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Preliminary Mitigated Negative Declaration

Date:	November 10, 2010
Case No.:	**2010.0128E**
Project Address:	**36-38 Harriet Street (formerly 42-48 Harriet Street)**
Zoning:	MUG (Mixed Use General); RED (Residential Enclave) Districts; Youth and Family Zone Special Use District 45-X Height and Bulk District
Block/Lot:	Block 3731; Lots 101 and 102
Lot Size:	1,238 and 2,512 square feet, respectively
Project Sponsor:	Cara Houser, Panoramic Interests, (510) 883-1000
Staff Contact:	Don Lewis – (415) 575-9095 don.lewis@sfgov.org

PROJECT DESCRIPTION:

The project sponsor proposes to demolish a vacant surface parking lot and construct a new, 45-foot-tall, four-story, 11,775-square-foot residential building with 23 SRO (Single Room Occupancy) condominium units. Five of the SRO units would be at the ground-floor level while floors 2 through 4 would each have six SRO units. The project would not provide off-street parking. The 3,750-square-foot project site is located on the southwest side of Harriet Street between Folsom and Howard Streets within the South of Market (SOMA) neighborhood. The project site is also within the East SOMA subarea of the Eastern Neighborhoods Rezoning and Area Plan and within the proposed Western SOMA Light Industrial and Residential Historic District.

FINDING:

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

Mitigation measures are included in this project to avoid potentially significant effects. See pages 17-20.

c: Cara Houser, Project Sponsor; Diego Sanchez, SE Quadrant; Supervisor Chris Daly, District 6; Bulletin Board; Master Decision File; Distribution List

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INITIAL STUDY
36-38 HARRIET STREET
PLANNING DEPARTMENT CASE NO. 2010.0128E

A. PROJECT DESCRIPTION

Project Location and Site Characteristics

The project site (Assessor's Block 3731, Lots 101 and 102) totals 3,750 square feet and is located at 36-38 Harriet Street on the southwest side of Harriet Street between Folsom and Howard Streets within the South of Market (SOMA) neighborhood where the topography is primarily flat with no noticeable slope (see Figure 1, Site Location).[1] The project site is currently occupied by a vacant surface parking lot, and no buildings or structures are located on the project site. The site is within the Mixed Use General (MUG) and Residential Enclave (RED) zoning district, the Youth and Family Zone Special Use District (SUD) and the 45-X height and bulk district. The project site is also within the East SOMA subarea of the Eastern Neighborhoods Rezoning and Area Plan, and the potential Western SOMA Light Industrial and Residential Historic District.

Proposed Project

The project sponsor proposes to demolish a vacant surface parking lot and construct a new, 45-foot-tall, four-story, 11,775-square-foot residential building with 23 SRO (Single Room Occupancy) condominium units. Five of the SRO units would be at the ground-floor level while floors 2 through 4 would each have six SRO units (see Figures 2 – 7: Site Plan, Floor Plans, and Elevation). The project would not provide off-street parking. The project would provide 750 square feet of common usable open space in the rear yard. The project would provide five affordable housing units.

The proposed building would be modular and each unit would be prefabricated off-site. The building is then "assembled" on-site. This type of construction requires additional thickness of floor plates and this translates into additional height. The proposed building would use a Parklex rainscreen at the front façade, which is a "high-density stratified timber panel manufactured from kraft paper treated with resins thermoset under high pressure and temperature and finished with natural timber veneers." The project is aiming for LEED Platinum certification.

The project would require excavation underneath the entire project site of up to approximately two and a half feet below the existing street grade. Project construction would take approximately three months, and the project's estimated cost is $2,000,000.

The proposed project complies with the Planning Code and would not require a variance or a conditional use authorization.

