community Benefit District



Ike Kwon | Chief Operating Officer and Head of Government Affairs, California Academy of Sciences

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#)
Subject: FW: PCN Hearing 1/23/19 - Tank18 Follow Up
Date: Friday, January 25, 2019 2:08:00 PM
Attachments: [image001.png](#)
[image002.png](#)

From: Carroll, John (BOS)
Sent: Friday, January 25, 2019 2:05 PM
To: Patrick MacCartee <patrick@tank18.com>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Cc: CherylN Chin <cchin@tank18.com>; Mahogany, Honey (BOS) <honey.mahogany@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Angulo, Sunny (BOS) <sunny.angulo@sfgov.org>; Hepner, Lee (BOS) <lee.hepner@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Beinart, Amy (BOS) <amy.beinart@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Morales, Carolina (BOS) <carolina.morales@sfgov.org>
Subject: RE: PCN Hearing 1/23/19 - Tank18 Follow Up

Thanks for your letter, Mr. MacCartee.

We will forward your message to the entire Board of Supervisors for their information before the Board meeting on Tuesday, and I will retain your communication for the Board file.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 181032](#)

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation and archived matters since August 1998.

***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy. SPQSF*

From: Patrick MacCartee [<mailto:patrick@tank18.com>]

Sent: Friday, January 25, 2019 1:50 PM

To: Mahogany, Honey (BOS) <honey.mahogany@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Angulo, Sunny (BOS) <sunny.angulo@sfgov.org>; Hepner, Lee (BOS) <lee.hepner@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Beinart, Amy (BOS) <amy.beinart@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Morales, Carolina (BOS) <carolina.morales@sfgov.org>

Cc: Cheryl Chin <cchin@tank18.com>; Carroll, John (BOS) <john.carroll@sfgov.org>

Subject: PCN Hearing 1/23/19 - Tank18 Follow Up

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors and other members,

My name is Patrick MacCartee and I am a founder and CEO of Tank18. I wanted to reach out to you and apologize for my absence for the PCN hearing on 1/23/19. I spent all of Tuesday night and most of the early morning Wednesday with my dying dog Hazel. In my sleep-depraved state, I slept through the first half of the meeting. In my absence I learned that a concerned member of the community brought conflicting information to your attention that I wanted to address about retail sales at our location.

Background

When we opened Tank18 6 years ago, it was under a winery license, CA 02, which allowed sale of wine for on-premise consumption and off-premise consumption. In 2017 we had to renew our lease at 2x what we were originally paying. This meant we had to broaden our offering and adapt the business. When we moved to a type 75 license, we lost the privilege for sale of off-premise consumption, thus we have requested a type 20 so that we can again sell retail wine. As of January 2018, when we started operation under type 75 license, there have been no retail sales for off site consumptions at Tank18. Retail wine sales made up a good amount of business in the past >\$250k, this is why we are requesting the type 20, we don't think our business can survive at the market rate rents we are paying trying to keep pace with tech in encroaching in around us.

The web page grab (included below) the community member shared with you is basic information for one of our wine and food parties that we throw when we bring in a new wine release. 80% of a wineries carbon footprint is in the glass, thus we promote people bringing in and reuse their own wine bottles for this event. They fill their bottles for \$9 and drink wine, they have lunch, and it's a fun party for all ages. We do this for about 6 wine releases a year with different themes. This month was Spanish themed and

everyone had paella and other tapas with their Spanish style wine. All wine is consumed on premise, nothing leaves the building.

The screen grab shared with the PCN committee never made any mention of taking wine home or the fact that it was retail wine. I am not sure why this community member made that leap, but ultimately it was my fault for not being there to explain further. Is there any information I can provide you with to further help with your decision?

Sincerely,

Patrick MacCartee
Co Founder and CEO - Tank18



BYOB TURNS 6 - JANUARY 19, 2019

11A - 5P (BOTTLING LINE STOPS AT 4P)

--

Patrick MacCartee
Tank18 Winery
1345 Howard St
San Francisco, CA
415-637-0257
patrick@tank18.com

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: 72 hour tow rule
Date: Thursday, January 24, 2019 10:17:00 AM

From: Regina Jenkins <reginamariajenkins@gmail.com>
Sent: Monday, January 07, 2019 6:54 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; gordon.mar@sfgov.org; Breed, London (MYR) <london.breed@sfgov.org>
Subject: 72 hour tow rule

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

I am a third generation San Francisco. I have two children in public school. My husband and I both work for the labor movement and love our city.

We live in Parkside (32nd and Ulloa). We got home from a family vacation last night and looked when we drove in to see that our other car was still okay (we rent, and our cars don't fit in the garage of our house) and there (our minivan was stolen on Thanksgiving morning - and then recovered in the tenderloin at 3pm) - so we are a little tense about our cars being safe.

When I woke up this morning my car was there, and when I went to go drive my son to his afterschool activity at 3pm - my car was gone.

I checked auto return - and it was there.

It said it was towed at 12:11 this same day. By 3pm, I owed over \$500 in fees. This is moments after I had a conversation with my husband about finances.

I called in, because I didn't think I could get there right away without ruining my kids' day and accruing major fees on uber/taxi. They said that if I wasn't there in 40 minutes (across town), that the fees would be increased by \$80.

We live here, in this city, paycheck to paycheck.

This 72 hour law is insane, particularly over the holidays and breaks.

I have less bad feelings about my car getting stolen because at least that person was either mentally ill, sick/addicted, or broke (they only stole our emergency ponchos).

This is a way for neighbors to act horribly to each other and penalize people who don't have garages (check out my post on nextdoor - apparently there are mean neighbors who do this all the time).

Yes, we were on a family trip. But my car has been parked for multiple days while I was sick the week before as well. Or when my family decides to try to use public transportation as much as possible when our schedules allow.

I am hopeful that with this new board of supervisors we can figure out a way to either circumvent this type of penalty on those who don't drive every day (notification by text? neighborhood stickers that show we are all from the same neighborhood? registry with police if you are on vacation? long term parking somewhere for free for residents somewhere), or remove this 72 hour tow rule (particularly during vacation times).

Thank you for listening to my long email. I am so disheartened by this - living in San Francisco is so amazing and so challenging and I am excited about our new board of sups/mayor in the hopes that some changes are on the horizon.

Best,

Regina Jenkins

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: I am writing in support of the application for the Cole Ashbury Group Dispensary at 1685 Haight St
Date: Wednesday, January 23, 2019 3:56:00 PM

From: Bram Goodwin <goodwin.bram@gmail.com>
Sent: Thursday, January 17, 2019 8:49 AM
To: Ajello, Laura (CPC) <laura.ajello@sfgov.org>; CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Rich Hillis <richhillis@gmail.com>
Cc: Johnny Delaplane <johnny@access-sf.org>; Quentin Platt <q@access-sf.org>; Conor Johnston <haightcannabis@gmail.com>; Elliott, Nicole (ADM) <nicole.elliott@sfgov.org>; Brown, Vallie (BOS) <vallie.brown@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: I am writing in support of the application for the Cole Ashbury Group Dispensary at 1685 Haight St

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Laura Ajello & Members of the Planning Commission,

I am writing in support of the application of the Cole Ashbury Group to open a Cannabis Dispensary at 1685 Haight St. that will come before the Planning Board on February 14, 2019.

I am a 40 year resident of San Francisco, living most of that time in the Haight Ashbury neighborhood, where I reside today in Cole Valley, approximately 4 blocks from the proposed Haight Dispensary location.

I am the founder of the San Francisco Social Club, @SFSC415. We hold Cannabis related social events, are active in urging our political leaders to create a fair regulatory environment, encourage members to buy legally in San Francisco & use social media to inform the SF Cannabis Community & wider public. We want regulators to create a system that empowers business development, based on science, facts, while spreading the benefits of legal cannabis to the general community. Finally, expand consumers choice in product, consumption, locations.

We are members of the Brownie Mary Democratic Club, a cannabis oriented political organization, and have met, talked with Johnny, Quentin, Connor of the Cole Ashbury Group and are very impressed with their commitment to bring a safe, first class Dispensary to Haight Ashbury. I have attended community outreach events, observing them patiently explaining their detailed vision for their project, answering every question. We feel they are the right group, at the right time to open the first Dispensary in the Haight.

During the last 20 years, when Medical Cannabis was legal, our neighborhood has been excluded from having a Dispensary. Given our proximity to Golden Gate Park, we have been overrun by Drug Dealers selling their wares to tourists, neighbors, us. Not only does San Francisco not benefit from a tax viewpoint, it puts money in the hands of people, who are not the most positive for Haight Ashbury.

We, in Haight Ashbury, want the same rights, privileges that other San Francisco neighborhoods have. We want our own Dispensary, that we can walk to from our house, buy a legal product. This is especially true for many senior medical users, like myself, who have the state card, where we have to travel far away to get our Cannabis medical products.

Also, we want the jobs that this Dispensary will generate, creating job advancement opportunities for local residents, many of whom will be trained at CCSF.

Haight Ashbury is the spiritual home of Cannabis in San Francisco, maybe the world. It brings in substantial tourist revenue to SF City Government, based on this cultural phenomenon. This product, Cannabis, is intertwined into the cultural fabric of our neighborhood & a legal Dispensary is a natural addition to many related businesses on the street.

Although some have concerns, most businesses I have talked with support the Haight Dispensary. They have seen other Dispensaries open in the City & seen the positives around their locations, including jobs, increased security, cleaning of sidewalks, bringing new people to area that buy other services from adjacent businesses.

I will be at the February 14 Planning Board meeting to testify in person of my support for this project.

Please give us our legal rights. No other legal product is excluded from our neighborhood. It is not fair.

Please vote Yes on the application for the Cole Ashbury Group Dispensary at 1685 Haight St.

Thank you,

bram

Bram Goodwin
photographer
Founder, San Francisco Social Club
goodwin.bram@gmail.com
415.505.3686
[twitter: @bramgoodwin](https://twitter.com/bramgoodwin)
[linkedin: bramfoto](https://www.linkedin.com/in/bramfoto)

Attached: PDF Copy of support letter.

[Haight Cole Group Endorsement Final.pdf](#)

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: Message for Board of Supervisors
Date: Wednesday, January 23, 2019 3:56:00 PM

From: Fateh Sidhu <fatehperform@gmail.com>
Sent: Wednesday, January 16, 2019 1:45 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Cc: MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Message for Board of Supervisors

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mayor,

I have written to you because I am disheartened after learning of the brutal torture that dogs and cats are facing in the illegal dog and cat meat trade of San Francisco's sister city, Seoul. I urge you to please encourage Seoul's Mayor to take initiative to close down all illegal dog and cat farms, slaughterhouses, and restaurants who serve their products in the sister city. The cruel dog and cat meat trade and the torture that ensues it is ignored by this city's leadership and several cases have even been documented and videotaped of dogs being burned alive and brutally beaten to death with metal poles. Seoul must be immediately encouraged to stop blatantly ignoring the horrific dog and cat meat trade in the city and take action to help put an end to the immense suffering that these loyal companion beings are enduring. Please use your leadership to give these voiceless beings a voice by urging San Francisco's sister city, Seoul, to take action to end this cruelty.

Most Respectfully,

MR. Fateh Sidhu

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: the city of SF position on the very good Bay Delta Plan is so wrong for SF and for the environment!
Date: Wednesday, January 23, 2019 2:50:00 PM

From: Janet Carpinelli <jc@jcarpinelli.com>
Sent: Friday, January 18, 2019 9:46 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Brown, Vallie (BOS) <vallie.brown@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Subject: the city of SF position on the very good Bay Delta Plan is so wrong for SF and for the environment!

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

1-18-19

Re: City of San Francisco and SFPUC position on the Bay Delta Plan

Dear Supervisors:

I was shocked and disappointed to read in the SF Chronicle and subsequently hear more through other channels, that the SFPUC and the City of San Francisco are against the Bay Delta Plan which was worked out over a period of time and DOES represent a good and fair plan for people and the rest of the creatures with whom we share this land and water. I am against the City joining this law suit! We need to have a sustainable natural flow of water through the Tuolumne River and the Delta. It is incredibly short-sighted of the City to propose to take so much water out of the river flows to the extent of probably causing the extinction of species of fish and other creatures that have evolved in the rivers and which have been a part of this planet and our ecosystem. We can even use these fish for food if we are so inclined! Don't kill the Golden Goose!

I find it hypocritical of the City of SF and SFPUC to team up with the water-hogging Agribusiness interests of southern California to try to undermine the Bay Delta Plan. I have personally conserved water in my home and garden and wherever and however I can, for decades, to help the environment and the flow of water in the Delta. I am tired of being told the sky is falling by the City and SFPUC, only to have the City continue to allow and encourage more office development in the city while telling all of us citizens we must conserve as much water as possible or we will have no

water to live on, while our water rates increase exponentially even as we save. There is only so much water in any jurisdiction. You cannot continue to allow and encourage more development if the water supply cannot handle it without strangling our very water supply and the natural environment.

The City's position flies in the face of what we stand for. I believe that a healthy environment is essential for a healthy city!

We must learn to live within our existing water supply. San Franciscans have, again and again, agreed to conserve water to help save other species which require water, and support the natural environment—NOT TO SAVE WATER FOR MORE COMMERCIAL DEVELOPMENT AND PRIVATE BUSINESS/MONEY INTERESTS! We do not need to kill off the fish and so add to eventually our own demise for the sake of more and more development in this particular geographic area which obviously cannot sustain such development. We should encourage businesses to share the wealth and grow where there is room and water supply. Over-development is not only taking all of the water, it is causing air pollution through congestion and unsustainable transportation problems. Do not continue in this downward spiral! Don't kill the golden goose!

You are not representing the citizens of San Francisco by joining in with this wrong-headed and destructive law suit against Bay Delta Plan!

I strongly encourage you to think again in a holistic way and to WORK WITH THE BAY DELTA PLAN.

If you have not already viewed this informative video specifically about the Bay Delta Plan and its relationship to the Bay area, please spend a minute to do so now!

https://www.youtube.com/watch?v=pL_INODOxsl&feature=youtu.be

Sincerely,

Janet Carpinelli
constituent,
40+ year and current resident of San Francisco and the Bay Area,
lifelong conservationist,
now a vegan to save even more water and to respect all creatures and leave less of a destructive footprint on this fragile earth

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: NO Tuolumne River lawsuit!
Date: Wednesday, January 23, 2019 3:55:00 PM

From: Marc Norton <nortonsf@ix.netcom.com>
Sent: Thursday, January 17, 2019 5:22 AM
To: commissioners@sfwater.org
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Peter Drekmeier, Tuolumne River Trust <peter@tuolumne.org>
Subject: NO Tuolumne River lawsuit!

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Commissioners,

Why are you wasting taxpayer money suing the state over their more-than-reasonable efforts to preserve the Bay, the Delta and the Tuolumne River?

I understand that you have embraced an 8.5-year "design drought" model in a ridiculous attempt to justify your lawsuit. You are lucky that you are appointed officials, because if you were elected you would be laughed out of office.

Marc Norton
40+ year resident of San Francisco

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: Fix the Muni System!
Date: Wednesday, January 23, 2019 3:53:00 PM

From: Boomer, Roberta <Roberta.Boomer@sfmta.com> **On Behalf Of** MTABoard
Sent: Thursday, January 17, 2019 12:04 PM
To: Fix Muni <fixmuninow2019@gmail.com>; MTABoard <MTABoard@sfmta.com>; Reiskin, Ed (MTA) <Ed.Reiskin@sfmta.com>
Cc: Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: RE: Fix the Muni System!

Dear Fix Muni:

Thank you for taking the time to bring these issues to the attention of the SFMTA Board of Directors. As daily riders of the system, they have experienced similar issues so they share your concern about improving service. At the request of Chairman Heinicke, the Board received a report on subway service at their meeting last Tuesday and have asked for regular reports going forward. SFMTA staff has issued a request for proposals for a new "NextMuni" system. Your feedback is very much appreciated and your email has been provided to Ms. Julie Kirschbaum, acting Director, Transit, who is accountable for the day to day operation of the system.

Thank you and on behalf of the Board, please accept my apology for the recent service and inconvenience. Your "Do Better" message has been heard.