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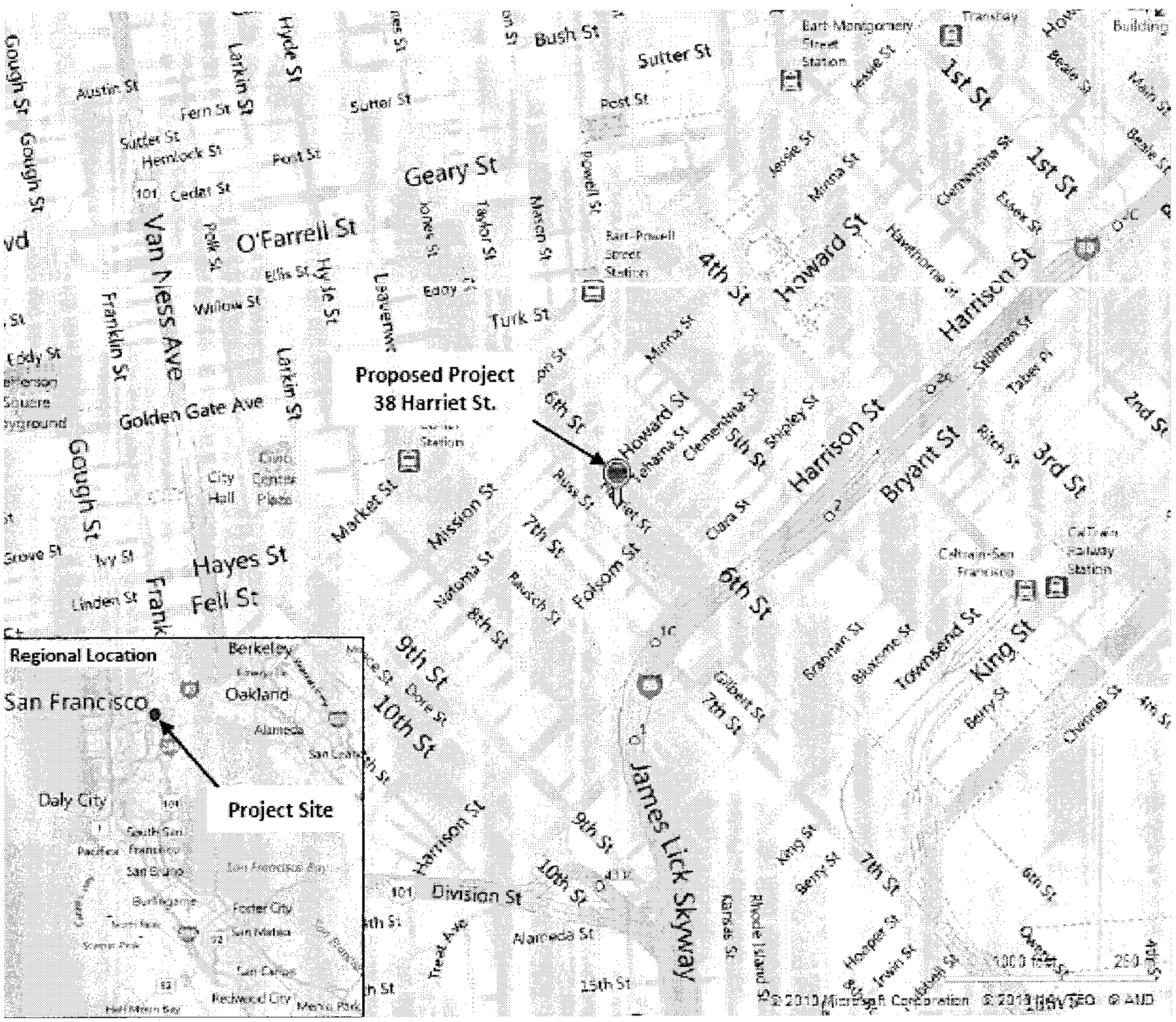
[1] The project was formerly known as 42-48 Harriet Street.



North

Figure 1 – Project Location Map
36-38 Harriet Street
Source: ZETA Communities, October 2010

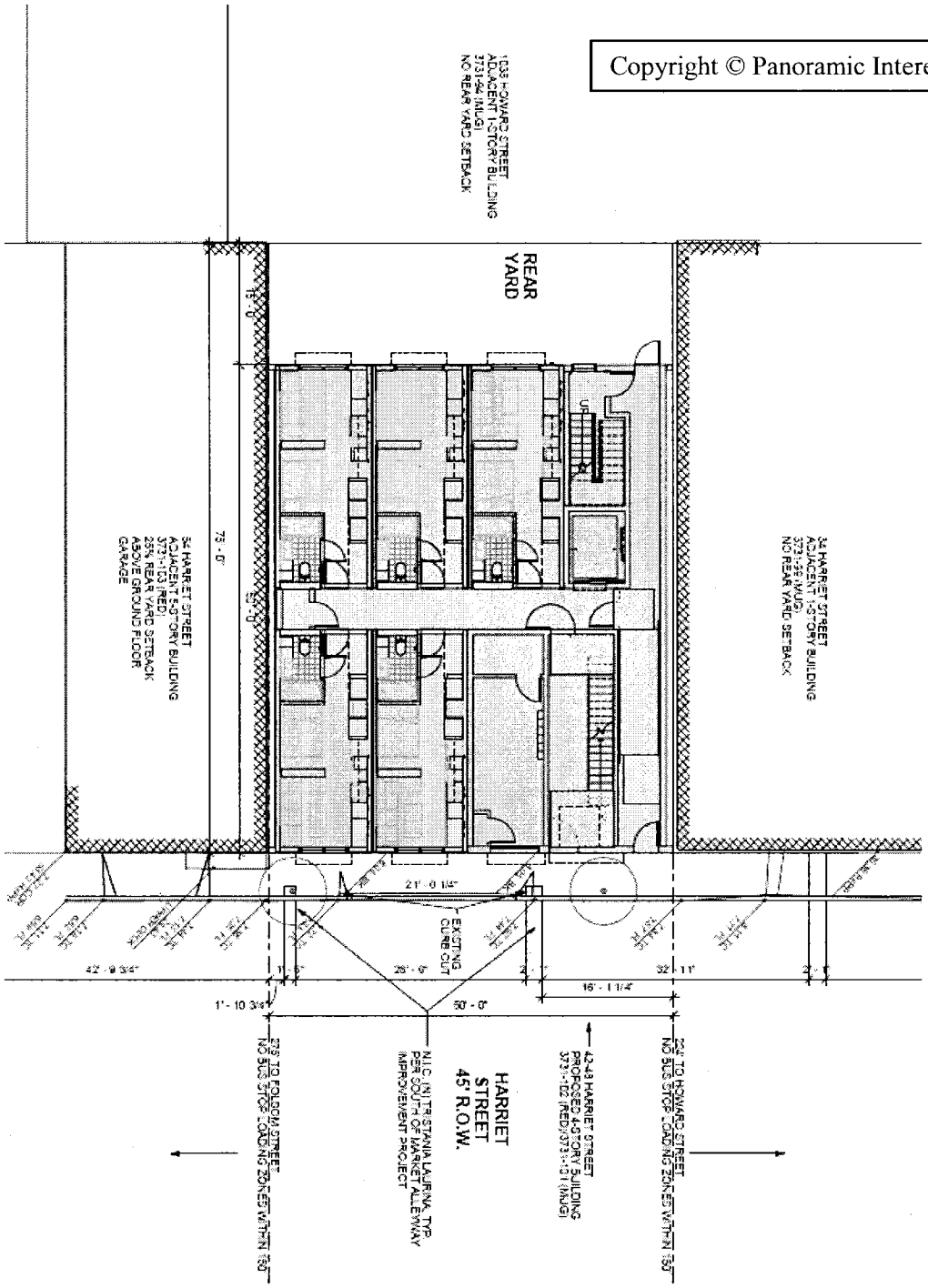


Figure 2 – Project Site Plan
36-38 Harriet Street
Source: ZETA Communities, October 2010