Sincerely,

Roberta Boomer
 Secretary, SFMTA Board of Directors

From: Fix Muni <fixmuninow2019@gmail.com>
Sent: Tuesday, January 15, 2019 8:21 PM
To: MTABoard <MTABoard@sfmta.com>; Reiskin, Ed <Ed.Reiskin@sfmta.com>
Cc: Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Fix the Muni System!

EXT

Hello,

I e-mail this evening increasingly frustrated with the Muni system. I would not be e-mailing if these

were one-time occasions. Instead they are constant and consistent and it's quite obvious that the SFMTA doesn't care about actually making "Transit First" anything more than a statement.

Tonight coming home from Van Ness Station, the signs read Shuttle in 1 minute, N in 2 minutes and 19 minutes, and L in 3 minutes. The next train comes in with all signage saying "Out of Service" despite having a full train. Nobody gets off. Was this actually a shuttle? Who knows? Was it going to Castro, West Portal or where? The next train comes as a N as anticipated and my co-worker forces her way on expecting another one won't come for 18 minutes. Then, low and behold, after she leaves the "18 minute" N is immediately right behind the one she got on and the L switches to be 4 minutes away. How do these things even occur? Going outbound is a pure queue system. You can't tell me that somehow a N train got in front of the L train between Civil Center and Van Ness stations and had a full crowd of people. It is preposterous that in an automated queue system the times reported are typically completely off and always changing. That L comes, completely full and I don't get on a train to take me to West Portal for another ten minutes. And guess what came after the L? ANOTHER N. So now we have three N's coming within minutes of each other and two of them somehow weren't even known to be in the system! Anyway, I get to West Portal and surprisingly (not really) I'm going to have a wait a very long time for my connection.

As I'm plenty frustrated at this point, I took pictures of your not so lovely ETA system. Let's see what happens:

First picture a L arrives stating that the next L's are 1 minute and 22 minutes away. Moments later, the screen updates to two trains both 1 minute away (which anybody who knows the subway knows it's impossible for two trains to come at the same time). Meanwhile the K estimate for the second train drastically drops from 25 minutes to 18 minutes.

A minute goes by and the second K is back to being 23 minutes away and the next L is 21 minutes away. What happened to that second one minute L? The common case of the muni ghost train must have passed me. Oh but wait, another minute goes by and look at that! An L is 1 minute away again, Two more minutes - oh wait no, it's actually 19 minutes away. Not only that but that second K that was supposedly 22 minutes away is now 50 MINUTES AWAY. Two more minutes go by and that second K is now dramatically down to being 14 minutes away. Next minute - it's 45 minutes away, Two minutes later it's 11 minutes away. Now with being "3 minutes" away the M shows up. A rather magical 3 minutes that only applied to the M but nowhere else in real time. When I leave I notice the K is back to being 43 minutes away.

This is completely unacceptable and the fact that this has been commonplace with no fixes in sight is a sure sign that SFMTA does not care about its customer service. The subway is a queue system. It is understandable when delays happen due to street traffic or needing to let one train into the subway in front of another. However, once in the subway, especially outbound, the trains are a pure queue system. There should be no guessing as to what the next train is and have times constantly swapping. I can't count the amount of times I got off at West Portal and started to walking to my bus connection at St Francis Circle due to the estimated time the next train was stated to arrive -- just to see that train magically appear and pass me on the next block while I'm walking. FIX THIS!!! [Side note: It's also completely unacceptable to have three train types that come through West

Portal and NONE of them come during a 10 minute period.]

While I'm at it and frustrated, two additional matters for you.

1) I challenge you to look at the October and November records and report how many times the subway DIDN'T need to announce during the morning weekday commute that the subway was moving slow "due to subway traffic." I won't say December because you'd likely find a number of days due to the holidays, but I can almost guarantee you won't find a single weekday in October or November (maybe Thanksgiving) where the system wasn't giving announcements of being slow due to traffic. You can't blame this on driver shortage (if so there would be no such traffic). You can't blame this on traffic on the streets. YOU CONTROL THE SUBWAY! It is your responsibility to come up with methods to stop this nonsense of the subway getting backed up every single morning.

2) What is up with West Portal? People spend up to 20 minutes after work just sitting between Forest Hill Station and West Portal. Why???. This was an issue back when Nathaniel Ford was in charge of the Agency. Then Ed came in and to his credit at the time, the issue disappeared. All of a sudden, the past two years, it's been worse than the Nat Ford days. Is ANYBODY looking into why trains are getting backed up at West Portal and taking a real interest in finding a solution so people can get home?

This is supposed to be a Transit First city. However, that has long been nothing more than empty words. Saying them doesn't make them true. We can't get a reliable ETA system, nonetheless give real service to get people where they need to go. The City is just getting larger - we can't afford to keep the same archaic system in place and think it's going to support the influx of residents.

DO BETTER!

This message is from outside of the SFMTA email system. Please review the email carefully before responding, clicking links, or opening attachments.

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: Baykeeper letter of opposition to Clipper Cove proposal
Date: Wednesday, January 23, 2019 3:53:00 PM
Attachments: [2019.01.17 Baykeeper Ltr to SFBOS re Clipper Cove FINAL.pdf](#)

From: Erica Maharg <erica@baykeeper.org>
Sent: Thursday, January 17, 2019 11:30 AM
To: Haney, Matt (BOS) <matt.haney@sfgov.org>; Haneystaff (BOS) <haneystaff@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Baykeeper letter of opposition to Clipper Cove proposal

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please find attached a letter sent on behalf San Francisco Baykeeper opposing the current proposal to expand the Clipper Cove marina. Please let me know if you have any questions.

Thank you,

Erica Maharg
Managing Attorney
San Francisco Baykeeper
1736 Franklin St., Suite 800
Oakland, CA 94612
Office: 510-735-9700, x106
Fax: 510-735-9160

Defending the Bay from the biggest threats and holding polluters accountable

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Via email

January 17, 2019

Supervisor Matt Haney
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689
Email: Matt.Haney@sfgov.org; haneystaff@sfgov.org

Re: Opposition to Clipper Cove Resolution

Dear Supervisor Haney:

I write on behalf of San Francisco Baykeeper (“Baykeeper”) to oppose the Mayor’s Office resolution to take public waters in Clipper Cove at Treasure Island for the construction of a private luxury marina (file #181225).

For the last thirty years, Baykeeper has defended the Bay against its biggest threats. Baykeeper has over 5,000 members and supporters, many of whom use San Francisco Bay on a regular basis for recreation, including sailing, kite surfing, swimming, and kayaking. Our mission is not only to ensure that the Bay is safe and healthy, but also to protect and promote public access. Accordingly, the development of Clipper Cove, which threatens the existing recreational activities and has the potential to cause significant environmental impacts, is of particular concern to Baykeeper.

Clipper Cove is the largest, best-protected open water cove on the San Francisco shoreline and is one of the City’s most valuable public resources. Clipper Cove has become a community asset where many people access the Bay for recreation. Currently, Clipper Cove is used by many non-motorized boaters, and the Treasure Island Sailing Center’s youth programs are an invaluable resource. In addition, Clipper Cove has a significant eelgrass bed that provides essential habitat for fish. Any development of Clipper Cove should not impair its existing uses or natural resources.

Unfortunately, the proposal to build and operate a private luxury marina has, from its initial proposal, threatened current users and natural resources at Clipper Cove. Despite opposing the transition of Clipper Cove from a community asset to a luxury marina, Baykeeper and other community organizations have been willing to work with decisionmakers and the developer to develop a mutually-agreeable proposal. Such an agreement was reached in Summer 2018.

However, the current proposal fails to enact the fiscal safeguards, environmental protections, and development principles set out in a 2018 stakeholder agreement and approved by the Board of Supervisors (resolution #173-18). First, the project has not developed a mechanism to mitigate the threat of the Cove filling in due to new sedimentation—an event that occurred after the redevelopment of the San Francisco Marina. Second, the developer has not provided a fiscal

analysis to the Board of Supervisors that would allow the Board to understand the financial exposure of City taxpayers in the event of default, which appears possible according to a 2017 State of California feasibility study. Third, the project does not provide any meaningful consideration to current berth-holders, almost all of whom are small boat owners and will face de-facto rent increases of 300%-400% because all of the berths in the proposed marina are designed for very large boats. Finally, the project continues to insist that a full analysis of the project's environmental impacts can be done *after* the City approves the project and commits to a 66-year lease.

The environmental impacts of the currently proposed project have not been properly evaluated in the existing EIR, and the City must supplement the EIR, which is now 12 years old, *before* approving the project. Where a project for which an EIR has been prepared is later modified or the circumstances under which it is to be carried out change, a subsequent or supplemental EIR may be required. (*See* Pub. Res. Code § 21166; *Save Our Neighborhood v. Lishman* (2006) 140 Cal.App.4th 1288, 1295.) Public Resources Code section 21166 provides that a subsequent or supplemental EIR shall be required if substantial changes are proposed in the project, or occur with respect to the circumstances under which the project will be undertaken, which require major revisions to the EIR, or if new and previously unknown information becomes available. (Pub. Res. Code § 21166; *see also* 14 Cal. Code Regs. §§ 15162-15164.)

Any agency approving the project should evaluate the changes in the project and the changes at the site since the EIR was certified to determine whether a subsequent EIR should be prepared. Preparing a supplemental EIR will ensure public participation in the project and will provide decisionmakers with the information needed to make an informed decision, meeting the purposes of CEQA. (*See Woodward Park Homeowners Assn., Inc. v. City of Fresno* (2007) 150 Cal. App. 4th 683, 691 [The basic purposes of CEQA are “to inform the public and decision makers of the consequences of environmental decisions before those decisions are made,” and “to protect and maintain California’s environmental quality.”].)

The changes in the project, as well as the changes in the existing conditions at Clipper Cove, clearly require supplementation of the EIR. For example, the EIR does not consider the impact of regular maintenance dredging for this project on the eelgrass beds in Clipper Cove, and it assumes that the marina entrance will be in northern side of the marina, away from the eelgrass beds. In the latest proposal, the developer has significantly changed the project, moving the marina entrance to the south side where the eelgrass beds are located. The City’s Planning Department CEQA review memo does not address this change.

Eelgrass is a keystone species in the Bay, providing habitat and food for numerous species. During the preparation of the EIR, members of the public were concerned about the project’s impacts on this important natural resource. The EIR concluded that the project would not significantly impact eelgrass beds precisely because dredging for the marina entrance would not occur near eelgrass beds. This fundamental assumption is no longer true. Accordingly, the City must evaluate the impact on the eelgrass beds from the change in the project.

We have heard the suggestion that the City could forgo considering these environmental impacts because the Bay Conservation and Development Commission (BCDC) will consider them within its permitting process. While BCDC may have authority to protect eelgrass, the City, as lead

agency, has a separate and distinct duty to analyze those impacts and mitigate them if feasible. *See* Pub. Res. Code §§ 21002, 21002.1(a), (b), (d). CEQA requires the City to evaluate and consider these impacts *prior to its approval*; it cannot defer that consideration or development of mitigation measures until a later date or to another agency. *See* CEQA Guidelines § 15126.4(B).

In addition, the impact of siltation in Clipper Cove has also not been considered, which, as mentioned above, was a key understanding in the 2018 stakeholder agreement. This failure is not merely academic but has significant consequences for the natural environment, as well as users of Clipper Cove. For instance, the project, as proposed, threatens to generate new sedimentation that could cause the Cove to fill-in areas outside of the proposed marina. This would diminish the size of the Cove, reduce public access, and endanger critically important eelgrass habitat. Yet the current project releases the developer of any responsibility to remedy this siltation. This arrangement could put the City on the hook for the significant cost of dredging to maintain access to this area, similar to what happened in the west basin of the San Francisco Marina.

In summary, the Clipper Cove marina expansion project threatens an important environmental resource and a key venue for the public to access San Francisco Bay. This current proposal walks back on the principles established in the 2018 stakeholder agreement and undermines the faith that community organizations have in the developer's promises to protect the natural resources and public access to Clipper Cove. Therefore, Baykeeper does not support the project as proposed. There are better uses for the Cove, such as the incoming Olympic Sailing Center and the return of the San Francisco Dragon Boat Festival.

I urge you to reject this proposal. If you have any questions, please contact me at erica@baykeeper.org. Thank you for your consideration of these comments and concern over this important issue.

Yours truly,



Erica A. Maharg
Managing Attorney

CC: Board.of.Supervisors@sfgov.org

From: [Board of Supervisors. \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: Important ACP Notice for San Francisco, San Francisco County
Date: Wednesday, January 23, 2019 3:52:00 PM
Attachments: [ACP-NOT-SanFranciscoCounty2019-01-16.pdf](#)

From: Gordon, Jennifer@CDFA <jennifer.gordon@cdfa.ca.gov>

Sent: Thursday, January 17, 2019 4:45 PM

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Subject: Important ACP Notice for San Francisco, San Francisco County

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good day everyone,

Please see the attached Notice of Treatment San Francisco, San Francisco County.

https://www.cdfa.ca.gov/plant/acp/treatment_maps.html#maps

If you are not the contact for this notice, please forward the attachment to the intended recipient.

Thank you,

Jennifer Gordon

Pest Detection/ Emergency Projects

2800 Gateway Oaks Dr.

Sacramento, CA 95833

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CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

OFFICIAL NOTICE FOR SAN FRANCISCO COUNTY PLEASE READ IMMEDIATELY

NOTICE OF TREATMENT FOR THE ASIAN CITRUS PSYLLID

On December 28, 2018, the California Department of Food and Agriculture (CDFA) confirmed the presence of Asian citrus psyllid (ACP), *Diaphorina citri* Kuwayama, harmful exotic pests, in the city of San Francisco, San Francisco County. This detection indicates that a breeding population exists in the area. The devastating citrus disease Huanglongbing (HLB) is spread by the feeding action of ACP. The ACP infestation is sufficiently isolated and localized to be amenable to the CDFA's ACP treatment work plan.

A Program Environmental Impact Report (PEIR) has been certified which analyzes the ACP treatment program in accordance with Public Resources Code, Sections 21000 et seq. The PEIR is available at <http://www.cdfa.ca.gov/plant/peir/>. The treatment activities described below are consistent with the PEIR.

In accordance with integrated pest management principles, CDFA has evaluated possible treatment methods and determined that there are no physical, cultural, or biological control methods available to eliminate the ACP from this area. Notice of Treatment is valid until December 28, 2019, which is the amount of time necessary to determine that the treatment was successful.

The treatment plan for the ACP infestation will be implemented within a 50-meter radius of each detection site, as follows:

- Tempo® SC Ultra (cyfluthrin), a contact insecticide for controlling the adults and nymphs of ACP, will be applied from the ground using hydraulic spray equipment to the foliage of host plants; and
- Merit® 2F or CoreTect™ (imidacloprid), a systemic insecticide for controlling the immature life stages of ACP, will be applied to the soil underneath host plants. Merit® 2F is applied from the ground using hydraulic spray equipment. CoreTect™, which is used in place of Merit® 2F in situations where there are environmental concerns about soil surface runoff of liquid Merit® 2F, is applied by inserting the tablets into the ground and watering the soil beneath the host plants.

Public Notification:

Residents of affected properties shall be invited to a public meeting where officials from CDFA, the Department of Pesticide Regulation, the Office of Environmental Health Hazard Assessment, and the county agricultural commissioner's office shall be available to address residents' questions and concerns.

Residents are notified in writing at least 48 hours in advance of any treatment in accordance with the Food and Agricultural Code sections 5771-5779 and 5421-5436.

Following the treatment, completion notices are left with the residents detailing precautions to take and post-harvest intervals applicable to the citrus fruit on the property.

Treatment information is posted at http://cdfa.ca.gov/plant/acp/treatment_maps.html. Press releases, if issued, are prepared by the CDFA information officer and the county agricultural commissioner, in close coordination with the program leader responsible for treatment. Either the county agricultural commissioner or the public information officer serves as the primary contact to the media.

Information concerning the ACP/HLB program shall be conveyed directly to local and State political representatives and authorities via letters, emails, and/or faxes.

For any questions related to this program, please contact the CDFA toll-free telephone number at 800-491-1899 for assistance. This telephone number is also listed on all treatment notices.