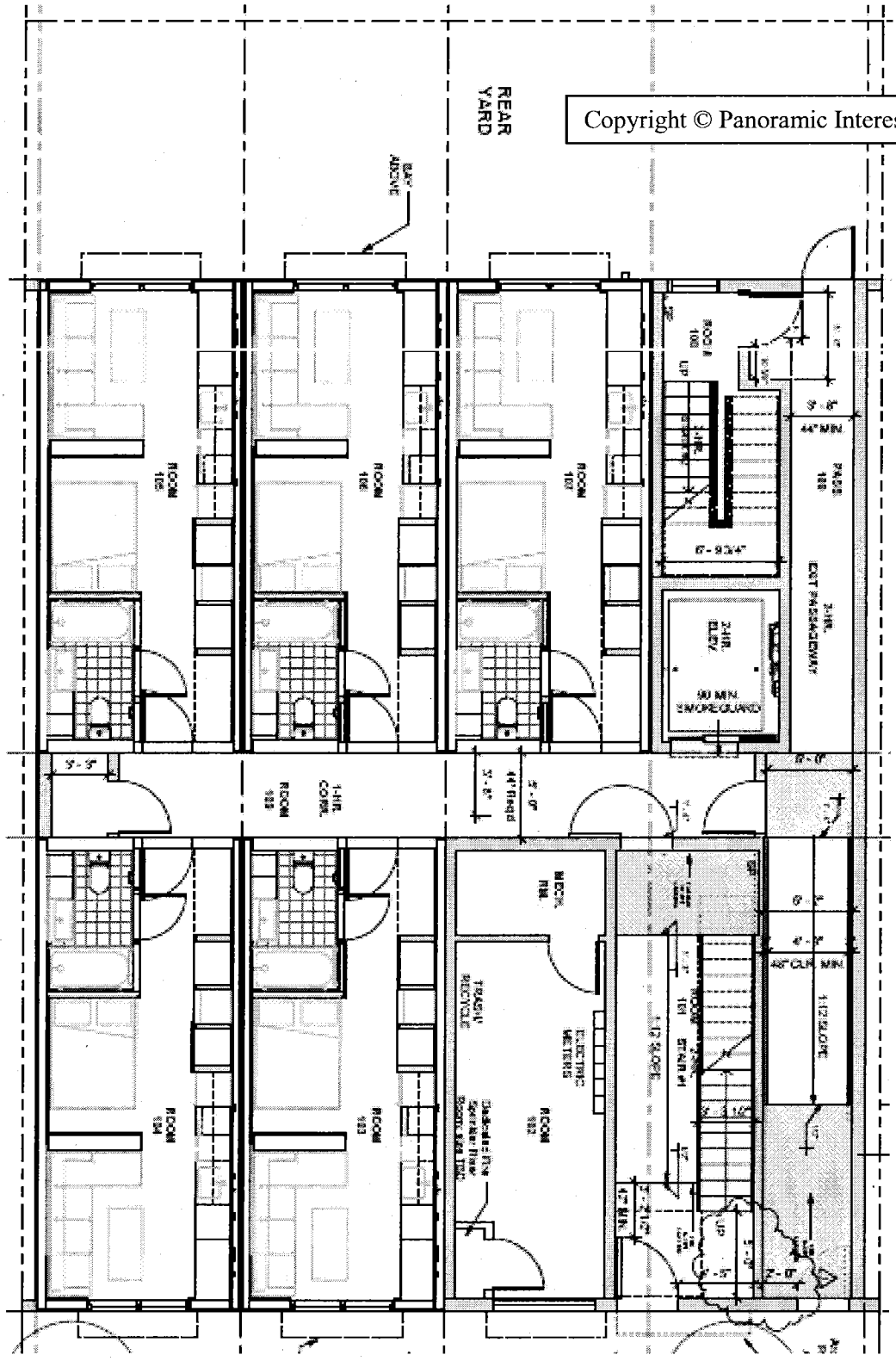


Figure 3 – Ground Floor Plan
36-38 Harriet Street
Source: ZETA Communities, October 2010