Enclosed are the findings regarding the treatment plan, a November 22, 2017 UC and USDA briefing paper on the increasing detection rate of ACP/HLB, ACP/HLB work plan, map of the treatment area, integrated pest management analysis of alternative treatment methods, and a pest profile.

Attachments

FINDINGS REGARDING A TREATMENT PLAN FOR THE ASIAN CITRUS PSYLLID

On December 28, 2018, the California Department of Food and Agriculture (CDFA) confirmed the presence of Asian citrus psyllid (ACP), *Diaphorina citri* Kuwayama, in the city of San Francisco, San Francisco County. This detection indicates that a breeding population exists in the area. ACP is a harmful exotic insect pest and a vector of Huanglongbing (HLB) disease.

HLB is considered one of the most devastating diseases of citrus in the world. The bacterium that causes the disease, *Candidatus Liberibacter asiaticus*, blocks the flow of nutrients within the tree and causes the tree to starve to death within two to five years of infection. There is no cure. Symptoms of HLB include yellow shoots with mottling and chlorosis of the leaves, misshapen fruit, fruit that does not fully color, and fruit that has a very bitter taste, which makes it inedible for human consumption. These symptoms often do not appear until two years after infection, making this particular disease difficult to contain and suppress. These undesirable symptoms of HLB-infected trees result in the trees' loss of commercial and aesthetic value while at the same time such trees are hosts for spreading HLB.

ACP is native to Asia. It has appeared in Central and South America. In the United States, ACP has been found in Alabama, Arizona, Florida, Georgia, Hawaii, Louisiana, Mississippi, South Carolina, and Texas. In California, ACP has been found in twenty-six counties.

ACP feeds on members of the plant family Rutaceae, primarily on *Citrus* and *Murraya* species, but is also known to attack several other genera, including over forty species of plant that act as hosts and possible carriers. The most serious damage to the environment and property caused by ACP - the death and loss in value of host plants - is due to its vectoring HLB. In addition, the psyllids also cause injury to their host plants via the withdrawal of large amounts of sap as they feed and via the production of large amounts of honeydew, which coats the leaves of the tree and encourages the growth of sooty mold. Sooty mold blocks sunlight from reaching the leaves.

These pests present a significant and imminent threat to the natural environment, agriculture, and economy of California. For example, unabated spread of HLB would have severe consequences to both the citrus industry and to the urban landscape via the decline and the death of citrus trees. The value of California citrus production in the 2016-17 marketing year was \$3.389 billion. The total economic impact of the industry on California's economy in 2016-17 was \$7.1 billion. The California citrus industry added \$1.695 billion to California's state GDP in 2016. Estimated full time equivalent jobs in the California citrus industry in 2016-17 totaled 21,674. Estimated wages paid by the California citrus industry in 2016-17 totaled \$452 million. A 20 percent reduction in California citrus acreage would cause a loss of 7,350 jobs, \$127 million in employee income, and reduce state GDP by \$501 million.

Additionally, if unabated, the establishment of HLB in California would harm the natural environment as commercial and residential citrus growers would be forced to increase pesticide use. Also, the establishment of HLB could lead to enforcement of quarantine restrictions by the United States Department of Agriculture (USDA) and our international trading partners. Such restrictions would jeopardize California's citrus exports, which are valued at over \$800 million per year.

The causative bacteria of HLB was first detected in Los Angeles in 2012. It has subsequently been detected in Orange, Riverside, and San Bernardino counties. Prior to November 2017, the level of HLB risk in California was thought to be relatively stable. However, on November 22, 2017, the University of California and the USDA released a briefing paper that indicates, beginning in June 2017, a sharp increase in HLB and HLB-positive ACP detections, cities containing HLB, and ACP nymphs.

With the release of the November 22, 2017 briefing paper, the CDFA became aware of the exponential intensification of the HLB epidemic, as demonstrated by the indicators contained in the paper.

Infected trees are destroyed as soon as they are discovered. However, due to the length of time it takes for symptoms to appear on infected trees, new infestations continue to be discovered. If the current ACP infestation is not abated immediately, ACP will likely become established in neighboring counties and could pave the way for a statewide HLB infestation.

CDFA has evaluated possible treatment methods in accordance with integrated pest management (IPM) principles. As part of these principles, I have considered the following treatments for control of ACP: 1) physical controls; 2) cultural controls; 3) biological controls; and 4) chemical controls. Upon careful evaluation of each these options, I have determined that it is necessary to address the imminent threat posed by HLB using currently available technology in a manner that is recommended by the HLB Task Force.

Based upon input from the HLB Task Force, the Primary State Entomologist, the Primary State Plant Pathologist, USDA experts on HLB and ACP, and county agricultural commissioner representatives who are knowledgeable on ACP and HLB, I find there are no physical, cultural or biological control methods that are both effective against ACP and allow CDFA to meet its statutory obligations, and therefore it is necessary to conduct chemical treatments to abate this threat. As a result, I am ordering insecticide treatments for ACP using ground-based equipment within a 400-meter radius around the ACP detection site and any subsequent sites.

The option selected is a chemical control measure that involves the use of insecticides targeting both the adult and immature stages of ACP. This option was selected based upon biological effectiveness, minimal public intrusiveness, cost, and minimal impacts to the environment.

A Program Environmental Impact Report (PEIR) has been prepared which analyzes the ACP treatment program in accordance with Public Resources Code (PRC), Sections 21000 et seq. The PEIR was certified in December 2014, and is available at <http://www.cdfa.ca.gov/plant/peir/>. The PEIR addresses the treatment of the ACP at the program level and provides guidance on future actions against the ACP. It identifies feasible alternatives and possible mitigation measures to be implemented for individual ACP treatment activities. The ACP program has incorporated the mitigation measures and integrated pest management techniques as described in the PEIR. In accordance with PRC Section 21105, this PEIR has been filed with the appropriate local planning agency of all affected cities and counties. No local conditions have been detected which would justify or necessitate preparation of a site-specific plan.

Sensitive Areas

CDFA has consulted with the California Department of Fish and Wildlife's California Natural Diversity Database for threatened or endangered species, the United States Fish and Wildlife Service, the National Marine Fisheries Service and the California Department of Fish and Wildlife when rare and endangered species are located within the treatment area. Mitigation measures for rare and endangered species will be implemented as needed. The CDFA shall not apply pesticides to bodies of water or undeveloped areas of native vegetation. All treatment shall be applied to residential properties, common areas within residential development, non-agricultural commercial properties, and rights-of-way.

Work Plan

The proposed program area encompasses those portions of San Francisco County which fall within a 400-meter radius area around the property on which the ACP has been detected and any subsequent detection sites within the program boundaries. Notice of Treatment is valid until December 28, 2019, which is the amount of time necessary to determine that the treatment was successful. A map of the program boundaries is attached. The work plan consists of the following elements:

1. Treatment. Properties within 50-meters of each detection site shall be treated according to the following protocol. Treatments will be repeated, if necessary, as per label instructions.
 - a. Tempo® SC Ultra, containing the contact pyrethroid insecticide cyfluthrin, will be applied by ground-based hydraulic spray equipment to the foliage of host plants for controlling the adults and nymphs of ACP. Treatment may be reapplied up to three times annually if additional ACPs are detected.
 - b. Either Merit® 2F or CoreTect™, containing the systemic insecticide imidacloprid, will be applied to the root zone beneath host plants for controlling developing nymphs and providing long term protection against reinfestation. Merit® 2F is applied as a soil drench, while CoreTect™ tablets are inserted two to five inches below the soil surface and watered in to initiate tablet dissolution. CoreTect™ is used in place of Merit® 2F in situations where there are environmental concerns about soil surface runoff of the liquid Merit® 2F formulation. Treatment may be reapplied once annually if additional ACPs are detected.

Public Information

Residents of affected properties shall be invited to a public meeting where officials from CDFA, the California Department of Pesticide Regulation, the Office of Environmental Health Hazard Assessment, and the county agricultural commissioner's office shall be present to address residents' questions and concerns.

Residents shall be notified in writing at least 48 hours in advance of any treatment in accordance with the Food and Agricultural Code (FAC) sections 5771–5779 and 5421-5436.

After treatment, completion notices are left with the residents detailing precautions to take and post-harvest intervals applicable to the citrus fruit. Treatment information is posted at http://cdfa.ca.gov/plant/acp/treatment_maps.html.

For any questions related to this program, please contact the CDFA toll-free telephone number at 800-491-1899 for assistance. This telephone number is also listed on all treatment notices. Treatment information is posted at http://cdfa.ca.gov/plant/acp/treatment_maps.html.

Press releases, if issued, are prepared by the CDFA information officer and the county agricultural commissioner, in close coordination with the program leader responsible for treatment. Either the county agricultural commissioner or the public information officer serves as the primary contact to the media.

Information concerning the ACP program will be conveyed directly to local and State political representatives and authorities via letters, emails, and/or faxes.

Findings

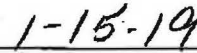
ACP poses a significant and imminent threat to California's natural environment, agriculture, public and private property, and its economy.

The work plan involving chemical control of this pest is necessary to prevent loss and damage to California's natural environment, citrus industry, native wildlife, private and public property, and food supplies.

My decision to adopt findings and take action is based on sections 24.5, 401.5, 403, 407, 408, 5401-5405, and 5761-5764 of the FAC.






Karen Ross, Secretary

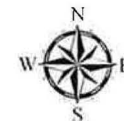


Date

Asian Citrus Psyllid
San Francisco, San Francisco County
2019



-  Proposed 50 Meter Treatment Area
-  Sensitive Environmental Area
-  Treatment Mitigations in Place



I. Trapping and Visual Survey

A. Urban and Rural Residential Detection Trapping and Visual Survey

This is a cooperative State/County trapping program for the Asian Citrus Psyllid (ACP) to provide early detection of an infestation in a county. Traps are serviced by agricultural inspectors. The trap used for ACP detection is the yellow panel trap, which is a cardboard panel coated with stickum on each side. ACP becomes entangled on the sticky surface and cannot move off of the trap. Yellow panel traps have proven successful at detecting infestations of ACP. At all locations where traps are placed, the host plant is visually inspected for ACP. If ACP is detected, the host will be visually surveyed for additional ACP and symptoms of huanglongbing (HLB).

- Trap Density: Five to 16 traps/square mile.
- Trap Servicing Interval: Every two to four weeks.
- Trap Relocation and Replacement: Traps should be replaced and relocated every four to eight weeks to another host at least 500 feet away, if other hosts are available.
- Visual surveys and/or tap sampling are conducted once at each trapping site when the trap is placed.

B. Delimitation Trapping and Visual Survey Outside of the Generally Infested Area

The protocols below are the actions in response to the detection of ACP in counties north of Santa Barbara County and the Tehachapi Mountains.

1. Response to the collection one or more ACP

a. Trapping

Density will be 50 traps per square mile in a four-square mile delimitation area centered on the detection site. Traps will be serviced weekly for one month. If no additional ACP are detected, the traps will be serviced monthly for one year past the identification date. Additional detections may increase the size of the delimitation survey area and will restart the one-year clock on the trap servicing requirement.

b. Visual Survey

All find sites and adjacent properties will be visually surveyed for ACP and HLB. Additional sites may be surveyed as part of the risk-based survey.

C. Commercial Grove Trapping

In counties with substantial commercial citrus production and are not generally infested with ACP, traps are placed within the groves at the density of one trap per 40 acres. Traps are replaced every month and submitted for screening.

In areas that are generally infested with ACP, agricultural inspectors visually survey commercial groves for plant tissue displaying symptoms of HLB and collect ACP which are tested for HLB.

II. Treatment

CDFA's treatment activities for ACP vary throughout the state and depend on multiple factors. Factors CDFA considers prior to treatment include:

Asian Citrus Psyllid/ Huanglongbing Work Plan
November 2018

- Determination if suppression of ACP is feasible;
- The proximity of the ACP infestation to commercial citrus;
- Whether growers are conducting coordinated treatment activities;
- The level of HLB risk;
- Consistency with the overall goal of protecting the state's commercial citrus production.

A. Treatment scenarios throughout the state in which treatment will occur:

- In areas with commercial citrus production that are generally infested with ACP, and where all growers are treating on a coordinated schedule; CDFA may conduct residential buffer treatments to suppress ACP populations.
- In areas with commercial citrus production that are not generally infested with ACP; CDFA will conduct residential treatments in response to ACP detections.
- In areas where HLB is detected, CDFA will conduct residential treatments to suppress ACP populations.
- In areas where ACP has not been previously detected, or where ACP has been detected at low densities, CDFA will conduct residential treatments to prevent ACP establishment or suppress populations.

CDFA's current policy is to not conduct treatments in areas that are generally infested if there is limited or no commercial citrus production in the area, or if all growers in the area are not treating.

1. Treatment Protocols

A Program Environmental Impact Report (PEIR) has been certified which analyzes the ACP treatment program in accordance with Public Resources Code, Sections 21000 et seq. The PEIR is available at <http://www.cdfa.ca.gov/plant/peir>. The treatment activities described below are consistent with the PEIR.

In accordance with the integrated pest management principles, the CDFA has evaluated possible treatment methods and determined that there are no physical, cultural, or biological control available to eliminate ACP from an area.

In general, when treatment has been deemed appropriate, CDFA applies insecticides to host trees in the residential (urban) areas in a 50 to 400-meter radius around each detection site. Only ACP host plants are treated.

a. Within two miles of International Border with Mexico

- CDFA will treat the residential area within a 400-meter buffer of the border.
- A Notice of Treatment (NOT) will be issued.

b. Within a Generally Infested Area With Commercial Citrus Production

- CDFA will treat the residential area within a 400-meter buffer surrounding commercial citrus groves if the growers are conducting coordinated treatments.
- A NOT will be issued.

Asian Citrus Psyllid/ Huanglongbing Work Plan
November 2018

c. Outside of the Generally Infested Area

The actions below are in response to the detection of one or more ACP in counties north of Santa Barbara County and the Tehachapi Mountains.

- Detection of one or more ACP - All properties with hosts within a 50-meter radius of the detection site will be treated.
- A NOT will be issued.

The actions below are in response to the detection of two or more ACP in Fresno, Madera, Kern, Kings, and Tulare counties.

- Detection of two or more ACP on one trap or one or more ACP detected on separate traps within 400 meters of each other within a six-month period – All properties with hosts within an 800-meter radius will be treated.
- In a commercial citrus environment, where there are few residences in the area, CDFA will treat the residential area within an 800-meter buffer surrounding commercial citrus groves if the growers are conducting coordinated treatments.
- A NOT will be issued.

d. In response to an HLB Detection

- All properties within a 400-meter radius of the detection site will be treated.
- A NOT will be issued.
- All host plants found to be infected with HLB shall be destroyed. Infected host plants shall be removed and destroyed by mechanical means.
- A Proclamation of an Emergency Program (PEP) will be issued.

2. Treatment Methodology

The treatment protocol consists of both a foliar and a systemic insecticide. The foliar insecticide is used for immediate reduction of the adult population in order to prevent the adults from dispersal. The systemic insecticide is a soil treatment used to kill the sedentary nymphs and provide long term protection against reinfestation. Treatment frequency is dependent on the insecticide applied and severity of the infestation. Treatments will end no later than two years after the last psyllid detection in the treatment area.

CDFA uses registered pesticides and follows the label directions. The treatment protocol may be adjusted to use only the foliar or the systemic insecticide to allow for mitigations in special situations.

a. Foliar Treatment

Tempo® SC Ultra (cyfluthrin) is a pyrethroid contact insecticide. Treatment will initially occur once, and subsequent applications may occur for up to three times annually if additional psyllids are detected. This material will be applied to the foliage of all host plants using hydraulic spray or hand spray equipment.

Asian Citrus Psyllid/ Huanglongbing Work Plan
November 2018

b. Soil Treatment

A systemic soil application will be made using either Merit® 2F or CoreTect™.

- Merit® 2F (imidacloprid), is a neonicotinoid systemic insecticide. Treatment will initially occur once, and a subsequent application may occur once on an annual basis if additional psyllids are detected. This material will be applied to the soil within the root zone of host plants.
- CoreTect™ (imidacloprid) is a neonicotinoid systemic insecticide. It is used in place of Merit® 2F in situations where there are environmental concerns about soil surface runoff of the liquid Merit® 2F formulation, such as host plants growing next to ponds and other environmentally sensitive areas. Treatment will initially occur once, with a subsequent application once on an annual basis if additional psyllids are detected. This material is a pelletized tablet and is inserted into the soil and watered in within the root zone of host plants.

**INTEGRATED PEST MANAGEMENT ANALYSIS OF ALTERNATIVE TREATMENT
METHODS FOR CONTROL OF THE ASIAN CITRUS PSYLLID AND HUANGLONGBING
May 2018**

The treatment program used by the California Department of Food and Agriculture (CDFA) for control of the Asian citrus psyllid (ACP), *Diaphorina citri* (Hemiptera: Psyllidae), and the disease it transmits, namely Huanglongbing, *Candidatus Liberibacter asiaticus*, targets multiple life stages. A contact insecticide is used for an immediate control of ACP adults in order to prevent spread, and a systemic insecticide is used to control developing ACP nymphs and to give the plant long term protection from re-infestation. The contact insecticide preferentially used contains the synthetic pyrethroid cyfluthrin, while the systemic insecticide contains the synthetic neonicotinoid imidacloprid. Both products have been shown to be effective against ACP elsewhere, particularly in Florida. In addition, HLB-infected plants are removed in their entirety and destroyed, in order to remove a reservoir for the disease. The California Huanglongbing Task Force, a joint government, university, and industry group formed in 2007 to provide guidance to the CDFA on matters pertaining to ACP and HLB has endorsed the use of these chemicals in the CDFA's treatment program.

Below is an evaluation of alternative treatment methods to control ACP and HLB which have been considered for treatment programs in California.

A. PHYSICAL CONTROL

Mass Trapping. Mass trapping of adults involves placing a high density of traps in an area in an attempt to physically remove them before they can reproduce. The current available trapping system for ACP relies on short distance visual stimulus, and is not considered effective enough to use in a mass trapping program.

Active Psyllid Removal. Adult ACPs are mobile daytime fliers, and adults could theoretically be netted or collected off of foliage. However, due to their ability to fly when disturbed, and the laborious and time-prohibitive task of collecting minute insects from several properties by hand, it would be highly unlikely that all adults could be captured and removed. Nymphs attach themselves to developing leaves and stems via their proboscis. Therefore, physical removal of the nymphs would entail removal of the growing shoots which will stunt the tree and reduce fruit production. For these reasons, mechanical control is not considered to be an effective alternative.

Host Removal. Removal of host plants for ACP would involve the large-scale destruction of plants and their roots by either physical removal or phytotoxic herbicides. Additionally, host removal could promote dispersal of female psyllids in search of hosts outside of the treatment area, thus spreading the infestation. For these reasons, host removal is considered inefficient and too intrusive to use over the entirety of the treatment areas used for ACP. However, physical host removal of HLB-infected plants in their entirety is used for HLB control, because it is limited in scope to just the infected tree and it is effective at eliminating the disease reservoir, thereby preventing further spread of the disease by ACP.

B. CULTURAL CONTROL

Cultural Control. Cultural controls involve the manipulation of cultivation practices to reduce the prevalence of pest populations. These include crop rotation, using pest-resistant varieties, and intercropping with pest-repellent plants. None of these options are applicable for ACP control in an urban environment, and may only serve to drive the psyllids outside the treatment area, thus spreading the infestation.

C. BIOLOGICAL CONTROL

Microorganisms. No single-celled microorganisms, such as bacteria, are currently available to control ACP.

Nematodes. Entomopathogenic nematodes can be effective for control of some soil-inhabiting insects, but are not effective, nor are they used, against above ground insects such as psyllids.

Parasites and Predators. There have been two parasites released in Florida against ACP, but only one of these are considered somewhat successful there, namely *Tamarixia radiata* (Hymenoptera: Eulophidae). This insect has been released into the environment in southern California. The CDFA is working with the citrus industry to pursue options for incorporating this parasite into treatment programs statewide. In addition, a second wasp has been recently released by the University of California Riverside, *Diaphorencyrtus aligarhensis*.

Sterile Insect Technique (SIT). SIT involves the release of reproductively sterile insects which then mate with the wild population, resulting in the production of infertile eggs. SIT has neither been researched nor developed for ACP, nor has it been developed for any species of psyllids, and is therefore unavailable.

D. CHEMICAL CONTROL

Foliar Treatment. A number of contact insecticides have been researched for use against ACP elsewhere, particularly in Florida. Contact insecticides are more effective against adult ACPs than the sedentary nymphs because adults actively move around on plants, thereby coming into contact with residues, whereas nymphs have to be directly sprayed in order for them to come into contact. The following product has been identified for use by the CDFA, based on a combination of effectiveness against ACP, worker and environmental safety, and California registration status.

Tempo® SC Ultra is a formulation of cyfluthrin which is applied to the foliage of all host plants. Tempo® SC Ultra is a broad-spectrum synthetic pyrethroid insecticide which kills insects on contact. Tempo® SC Ultra has no preharvest interval, which makes it compatible with residential fruit-growing practices.

Soil Treatment. A number of systemic insecticides have been researched for use against ACP elsewhere, particularly in Florida. Systemic insecticides are particularly effective against psyllid nymphs because nymphs spend much of their time feeding, thereby acquiring a lethal dose. The following products have been identified for use by the CDFA, based on a combination of effectiveness against ACP, worker and environmental safety, and California registration status.

Merit® 2F is a formulation of imidacloprid which is applied to the root system of all host plants via a soil drench. Imidacloprid is a synthetic neonicotinoid insecticide which controls a number of other phloem feeding pests such as psyllids, aphids, mealybugs, etc.

CoreTect™ is a formulation of imidacloprid which is applied to the root system of all host plants via insertion of a tablet into the soil, followed by watering. It is used in place of Merit® 2F in situations where there are environmental concerns about soil surface runoff of the liquid Merit® 2F formulation, such as host plants growing next to ponds and other environmentally sensitive areas.

E. RESOURCES

Grafton-Cardwell, E. E. and M. P. Daugherty. 2013. Asian citrus psyllid and huanglongbing disease. Pest Notes Publication 74155. University of California, Division of Agriculture and Natural Resources Publication 8205. 5 pp.

<http://www.ipm.ucdavis.edu/PDF/PESTNOTES/pnasiancitruspsyllid.pdf>.

Grafton-Cardwell, E. E., J. G. Morse, N. V. O'Connell, P. A. Phillips, C. E. Kallsen, and D. R. Haviland. 2013. UC IPM Management Guidelines: Citrus. Asian Citrus Psyllid. Pest Notes Publication 74155. University of California, Division of Agriculture and Natural Resources. <http://www.ipm.ucdavis.edu/PMG/r107304411.html>.

PEST PROFILE

Common Name: Asian Citrus Psyllid

Scientific Name: *Diaphorina citri* Kuwayama

Order and Family: Hemiptera, Psyllidae

Description: The Asian citrus psyllid (ACP) is 3 to 4 millimeters long with a brown mottled body. The head is light brown. The wings are broadest in the apical half, mottled, and with a dark brown band extending around the periphery of the outer half of the wing. The insect is covered with a whitish waxy secretion, making it appear dusty. Nymphs are generally yellowish orange in color, with large filaments confined to an apical plate of the abdomen. The eggs are approximately 0.3 millimeters long, elongated, and almond-shaped. Fresh eggs are pale in color, then, turn yellow, and finally orange at the time of hatching. Eggs are placed on plant tissue with the long axis vertical to the surface of the plant.

History: Asian citrus psyllid was first found in the United States in Palm Beach County, Florida, in June 1998 in backyard plantings of orange jasmine. By 2001, it had spread to 31 counties in Florida, with much of the spread due to movement of infested nursery plants. In the spring of 2001, Asian citrus psyllid was accidentally introduced into the Rio Grande Valley, Texas on potted nursery stock from Florida. It was subsequently found in Hawaii in 2006, in Alabama, Georgia, Louisiana, Mississippi, and South Carolina in 2008. ACP was first found in California on August 27, 2008 in San Diego County. Subsequent to this initial detection in San Diego County, the ACP has been detected in Fresno, Imperial, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, Tulare, and Ventura counties. The ACP has the potential to establish itself throughout California wherever citrus is grown.

Distribution: ACP is found in tropical and subtropical Asia, Afghanistan, Saudi Arabia, Reunion, Mauritius, parts of South and Central America, Mexico, the Caribbean, and in the U.S. (Alabama, Arizona, California, Florida, Georgia, Hawaii, Louisiana, Mississippi, South Carolina, and Texas).

Life Cycle: Eggs are laid on tips of growing shoots; on and between unfurling leaves. Females may lay more than 800 eggs during their lives. Nymphs pass through five instars. The total life cycle requires from 15 to 47 days, depending on environmental factors such as temperature and season. The adults may live for several months. There is no diapause but populations are low in the winter or during dry periods. There are nine to ten generations a year, with up to 16 noted under observation in field cages.

Hosts and Economic Importance: ACP feeds mainly on *Citrus* spp., at least two species of *Murraya*, and at least three other genera, all in the family Rutaceae. Damage from the psyllids occurs in two ways: the first by drawing out of large amounts of sap from the plant as they feed and, secondly, the psyllids produce copious amounts of honeydew. The honeydew then coats the leaves of the tree, encouraging sooty mold to grow which blocks sunlight to the leaves. However, the most serious damage caused by ACP is due to its ability to effectively vector three phloem-inhabiting bacteria in the genus *Candidatus Liberibacter*, the most widespread being *Candidatus Liberibacter asiaticus*. These bacteria cause a disease known as huanglongbing, or citrus greening. In the past, these bacteria have been extremely difficult to detect and characterize. In recent years, however, DNA probes, electron microscopy, and enzyme-linked

immunosorbent assay tests (ELISA) have been developed that have improved detection. Symptoms of huanglongbing include yellow shoots, with mottling and chlorosis of the leaves. The juice of the infected fruit has a bitter taste. Fruit does not color properly, hence the term "greening" is sometimes used in reference to the disease. Huanglongbing is one of the most devastating diseases of citrus in the world. Once infected, there is no cure for disease and infected trees will die within ten years. The once flourishing citrus industry in India is slowly being wiped out by dieback. This dieback has multiple causes, but the major reason is due to HLB.

Host List

SCIENTIFIC NAME

Aegle marmelos
Aeglopsis chevalieri
Afraegle gabonensis
Afraegle paniculata
Amyris madrensis
Atalantia monophylla
Atalantia spp.
Balsamocitrus dawei
Bergia (=Murraya) koenigii
Calodendrum capense
X Citroncirus webberi
Choisya arizonica
Choisya ternate
Citropsis articulata
Citropsis gillettiana
Citropsis schweinfurthii
Citrus aurantiifolia

Citrus aurantium

Citrus hystrix
Citrus jambhiri
Citrus limon
Citrus madurensis
 (=X *Citrofortunella microcarpa*)
Citrus maxima
Citrus medica
Citrus meyeri
Citrus × nobilis
Citrus × paradisi
Citrus reticulata
Citrus sinensis
Citrus spp.
Clausena anisum-olens
Clausena excavata
Clausena indica
Clausena lansium
Clymenia polyandra

COMMON NAMES

bael, Bengal quince, golden apple, bela, milva
 Chevalier's aeglopsis
 Gabon powder-flask
 Nigerian powder-flask
 mountain torchwood
 Indian atalantia

 Uganda powder-flask
 curry leaf
 Cape chestnut

 Arizonia orange
 Mexican or mock orange
 Katimboro, Muboro, West African cherry orange
 cherry-orange
 African cherry-orange
 lime, Key lime, Persian lime, lima, limón agrio, limón ceutí, lima mejicana, limero
 sour orange, Seville orange, bigarde, marmalade orange, naranja agria, naranja amarga
 Mauritius papeda, Kaffir lime
 rough lemon, jambhiri-orange, limón rugoso, rugoso
 lemon, limón, limonero
 calamondin

 pummelo, pomelo, shaddock, pompelmous, toronja
 citron, cidra, cidro, toronja
 Meyer lemon, dwarf lemon
 king mandarin, tangor, Florida orange, King-of-Siam
 grapefruit, pomelo, toronja
 mandarin, tangerine, mandarina
 sweet orange, orange, naranja, naranja dulce

 anis
 clausena
 clausena
 wampi, wampee
 a-mulis

<i>Eremocitrus glauca</i>	Australian desert lime
<i>Eremocitrus hybrid</i>	
<i>Esenbeckia berlandieri</i>	Berlandier's jopoy
<i>Fortunella crassifolia</i>	Meiwa kumquat
<i>Fortunella margarita</i>	Nagami kumquat, oval kumquat
<i>Fortunella polyandra</i>	Malayan kumquat
<i>Fortunella</i> spp.	
<i>Limonia acidissima</i>	Indian wood apple
<i>Merrillia caloxylon</i>	flowering merrillia
<i>Microcitrus australasica</i>	finger-lime
<i>Microcitrus australis</i>	Australian round-lime
<i>Microcitrus papuana</i>	desert-lime
X <i>Microcitronella</i> spp.	
<i>Murraya</i> spp.	curry leaf, orange-jasmine, Chinese-box, naranjo jazmín
<i>Naringi crenulata</i>	naringi
<i>Pamburus missionis</i>	
<i>Poncirus trifoliata</i>	trifoliolate orange, naranjo trébol
<i>Severinia buxifolia</i>	Chinese box-orange
<i>Swinglea glutinosa</i>	tabog
<i>Tetradium ruticarpum</i>	evodia, wu zhu yu
<i>Toddalia asiatica</i>	orange climber
<i>Triphasia trifolia</i>	trifoliolate limeberry, triphasia
<i>Vepris (=Toddalia) lanceolata</i>	white ironwood
<i>Zanthoxylum fagara</i>	wild lime, lime prickly-ash



 **United States Department of Agriculture**
Animal and Plant Health Inspection Service

 **United States Department of Agriculture**
Agricultural Research Service

Briefing Paper: Recent changes in the ACP/HLB invasion in California and implications for regional quarantines

Date: 11/22/2017

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State-wide background risk level for HLB

Since 2012, a background risk level for HLB in both residential and commercial citrus in each square mile of interest has been calculated 2-3 times per year using a risk model developed in Florida and adapted for use in California (Gottwald et al., 2014). The model uses a range of risk variables including census data, topography, land use, and known incidence of both HLB and Asian Citrus Psyllid (ACP) to produce a risk value ranging from 0 (extremely low risk) to 1 (very high risk) that applies to each square mile. Figure 1 shows the current risk status across the state at a county level, where the risk level applied to the county is the highest value for any individual square mile within that county

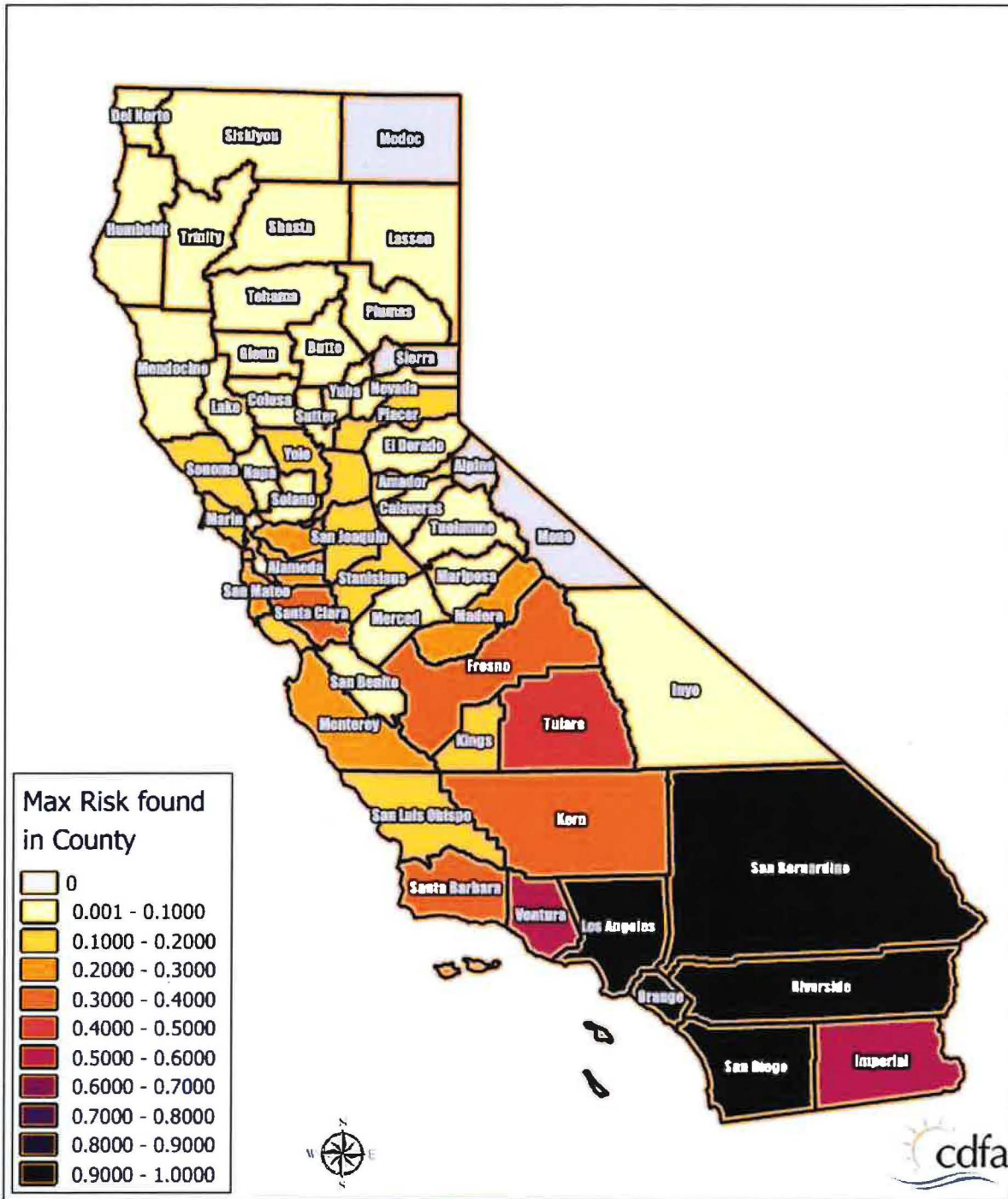


Figure 1. Maximum HLB risk level by county across California as estimated by the USDA-ARS HLB risk model.

In Figure 1 note that the risk level is generally higher in the south than north, because of the known presence of HLB and large ACP population in the southern counties. Note also that in northern California even counties with only a few ACP detections – for example Santa Clara County – may still have

relatively high risk levels because of population census data that indicate the background risk of the presence of infected citrus in private yards is relatively high. To illustrate this point further, Figure 2 shows the San Francisco Bay Area in more detail.

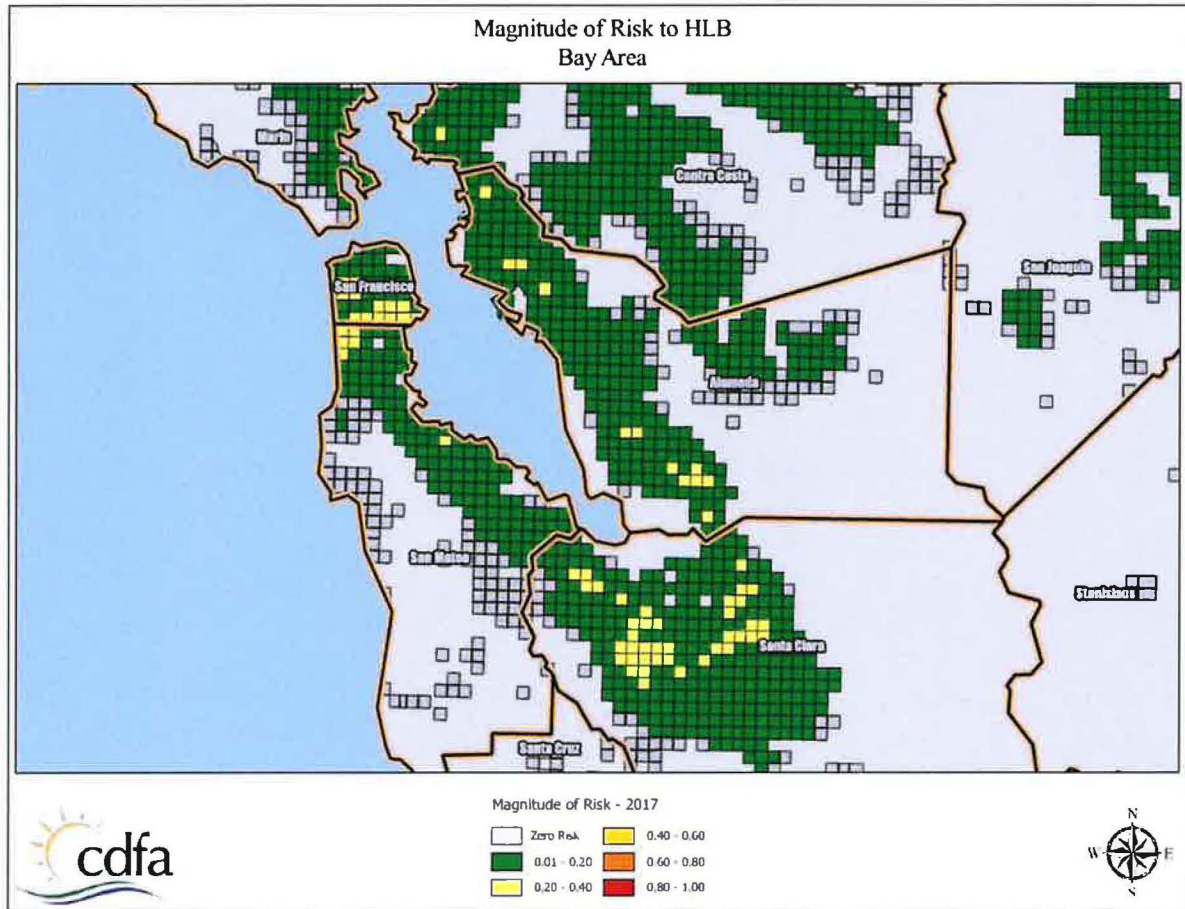


Figure 2. Individual square mile HLB risk levels for the San Francisco Bay Area. Note that the general risk level is low, but there are pockets of moderately high risk in San Francisco itself, and more noticeably in San Jose, associated with population census risk factors; ACP detections in this area is still low and sporadic.

While the background risk of HLB is strongly dependent on factors which are either static (e.g. topography) or change only slowly (e.g. human socio-economic factors) the presence of the ACP vector of the pathogen introduces a large dynamic component into the risk level across the state. To illustrate the impact of the vector population on changing risk status for HLB Figure 3 shows changes in HLB risk for the proposed quarantine areas 5 (San Diego, Imperial and Eastern Riverside) and 6 (LA. Western Riverside, San Bernardino and Orange). The risk level is shown as a blue-to-red heat map with higher risk indicated by darker red color and lower risk indicated by darker blue color; a time series of six periods is shown for each area.

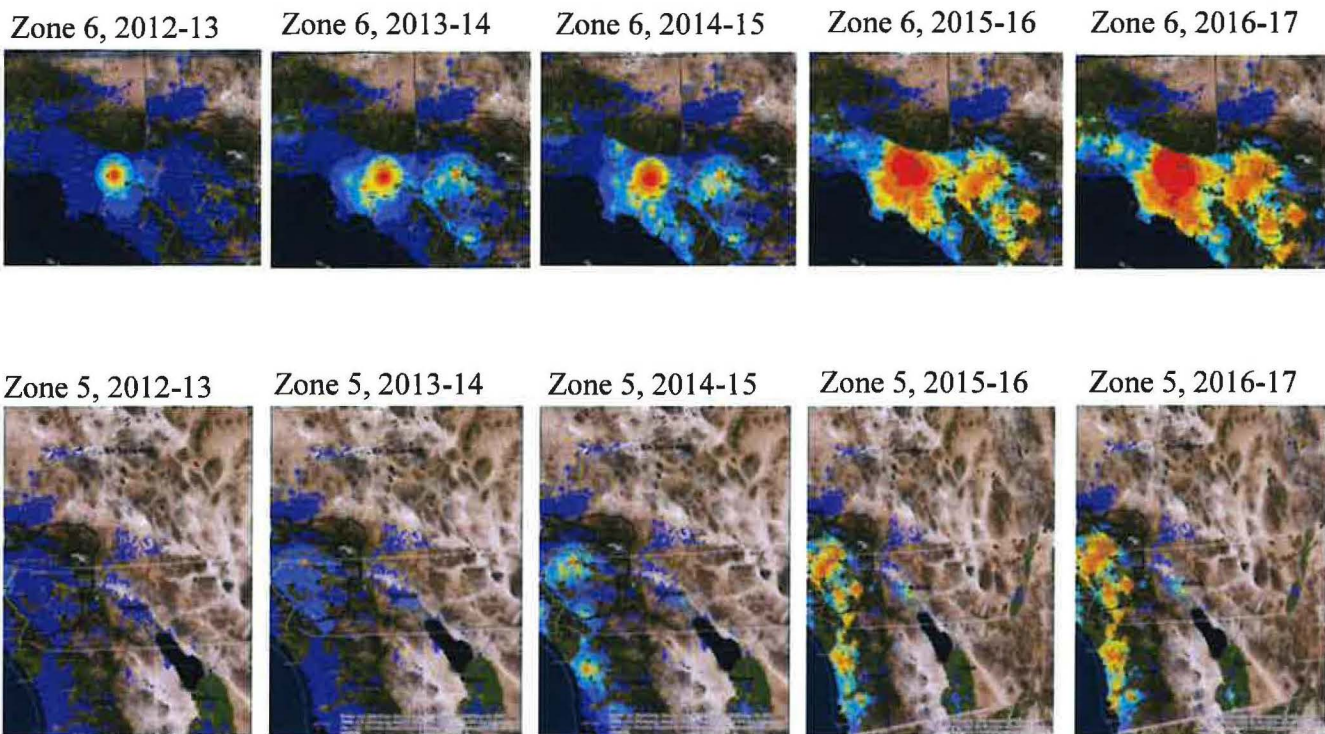


Figure 3. Changes in background risk of HLB in proposed quarantine areas 5 and 6 from 2012 to present. Red color indicates high risk, blue indicates low risk. Note that the location of the early HLB detections in Hacienda Heights and San Gabriel falls inside the single high-risk area predicted in 2012. The progressive increase in risk in both areas is apparent with the passage of time. All known cases of HLB are in proposed Quarantine Area 6.

Figure 3 tells us at least two useful things about HLB risk. First, note that in 2012-13 the only area of predicted high risk was centered on Hacienda Heights and San Gabriel, the locations of the first HLB discoveries in California; in other words, the risk model correctly anticipated the presence of HLB. Also note that the model also highlighted the focus of high risk in the city of Riverside as early as 2013-14; this outbreak emerged in 2017. These results are important for interpreting the presence of areas of elevated risk in places such as San Jose. Second, the pattern of change in risk in both areas 5 and 6 is a steady increase, spreading out from the original high risk area in LA, but also with additional foci developing at locations quite distant from the original focus. These changes are associated mainly with the spread of ACP through the region and the patterns of population density of the insect recorded in the risk-based surveys.

Taken together the results presented in this section highlight two important aspects of HLB risk that are relevant to quarantine regulations:

1. Because HLB-affected citrus plant material can be propagated and spread by human activity, the risk of HLB and ACP are to some extent independent, particularly in areas that are not generally infested with ACP.
2. **The risk of HLB can exist before the arrival of the vector** in an area because HLB-affected plant material is often brought to an area by human activities.

After ACP infests an area with pre-existing infected trees present, the vector population eventually comes into contact with the infected trees and foci of disease begin to build around them. This is because ACP acquires the pathogen from the infected trees and establishes a recurring cycle of infection and acquisition. Because trees remain asymptomatic for a long period of time, spread in the absence of detection and tree removal can occur.

Reducing disease spread by quarantines

The basic principle of underlying the use of quarantines is to restrict the spread of disease by sub-dividing an area into smaller regions and limiting the opportunities for disease to spread from one region to another. In the case of invasive and highly mobile diseases, quarantines should be applied early and rigorously to have the largest effect on disease spread. Importantly, quarantines do not have to be 100% effective to be worth imposing. If the incursion of the disease into generally uninfected areas can be limited to a low rate, and psyllid populations can be kept low, local eradications can be achieved when new incursions are detected.

The basic idea of setting up quarantine regions within the state is an ecological analogue of the idea of constructing a ship using multiple watertight compartments; even if one compartment is flooded, as long as the flow of water is negligible to the other compartments the ship won't sink. In instituting a quarantine policy, the aim is to limit the flow of vectors and disease throughout the state and thus safeguard the industry and homeowners as a whole.

Recent changes in the dynamics of HLB/ACP detections

Until recently, the rate of accumulation of new positive ACP and tree detections had been relatively stable. Over the last 6 months there has been a dramatic increase in the rate of new detections of HLB infections in both ACP and citrus trees. In addition, there has been a recent increase in the number of cities in which positive finds have been reported and a sharp increase in the number of ACP nymph detections. These results are summarized in Figures 4 through 7.

Taken together the results indicate an exponential increase in the intensity of the HLB epidemic at multiple scales. The pathogen is becoming more prevalent in the vector population and in the tree population. At the same time, the upswing in nymphal detections indicates that the transmission rate is increasing and the increase in the number of cities with positive detections indicates that the geographic extent of the epidemic is increasing rapidly.

Most of these changes have become apparent only in the last 6 months. Given the very sharp increase in the intensity of the epidemic, a rapid response is needed to implement additional measures to slow the rate of spread of HLB beyond its current range before the opportunity is lost.

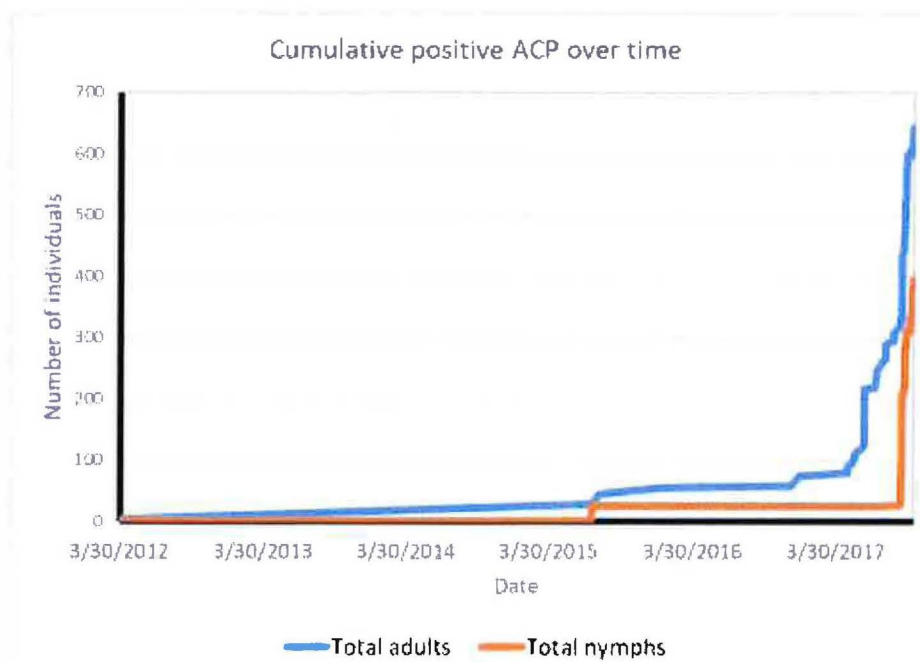


Figure 4: Cumulative counts of PCR-positive ACP samples collected in California over time since 2012. Note the sharp increase in the rate of accumulation from mid-2017 onwards.

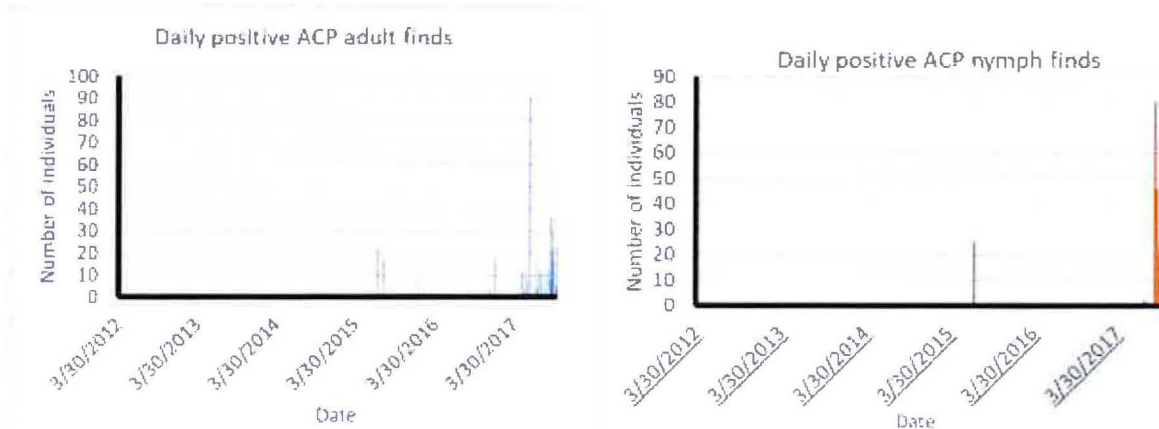


Figure 5: Daily discovery rate for PCR-positive ACP (adults and nymphs are shown separately). Note the sharp increase in finds toward the end of 2017, particularly for nymphs which had largely been absent from positive samples until recent detections.

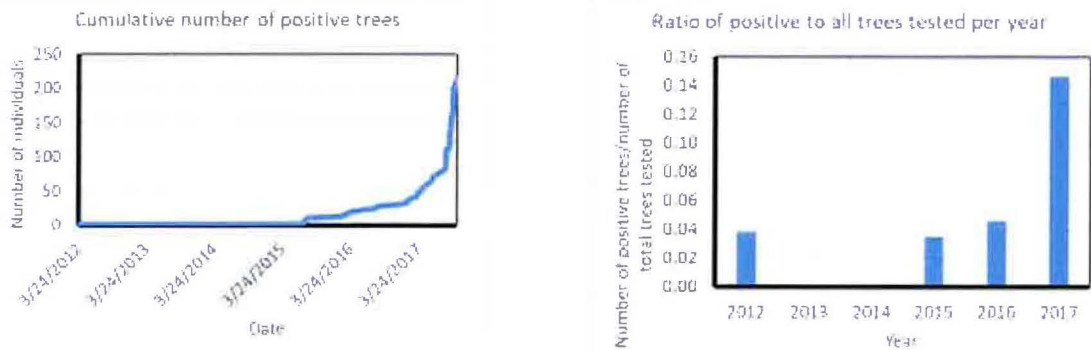


Figure 6: PCR-positive tree detections over time. In the left panel the cumulative number of detections is shown, highlighting the exponential increase in 2017. In the right panel the ratio of positive trees to all trees tested per year is shown. Note that until 2017 the ratio had been more or less stable at approximately 5%, but has nearly tripled in 2017 to just under 15%.

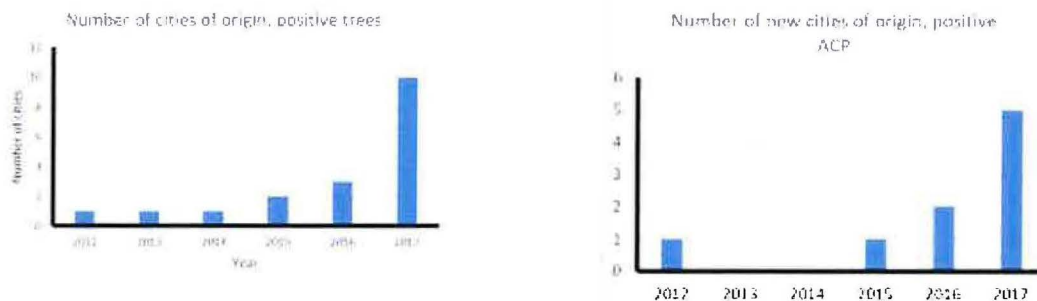


Figure 7: Numbers of cities with PCR-positive ACP detections over time. The left panel shows the cumulative figure, the right panel shows the number of new cities per year. Mirroring the results for trees and for ACP, note the sharp increase in 2017. These results indicate that the epidemic is intensifying across several spatial scales at a very high rate.

Changes in diagnostic results on tested Asian Citrus Psyllids

The previous section detailed the recent sharp increases in PCR detections for ACP and trees. These increases indicate that the pathogen population is growing and this can be seen directly by considering the Ct values in qPCR tests. Results highlighting the increase in the pathogen population are shown here in Figures 8 and 9.

Figure 8 shows the data for qPCR Ct values obtained from psyllid samples collected in different sampling cycles of the survey program. The data are sub-divided into samples obtained from inside and outside the existing HLB quarantine areas. It can be seen that the Ct values obtained from ACP samples inside the quarantine areas are showing a much faster increase in the proportion of low values (CT <32 to 33), indicating an intensification of the pathogen population in the vector population.

The presence of some ACP with low qPCR Ct values outside the existing quarantine areas highlights the risk of ACP moving the disease around and the need for quarantine regulations that apply at a larger scale than the current radius around confirmed HLB-positive trees.

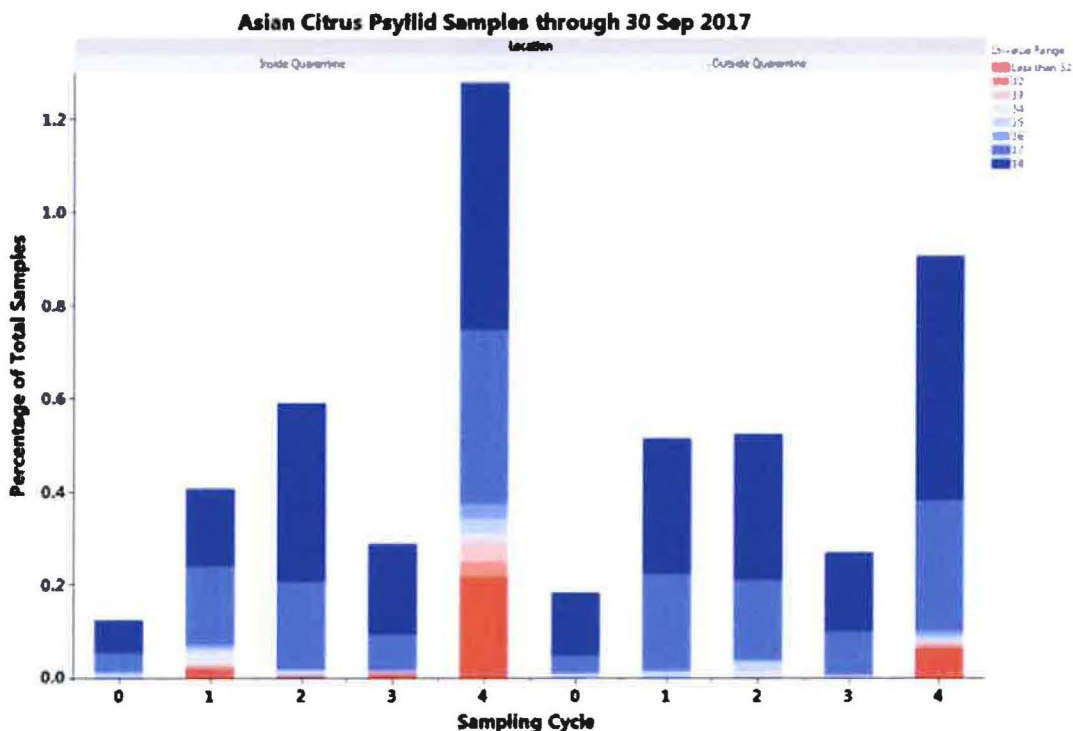


Figure 8: qPCR test results on ACP samples tested by CDFA through 30 September 2017. Note that the proportion of light blue and red (indicating presence of the HLB pathogen) in the samples from inside the quarantine areas (left panel) has increased over time, whereas no corresponding change is apparent in samples outside the quarantine areas (right panel).

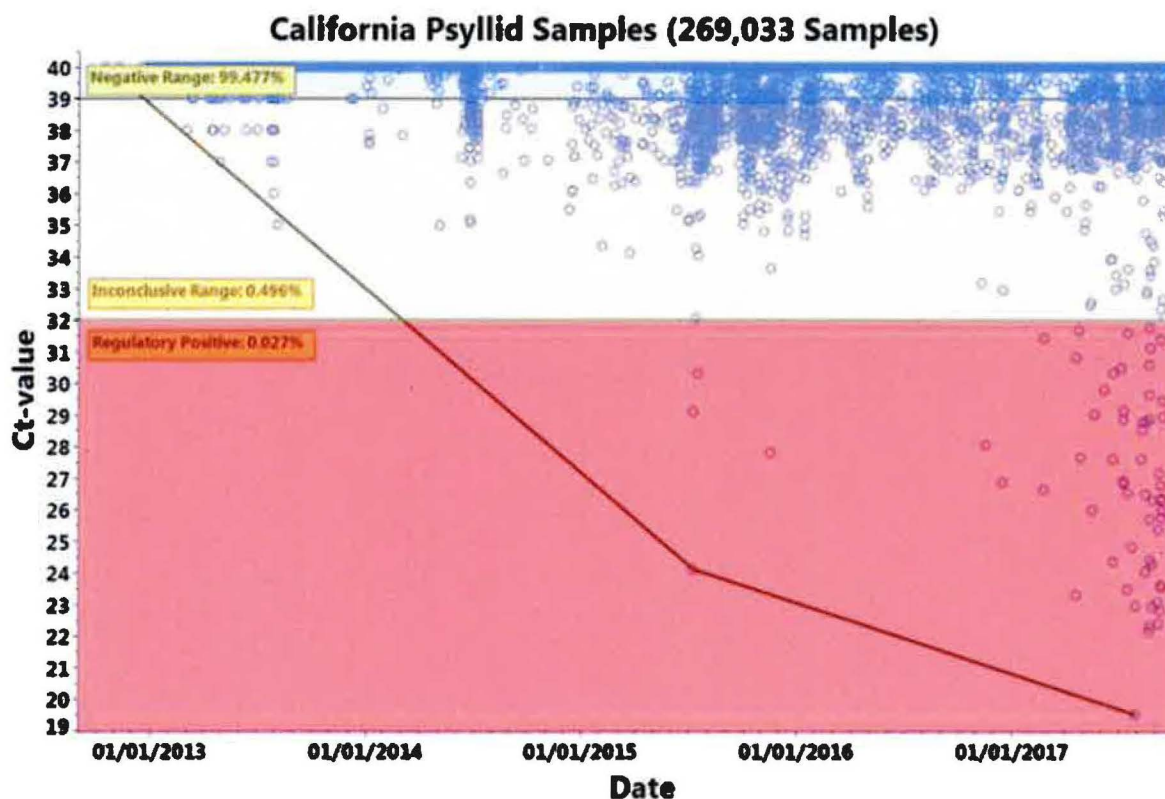


Figure 9: qPCR regulatory results recorded since the detection of HLB in California over time compared to the concentration of the pathogen in the sample (Ct < 32.1= HLB positive (red zone), Ct 32.1-38.9 = suspect (yellow zone), Ct > 38.9=HLB not detected (green zone)). The lower the Ct value, the higher the concentration of the HLB bacterium. Note the trend towards lower Ct values over time and the increase in numbers of HLB positive psyllids starting in 2015 and continuing through 2017 indicating that the titre (concentration) of HLB DNA in the psyllids is increasing.

Implications of changes in the dynamics and recommendations

To summarize the recent changes in the dynamics of HLB/ACP detections in trees and psyllids:

1. The number of HLB positive citrus trees detected has increased exponentially in the last 4 months as compared to the previous 6 years.
2. The number of HLB positive and infectious Asian citrus psyllids has increased exponentially in the last four months as compared to the previous 6 years.
3. These HLB infectious psyllids are spreading to new communities in the LA basin at a significantly escalated rate compared to the previous 6 years.
4. These infectious psyllids can be spread by movement of ACP-host nursery stock, bulk citrus, and other possible carriers of ACP.

Given the above developments in the California HLB epidemic it is of the utmost urgency to further compartmentalize the state using quarantine zones defined by HLB risk to commercial citrus (rather than 5 mile and county wide quarantines). This will help to reduce the potential for spread of HLB to zones where HLB has not been detected in citrus trees, nor has Asian citrus psyllid become established in some cases. The proposal to divide the state into 7 zones for bulk citrus movement and three zones for nursery stock, will serve to restrict the dispersal of HLB and its ACP vectors. Currently all known HLB infected trees are inside a single quarantine zone – zone 6. However, with the exponential escalation of the number of infected ACP and citrus trees requires an immediate regulatory response to restrict spread before the opportunity for such measures to be effective is lost.

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: 180281 500 Pine Street - CVS Pharmacy Type-21 PCN Request -Public Comment
Date: Wednesday, January 23, 2019 2:47:00 PM
Attachments: [image001.png](#)

From: Carroll, John (BOS)
Sent: Tuesday, January 22, 2019 9:41 AM
To: Michael Nulty <sf_district6@yahoo.com>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; ronenstaff@sfgov.org; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; PeskinStaff (BOS) <peskinstaff@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: RE: 180281 500 Pine Street - CVS Pharmacy Type-21 PCN Request -Public Comment

Thank you for your message, Mr. Nulty. I have added this document to the file for this matter.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 180281](#)

John Carroll
Assistant Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation and archived matters since August 1998.

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From: Michael Nulty [mailto:sf_district6@yahoo.com]
Sent: Monday, January 21, 2019 4:24 PM

To: Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; ronenstaff@sfgov.org;
Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; PeskinStaff (BOS) <peskinstaff@sfgov.org>
Cc: Carroll, John (BOS) <john.carroll@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: 180281 500 Pine Street - CVS Pharmacy Type-21 PCN Request -Public Comment

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors:

The Alliance for a Better District 6 is writing to express its strongest request that the Public Safety and Neighborhood Services deny that the off-sale Type-21 general beer, wine and distilled spirits liquor license to Garfield Beach CVS, LLC doing business as CVS Pharmacy located at 500 Pine Street, **will not serve** the public convenience or necessity of the City and County of San Francisco to be heard on January 23rd 2019 agenda.

Please see the attached letter and place into the public record.

Michael Nulty

P.O. Box 420846

San Francisco, CA 94142-0846

(415) 339-8327 - Direct

(415) 339-8779 - Alliance for a Better District 6

(415) 339-8683 - Central City Democrats

(415) 937-1289 - North of Market Business Association

(415) 820-1412 - Tenderloin Futures Collaborative

Celebrating 42 years of social and economic justice advocacy. Building a better tomorrow for all.

<https://www.linkedin.com/in/michaelnulty>



**Alliance for a Better District 6
P.O. Box 420782
San Francisco, CA 94142-0782**

January 21, 2019

Public Safety and Neighborhood Services Committee
City Hall 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Re: 180281 Liquor License Type 21 500 Pine Street – CVS Pharmacy

Dear Rafael Mandelman, Hillary Ronen, Aaron Peskin:

The Alliance for a Better District 6 is writing to express it's strongest request the the Public Safety and Neighborhood Services deny that the off-sale Type-21 general beer, wine and distilled spirits liquor license to Garfield Beach CVS, LLC doing business as CVS Pharmacy located at 500 Pine Street, **will not serve** the public convenience or necessity of the City and County of San Francisco to be heard on January 23rd 2019 agenda.

There are many reasons that will be expressed under public comment by members of the community at large. But when a board of Supervisor receives and Committee Reports which outlines all the public documents collected before the hearing and you see many letters of protest and no letters of support that says allot already.

Another specific reason for denial is this not the first time a large corporation has tried to establish a Type-21 off sale liquor license in this area. File No. 170848 location 150 Kearny Street BevMo only a couple blocks away was denied, Resolution No. 378-17 on 10/27/17 the Mayor signed the resolution.

The neighborhood and stakeholders has spoken in the past and we see nothing has changed to allow a new Type-21 liquor license be granted.

Please deny the CVS issuance of a liquor license.

Sincerely,

Michael Nulty
Executive Director

cc: Board of Supervisors
Public Safety Committee
File

To: Mr. Justin Gebb
Director, Department of Alcoholic Beverage Control
33 New Montgomery Street, Suite 1230
San Francisco, CA 94105

From:

RECEIVED
APR 06 2018
Alcoholic Beverage Control
Office of Legal Services

RE: Protest of CVS License Issuance, 500 Pine Street

Dear Director Gebb,

Please accept this letter as my protest of the issuance of a Type 21 license to Garfield Beach CVS LLC, proposed at 500 Pine Street. I live in the immediate neighborhood and know all too well the damage these convenience stores selling liquor have caused. There are already enough liquor stores in this part of town.

I will outline again my reasons for being so staunchly opposed to allowing CVS to sell alcohol anywhere in this neighborhood.

Pursuant to Section 23958 of the Business and Professions Code, the ABC's issuance of this license would result in, and add to, the undue concentration of licenses in my neighborhood and District. There is already an over-concentration of liquor stores from high-end (Scottish Import Company) to non-so high-end (Financial District Fine Wines). And so many in-between.

ABC Reporting data shows that the Census Tract #0117.00, which contains the proposed CVS location currently demonstrates the existence of an undue concentration of licenses as defined by Section 23958.4 of the Business and Professions Code. If the ABC's own data is showing an undue concentration, then it surely must deny this applicants license application.

The proposed premises is located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision © of Section 23958.4 of the Business and Professions Code, than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency. This is a high-crime area, so please do not add to the

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San Francisco

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potential for more crimes by permitting a CVS store to sell alcohol in this already troubled section of the City.

Additionally, the ABC has the authority to deny an application for a license where the issuance would tend to create or aggravate a law enforcement problem. This section of Kearny and Pine Streets is a high-crime area. Many of the crimes are caused by victims of alcohol abuse. The addition of another on-premise and off-premise alcohol sales vendor such as CVS is highly likely to further aggravate the crimes in the neighborhood. Let's not take that chance. Please deny this application in order to protect the public welfare.

Additionally, there is a formerly homeless veterans home located at 250 Kearny Street, just over a block away from this proposed CVS. Obviously, this is not a good idea, to offer low cost alcohol to former vets whom often suffer from PTSD and alcoholism.

Please consider my ongoing concerns and deny this applicants license applications for this location.

Sincerely,

Luis Castro

*Luis Castro
300 KEARNY
S.F CA - 94108*

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Dept of Alcoholic Beverage Control
San Francisco

Mr. Justin Gebb

Director, Department of Alcoholic Beverage Control

33 New Montgomery Street, Suite 1230

San Francisco, CA 94105

March 23, 2018

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Alcoholic Beverage Control
Office of Legal Services

RE: Protest of CVS License Issuance, 500 Pine Street

Dear Mr. Gebb,

A Type 21 license to Garfield Beach CVS LLC, has applied to place a Type 21 ABC Off-Sale License at their proposed at 500 Pine Street CVS Pharmacy. I live in the immediate neighborhood at the 250 Kearny Street Veterans Home. As a member of this community, I strongly oppose the issuance of this license.

Just last month our community successfully convinced the San Francisco Board Of Supervisors to deny an application for at Type 21 License by Bevmo, which had been proposed at 150 Kearny St, just two blocks from this proposed CVS location at Kearny and Pine.

According to Section 23958 of the Business and Professions Code, the ABC's issuance of this license would result in, and add to, the undue concentration of licenses in my neighborhood and in this Supervisorial District. There is already an over-concentration of liquor stores in this neighborhood. In fact, there are 24 Active Off-Sale Licenses in this Census Tract (0117.00) (Report Attached).

The proposed CVS location currently indicates the existence of an over concentration of licenses as defined by Section 23958.4 of the Business and Professions Code. If the ABC's own data is showing an undue concentration, then it must deny this applicants license application.

The proposed premises is located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision © of Section 23958.4 of the Business and Professions Code, than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency. This is a high-crime area. Adding an off-sale option has the potential for even more crimes by permitting a CVS store to sell alcohol in this already troubled section of the City.

The Department of Alcohol and Beverage Control has the ultimate authority to deny an application for a license where the issuance would tend to create or aggravate a law enforcement problem. This section of Kearny and Pine Streets is a high-crime area. Many of the crimes are caused by the consumption of alcohol

APR 05 2018

Dept of Alcoholic Beverage Control
San Francisco

abuse. The addition of another on-premise and off-premise alcohol sales vendor such as CVS is highly likely to further aggravate the crimes in the neighborhood. Please deny this application in order to protect the public welfare.

At the formerly homeless veterans home located at 250 Kearny Street, where I live, many of my neighbors suffer from alcohol addiction. Our home is just ONE BLOCK away from this proposed CVS. What a terrible proposal, to offer low cost alcohol to former vets whom often suffer from PTSD and long term alcoholism.

Please consider my protest and deny this applicants license applications for this location. I will be standing by to participate in any licensing or Board of Supervisor Hearings pertaining to this application.

Sincerely, *Kevin Chenevert*

250 Kearny S.F. CA. 94108 405

KEVIN CHENEVERT

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APR 05 2018

Dept of Alcoholic Beverage Control
San Francisco

SS

To Department of A.B.C.:

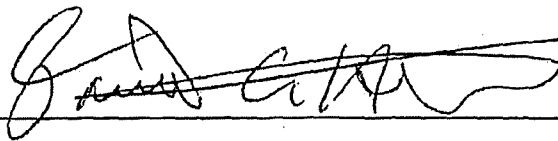
My Name is David Huang. I'm strongly against the application for the type 21 license transfer at 500 Pine Street in SF. There are at least

7 liquor stores in our near by neighborhood. Another one in our neighborhood would attract more homeless people to stay here on the sidewalk day and night. That will cause more problems to the public.

Such as public safety and nuisance. More crime and drunkenness. For these reasons, I urge you to disapprove the above proposed new liquor sales.

Thank you,

Sincerely,



DAVID HUANG
612 Kearny St,
SF CA 94108

PH. [REDACTED]

(415) 613-8281

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Alcoholic Beverage Control
Office of Legal Services

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APR 09 2018

Dept of Alcoholic Beverage Control
San Francisco

To: Mr. Justin Gebb
Director, Department of Alcoholic Beverage Control
33 New Montgomery Street, Suite 1230
San Francisco, CA 94105

RECEIVED
APR 06 2018
Alcoholic Beverage Control
Office of Legal Services

From:

RE: Protest of CVS License Issuance, 500 Pine Street

RECEIVED
APR 05 2018
Dept of Alcoholic Beverage Control
San Francisco

Dear Director Gebb,

Please accept this letter as my protest of the issuance of a Type 21 license to Garfield Beach CVS LLC, proposed at 500 Pine Street. I live in the immediate neighborhood and know all too well the damage these convenience stores selling liquor have caused. There are already enough liquor stores in this part of town.

I will outline again my reasons for being so staunchly opposed to allowing CVS to sell alcohol anywhere in this neighborhood.

Pursuant to Section 23958 of the Business and Professions Code, the ABC's issuance of this license would result in, and add to, the undue concentration of licenses in my neighborhood and District. There is already an over-concentration of liquor stores from high-end (Scottish Import Company) to non-so high-end (Financial District Fine Wines). And so many in-between.

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potential for more crimes by permitting a CVS store to sell alcohol in this already troubled section of the City.

Additionally, the ABC has the authority to deny an application for a license where the issuance would tend to create or aggravate a law enforcement problem. This section of Kearny and Pine Streets is a high-crime area. Many of the crimes are caused by victims of alcohol abuse. The addition of another on-premise and off-premise alcohol sales vendor such as CVS is highly likely to further aggravate the crimes in the neighborhood. Let's not take that chance. Please deny this application in order to protect the public welfare.

Additionally, there is a formerly homeless veterans home located at 250 Kearny Street, just over a block away from this proposed CVS. Obviously, this is not a good idea, to offer low cost alcohol to former vets whom often suffer from PTSD and alcoholism.

Please consider my ongoing concerns and deny this applicants license applications for this location.

Sincerely,

Moe Manna
Moe Manna
300 Kearny str.
San Francisco CA 9

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APR 05 2018

Dept of Alcoholic Beverage Control
San Francisco

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at www.abc.ca.gov and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestants/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

Garfield Beach CVS LLC DBA CVS Pharmacy #10492

(Name(s) of Applicant(s))

For premises at:

500 Pine Street, San Francisco, CA 9408

(Exact address of proposed premises)

on the grounds that:

- 1) the application for license(s) Type 21 where issues would result in or add to an undue concentration of licenses Section 23958
- 2) where there presently exists an undue concentration of licenses as defined by Section 23958.4
- 3) where the proposed premises are located in a high crime reporting district Section 23958.4 (c)

therefore issuance of license(s) would be contrary to public welfare and morals and submit that these licenses be denied.

Check here if additional sheets attached

RECEIVED

MAR 12 2018

Department of Alcoholic Beverage Control

I, John Nulty, declare under penalty of perjury:

PRINT (Name of Protestant)

- (1) That I am the Protestor herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

TELEPHONE NUMBER (Optional & non-public)

SIGNED AT (City and State)

DATE SIGNED

San Francisco, California
P. O. Box 421949, San Francisco, CA 94142-1949

3/11/2018

PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

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MAR 15 2018

Page 2.

Points of consideration: Open Spaces: Rooftop Park at 500 Pine, which is connected to St. Mary's Square, contains planted areas, seating and open plazas. Behind the lot is St. Mary's Park with kiosk green toilet. Both sides of the corner building of 500 Pine Street are the entrances and exists on Pine and Kearny to the St. Mary's Square Parking Garage and parking lots. Schools: Ecole Notre Dame Des Victoires and Academy of Arts University.

Issuance of the license to the premises would add an undue concentration of licenses; licensing the premises aggravates an already existing police problems in a high-crime area; and the premises is within 500 feet of open space.

I do not know what the security plan for the new store is nor do I know which exits will be used by the public.

Because of the above concerns the following conditions must be applied.

Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 8AM and 10PM daily.

No more than 5% of the square footage of the premises will be used for the display of alcoholic beverages.

No malt beverages shall be sold with an alcoholic content greater than 5.7% by volume.

The sale of single beer or malt beverage in quantities of 16 oz., 22 oz., 32 oz., 40 oz., or similar size containers is prohibited.

No beer or malt beverage, wine cooler or beer cooler shall be sold in quantities of less than manufacturer pre-packaged multi-unit quantities of four (4) or more.

No wine shall be sold with an alcoholic content greater than 15% by volume except for wine which has been aged two years or more and maintained in a corked bottle.

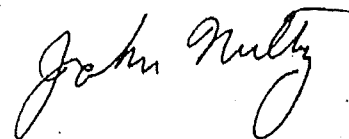
Loitering (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalk or property adjacent to the licensed premises under control of the licensee.

The licensee shall utilized electronic surveillance and recording equipment that is able to view all exit and entrance points of the exterior of the premises. The electronic surveillance/recording shall be operational at all times that the premises open to the public. Said electronic recording shall be maintained and kept for minimum of seven (7) days, and shall be made available to Law Enforcement on demand.

Promote a transparent storefront that welcomes customers inside with products and services on display, discourage crime with more "eyes on the street," reduced energy consumption with use of natural light, and enhances the curb appeal and value of the store and the entire neighborhood.

RECEIVED

MAR 12 2018



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Michael Nulty
PROTESTANT'S SIGNATURE

TELEPHONE NUMBER (Optional & non-public)

San Francisco, California
SIGNED AT (City and State)

DATE SIGNED

P.O. Box 420 846, San Francisco CA 94142-0846
PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

3/11/18

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MAR 15 2018

MAR 12 2018

Page 2.

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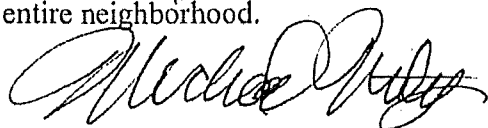
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MAR 12 2018

Dept. of ... Control



To: Mr. Justin Gebb
Director, Department of Alcoholic Beverage Control
33 New Montgomery Street, Suite 1230
San Francisco, CA 94105

From:

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APR 06 2018

Alcoholic Beverage Control
Office of Legal Services

RE: Protest of CVS License Issuance, 500 Pine Street

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APR 05 2018

Dept of Alcoholic Beverage Control
San Francisco

Dear Director Gebb,

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I will outline again my reasons for being so staunchly opposed to allowing CVS to sell alcohol anywhere in this neighborhood.

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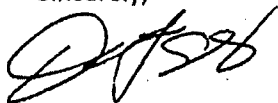
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Additionally, the ABC has the authority to deny an application for a license where the issuance would tend to create or aggravate a law enforcement problem. This section of Kearny and Pine Streets is a high-crime area. Many of the crimes are caused by victims of alcohol abuse. The addition of another on-premise and off-premise alcohol sales vendor such as CVS is highly likely to further aggravate the crimes in the neighborhood. Let's not take that chance. Please deny this application in order to protect the public welfare.

Additionally, there is a formerly homeless veterans home located at 250 Kearny Street, just over a block away from this proposed CVS. Obviously, this is not a good idea, to offer low cost alcohol to former vets whom often suffer from PTSD and alcoholism.

Please consider my ongoing concerns and deny this applicants license applications for this location.

Sincerely,



11 Beiden Pl #511

San Francisco CA 94104

David TSUNG

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APR 05 2018
Dept of Alcoholic Beverage Control
San Francisco

Public Safety & Neighborhood Services Committee

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102-4689

October 1, 2018

Dear Supervisors Mandelman, Ronen and Peskin,

Please accept this letter as my protest against the application by Garfield Beach CVS LLC., for a Type 21 Alcoholic Beverage Control license proposed at 500 Pine Street, San Francisco. My home is located adjacent to this proposed convenience store location. My opposition to allowing this large discount convenience store to open here and sell alcohol is because I am convinced that it would cause further deterioration to the nature of the Downtown San Francisco work environment. This area is noted for its high crime and homelessness issues. The public convenience is already well served. We do not need yet another liquor seller in this part of town.

Recently, 7-Eleven, another large discount retail chain, was permitted to open a few blocks away on Kearny Street at Market, and a second 7-Eleven operates on Sutter Street at Kearny selling alcohol. Both of these chain outlets have become magnets of crime and socially unacceptable behavior by the many homeless people whom panhandle at their entrances, or camp on the adjacent sidewalks and alleyways. In addition, these chain stores have caused the quiet enjoyment of the neighborhood to be damaged due to the massive amount of trash which builds up in front of their stores. No attempt is made by these chain stores to clean their sidewalks. Another large chain liquor store called Bevmo was recently denied its application by the San Francisco Board of Supervisors. Bevmo had applied for the same Type 21 license, and proposed it just three blocks away from this proposed CVS location. The denial of that Bevmo license are the same reasons why this CVS liquor license should be denied.

Many of the unfortunate homeless people, my neighbors, whom frequent these liquor stores, or loiter outside them, suffer from drug addiction, alcohol abuse and PTSD. These are contributing factors to the high instances of crime on Kearny Street. Allowing CVS to open in this area, with its vast offerings of cheap alcohol and wine, will further cause the deterioration of this area.

Supervisors, please consider my opposition to this liquor license. There would be no convenience served, and there is certainly no necessity for yet another liquor license in my neighborhood.

I look forward to making these points in person at any future PCN hearing in your chambers.

Respectfully,

Luis F Cano Moo
300 KEARNY ST SF 94108

Luis F Cano Moo

Public Safety & Neighborhood Services Committee

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102-4689

October 1, 2018

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Respectfully,

LOUIS LOPEZ

Louis Lopez

250 KEARNEY # 429

SF CA 94108

Public Safety & Neighborhood Services Committee

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102-4689

October 1, 2018

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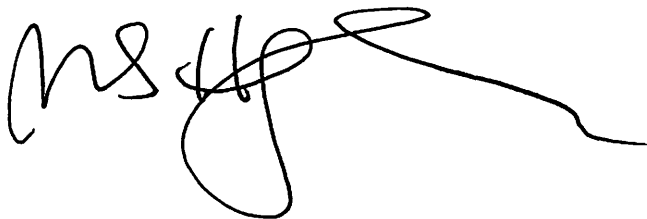
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I look forward to making these points in person at any future PCN hearing in your chambers.

Respectfully,

Michael S. Hughes
250 KEARNY ST #422
SAN FRANCISCO CA 94108

A handwritten signature in black ink, appearing to read "MSH" followed by a stylized flourish.

Public Safety & Neighborhood Services Committee

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102-4689

October 1, 2018

Dear Supervisors Mandelman, Ronen and Peskin,

Please accept this letter as my protest against the application by Garfield Beach CVS LLC., for a Type 21 Alcoholic Beverage Control license proposed at 500 Pine Street, San Francisco. My home is located adjacent to this proposed convenience store location. My opposition to allowing this large discount convenience store to open here and sell alcohol is because I am convinced that it would cause further deterioration to the nature of the Downtown San Francisco work environment. This area is noted for its high crime and homelessness issues. The public convenience is already well served. We do not need yet another liquor seller in this part of town.

Recently, 7-Eleven, another large discount retail chain, was permitted to open a few blocks away on Kearny Street at Market, and a second 7-Eleven operates on Sutter Street at Kearny selling alcohol. Both of these chain outlets have become magnets of crime and socially unacceptable behavior by the many homeless people whom panhandle at their entrances, or camp on the adjacent sidewalks and alleyways. In addition, these chain stores have caused the quiet enjoyment of the neighborhood to be damaged due to the massive amount of trash which builds up in front of their stores. No attempt is made by these chain stores to clean their sidewalks. Another large chain liquor store called Bevmo was recently denied its application by the San Francisco Board of Supervisors. Bevmo had applied for the same Type 21 license, and proposed it just three blocks away from this proposed CVS location. The denial of that Bevmo license are the same reasons why this CVS liquor license should be denied.

Many of the unfortunate homeless people, my neighbors, whom frequent these liquor stores, or loiter outside them, suffer from drug addiction, alcohol abuse and PTSD. These are contributing factors to the high instances of crime on Kearny Street. Allowing CVS to open in this area, with its vast offerings of cheap alcohol and wine, will further cause the deterioration of this area.

Supervisors, please consider my opposition to this liquor license. There would be no convenience served, and there is certainly no necessity for yet another liquor license in my neighborhood.

I look forward to making these points in person at any future PCN hearing in your chambers.

Respectfully,

Moe Manna
300 Kaulny Street
SF, CA, 94108

A handwritten signature in black ink, appearing to be 'Moe Manna', written in a cursive style with a large, sweeping flourish at the end.

Public Safety & Neighborhood Services Committee

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102-4689

October 1, 2018

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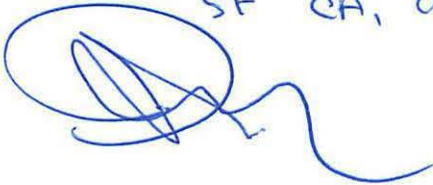
I look forward to making these points in person at any future PCN hearing in your chambers.

Respectfully,

PAUL PENN

250 KEARNEY ST #311

SF CA, 94108

A handwritten signature in blue ink, consisting of a large, stylized 'P' followed by a long, sweeping horizontal line that ends in a small upward flick.

Public Safety & Neighborhood Services Committee

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102-4689

October 1, 2018

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Respectfully,

A handwritten signature in black ink, appearing to read 'D. Tsung', written in a cursive style.

DAVID TSUNG
11 Belden Pl #511
SAN FRANCISCO CA 94104

Public Safety & Neighborhood Services Committee

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102-4689

October 1, 2018

Dear Supervisors Mandelman, Ronen and Peskin,

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Respectfully,

RONNIE WARDELL
250 KENNEY ST #604
S.F. CA - 94108
Ronnie Wardell

Public Safety & Neighborhood Services Committee

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102-4689

October 1, 2018

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Respectfully,

KEVIN CHEWERT
250 KEARNY ST #405 94108
SAN FRANCISCO CA. →

Kevin Chew

Public Safety & Neighborhood Services Committee

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102-4689

October 1, 2018

Dear Supervisors Mandelman, Ronen and Peskin,

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I look forward to making these points in person at any future PCN hearing in your chambers.

Respectfully,

MICHAEL A. JACKSON
250 KEARNY ST# 220
SF, CA, 94108


From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors; Major, Erica \(BOS\)](#)
Subject: FW: 28 bus didn't stop at Park Presidio and Geary because of tech shuttles
Date: Wednesday, January 23, 2019 2:45:00 PM

From: Sue Vaughan <selizabethvaughan@gmail.com>
Sent: Wednesday, January 23, 2019 8:11 AM
To: Reiskin, Ed (MTA) <Ed.Reiskin@sfmta.com>; MTABoard <MTABoard@sfmta.com>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Cityattorney <Cityattorney@sfcityatty.org>; Rebelos, Samantha (MTA) <Samantha.Rebelos@sfmta.com>; Nick Zanjani <nick.zanjani@cpuc.ca.gov>; SFPD Richmond Station, (POL) <sfpdrichmondstation@sfgov.org>
Cc: Joe Fitzgerald Rodriguez <joe@sfmediaco.com>; Joe Eskenazi <getbackjoejoe@gmail.com>; Edward Mason <zabredala3@yahoo.com>
Subject: 28 bus didn't stop at Park Presidio and Geary because of tech shuttles

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

A passenger waiting to board the southbound 28 at Park Presidio has told me that the 28 didn't stop at Park Presidio at about 7:58 a.m. because a tech shuttle was in the bus stop in violation of CVC 25500.i.

When I arrived four tech shuttle buses were queuing, one after the other. The SFMTA Board of Directors has deliberately turned a blind eye to the law in order to cater to wealthy, powerful tech corporations.

Susan Vaughan

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Subject: FW: Genentech shuttle obstructs 28R outbound at Park Presidio & Geary
Date: Wednesday, January 23, 2019 12:52:00 PM

From: Sue Vaughan <selizabethvaughan@gmail.com>
Sent: Tuesday, January 22, 2019 1:29 PM
To: Reiskin, Ed (MTA) <Ed.Reiskin@sfmta.com>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; MTABoard <MTABoard@sfmta.com>; Cityattorney <Cityattorney@sfcityatty.org>; Nick Zanjani <nick.zanjani@cpuc.ca.gov>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Roger Marenco <roger_marenco@yahoo.com>; SFPD Richmond Station, (POL) <sfpdrichmondstation@sfgov.org>
Cc: Edward Mason <zabredala3@yahoo.com>; Joe Fitzgerald Rodriguez <joe@sfmediaco.com>; Joe Eskenazi <getbackjoejoe@gmail.com>; Shaban, Bigad (NBCUniversal) <bigad.shaban@nbcuni.com>
Subject: Genentech shuttle obstructs 28R outbound at Park Presidio & Geary

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Tuesday, January 22, 2019 at 7:59 a.m.

This is a violation of California Vehicle Code 22500.i.

Susan Vaughan

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors; BOS Legislation, \(BOS\)](#)
Subject: FW: Letter of Support for 3637-3657 Sacramento Street Project
Date: Wednesday, January 23, 2019 2:34:00 PM
Attachments: [LitkeSupportLetter_20190123.pdf](#)

From: Michael Reichmuth <fish4boy@yahoo.com>
Sent: Wednesday, January 23, 2019 1:57 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Letter of Support for 3637-3657 Sacramento Street Project

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,
Attached you will find a letter of support for the proposed project located at 3637-3657 Sacramento Street.
Please do not hesitate to contact me if you have any questions regarding the support of this project.

Thank you for your time,

Michael Reichmuth
488 Locust St., Apt 407
San Francisco 94118

Michael Reichmuth
488 Locust St Apt. 407
San Francisco, CA 94118
415-673-1988
January 23, 2019

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102-4689

RE: Appeal Hearing for 3637-3657 Sacramento Street

Dear San Francisco Board of Supervisors,

I am writing to you to express my support for the proposed project by Litke Property, Inc. located at 3637-3657 Sacramento Street. I am a current tenant of Litke Property, Inc. and live less than one block from the proposed project. My family currently lives in a similar property as proposed at 3637-3657 Sacramento Street. If it was not for this modern high density living space my family and I would not be able to afford to live in this neighborhood. The proposed project will provide an affordable option with ideal modern conveniences, for both young families and those with physical disabilities, such as parking, in building elevator, quick access to grocery stores, public transportation, and medical services. The proposed project will also provide additional housing at a time when San Francisco is in dire need of housing, especially for young families.

In addition to providing housing, the proposed project at 3637-3657 Sacramento Street will improve the esthetics of the neighborhood, increase public safety, and fully utilize this property with direct benefits to the surrounding community.

I strongly support this opportunity to improve our neighborhood and develop additional housing options for young families and those with physical disabilities. Please do not hesitate to contact me for any further questions in regards to my support of the project proposed at 3637-3657 Sacramento Street.

Thank you

Sincerely,

Michael Reichmuth

Michael Reichmuth

(BOS-11)

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2019 JAN 29 AM 10:57
BY ZAB

January 25, 2019

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102-4689

RE: 3637-3657 Sacramento Street

Dear Board of Supervisor,

As a long term tenant living in Laurel Heights for the last 8 years, I want to express my support for the proposed project at 3637-3657 Sacramento Street. I would be excited to see a new building on the 3600 block of Sacramento Street instead of the outdated building that currently exists.

I have heard from some neighbors that they do not want to see medical offices in the building. I strongly disagree with this idea. Many of the doctors at 3838 California are being relocated or closed due to the increase in rent. It's becoming harder for people like me to be able to visit a doctor office within reasonable distance. I would very much like to see doctors return to the new building when it's built.

I also want to emphasize that parking is very much in need in this neighborhood. The proposed building will offer parking for customers and patients in the area and it will relief those who have to find street parking.

I understand it may be an inconvenience to the neighbors during the construction phase, but in the long term, this proposed building will bring in a rejuvenated block that everyone will be able to enjoy.

Thank you for your consideration.

Sincerely,



Bonnie Barnett

488 Locust Street, #401

San Francisco, CA 94118

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors; Major, Erica \(BOS\)](#)
Subject: FW: Tax on vacant housing and storefronts
Date: Wednesday, January 23, 2019 12:45:00 PM

From: Allen Jones <jones-allen@att.net>
Sent: Wednesday, January 23, 2019 8:29 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Tax on vacant housing and storefronts

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Attention: All Members of the San Francisco Board of Supervisors,

People!! This is a terrible idea. It will backfire when people figure out they can just wait out landlords to get a better lease/rent. The result will drive the smaller property owners to sell.

Then big investors, who could afford to pay the \$250.00 a day long enough to pay off (through campaign donations) future board members into repealing this tax. Then they will have once again done a no-brainer; game the system. The last thing San Francisco needs is to turn over small property to the richest people or businesses.

But once again, SF Board of Supervisors did not fail to live up to their motto: The city that knows how... to make a bad thing worse.

Allen Jones
jones-allen@att.net
(415) 756-7733
@NBADoesNotCare
#BlackPowerMonth

The only thing I love more than justice is the freedom to fight for it.
--Allen Jones--

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Major, Erica \(BOS\)](#)
Subject: FW: The beatings will continue until morale improves
Date: Wednesday, January 23, 2019 12:45:00 PM

-----Original Message-----

From: Jamey Frank <jameyfrank@me.com>
Sent: Wednesday, January 23, 2019 8:16 AM
To: Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; hiliary.ronen@sfgov.org
Subject: The beatings will continue until morale improves

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

Why does San Francisco continually punish people into submission, rather than incentivizing behavior? This latest idea to punish vacancies is yet another example.

We hate on drivers, instead of making public transit attractive.

Public transit doesn't show up, so we punish Uber and Lyft.

We fine and over-regulate home sharing.

Our permitting process is so egregious opening a local business is near impossible.

We remove access to neighborhoods by eliminating parking and traffic lanes, cutting foot traffic below merchant profitability.

We let roads fall apart, prioritizing street diets instead.

We talk about eliminating lunchrooms, instead of making streets desirable to go outside.

Instead of "Sin Taxes" how bout we reward and incentivize desired behaviors? Drive less, get a tax credit. Buy local, get free Fastpass. Rent a storefront to a small business, lower tax rate than for a chain.

All this negativity is toxic, counterproductive, and continues the death spiral of choking off small businesses, fleeing longtime residents, and elimination of suburban visitors.

Please consider making our city welcoming again.

Sincerely,

--Jamey Frank
Church Street, San Francisco

From: [Spencer Hudson](#)
To: [Fewer, Sandra \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar. Gordon \(BOS\)](#); [Brown, Vallie \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Yee, Norman \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary](#); [Walton, Shamann \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)
Cc: [Maria Schulman](#); kcutler@cohsf.org; [Board of Supervisors, \(BOS\)](#)
Subject: Indivisible SF opposes homeless sweeps and restrictions on vehicular habitation
Date: Sunday, January 20, 2019 4:18:45 PM
Attachments: [2019_01_21_SF_BoS_&_Mayor_-_ISF_opposes_homeless_sweeps.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To: San Francisco Board of Supervisors and Mayor London Breed

Attached is a letter from Indivisible SF opposing homeless sweeps and restrictions on vehicular habitation

Please let me know if you have any questions

Spencer Hudson
Indivisible SF
indivisible.spencer@gmail.com
(415) 373-8476

INDIVISIBLE SF

Date: January 21st, 2019

To: San Francisco Board of Supervisors, Mayor London Breed

cc: Kelley Cutler, Human Rights Organizer, Coalition on Homelessness

re: Harassment of homeless people living on the streets of San Francisco

Indivisible SF opposes sweeps of homeless people's encampments and restrictions on vehicular habitation and calls on the Mayor and Board of Supervisors to enact legislation to stop ongoing harassment and traumatization of our neighbors who live on the streets.

The homelessness crisis in San Francisco is severe, but sweeps are the wrong approach. Encampment sweeps do nothing to help people who are homeless, and only serve to further dehumanize them. In 2018, the 9th Circuit Court ruled that it is a violation of the Eighth Amendment's prohibition on cruel and unusual punishment to criminalize homelessness when people have nowhere to go, yet the City persists in harassing and traumatizing those who live on the streets. When temperatures dropped into the 40s and more than an inch of rain came down in the past couple weeks, the City touted its own disgraceful response: a mere 25 mats for the thousands of people sleeping on the street. Meanwhile, it quietly confiscated over \$1,000 of donated tents, blankets and tarps. These actions are unjustifiable.

Indivisible SF is similarly concerned by the City's persecution of people living in vehicles. According to the SFMTA, San Francisco has over 1,000 people living in cars, vans, or RVs on the streets of San Francisco. These include families, students, pregnant people, young children, elderly people, and people with disabilities. For the vehicularly housed, numerous challenges threaten their only form of shelter. Vehicular

dwelling is far from ideal, but is often the safest option for this vulnerable population. Yet the City is threatening it by issuing parking citations and tow fees, which exacerbate precarious living situations.

The Board of Supervisors and Mayor should immediately take these actions:

- Ban the SF Police Department, Department of Public Works, Municipal Transportation Agency, and other city agencies from conducting sweeps of homeless people, tent “encampments,” and people living in vehicles.
- Ban the confiscation and towing of vehicles that are used for housing.
- Provide clean, safe, secure facilities with easy access so that people can keep their property safe when they voluntarily accept places in overnight shelters and other temporary housing.
- Provide safe parking sites for people living in their vehicles, including 24/7 access and security, hygiene and sanitation facilities, and on-site support services.
- Offer refunds of tow and storage fees to people whose vehicular homes have been towed in the past.
- Rescind parking restrictions that prohibit or discourage vehicular habitation.

Contact:

Spencer Hudson
spencer@castatestrong.org
(415) 373-8476

Maria Schulman
maria@castatestrong.org
(415) 595-0868