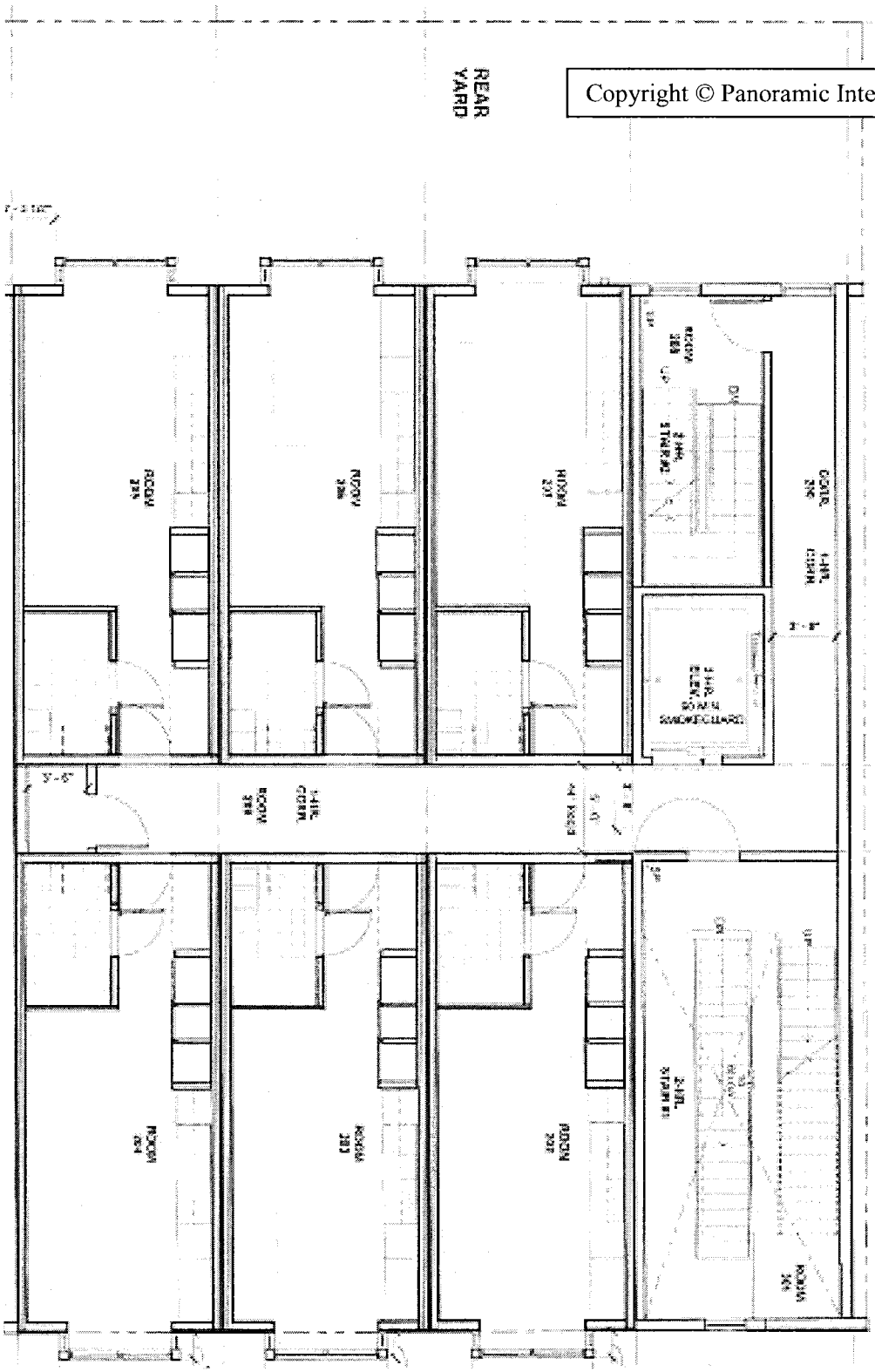


Figure 4 – Second Floor Plan
36-38 Harriet Street
Source: ZETA Communities, October 2010

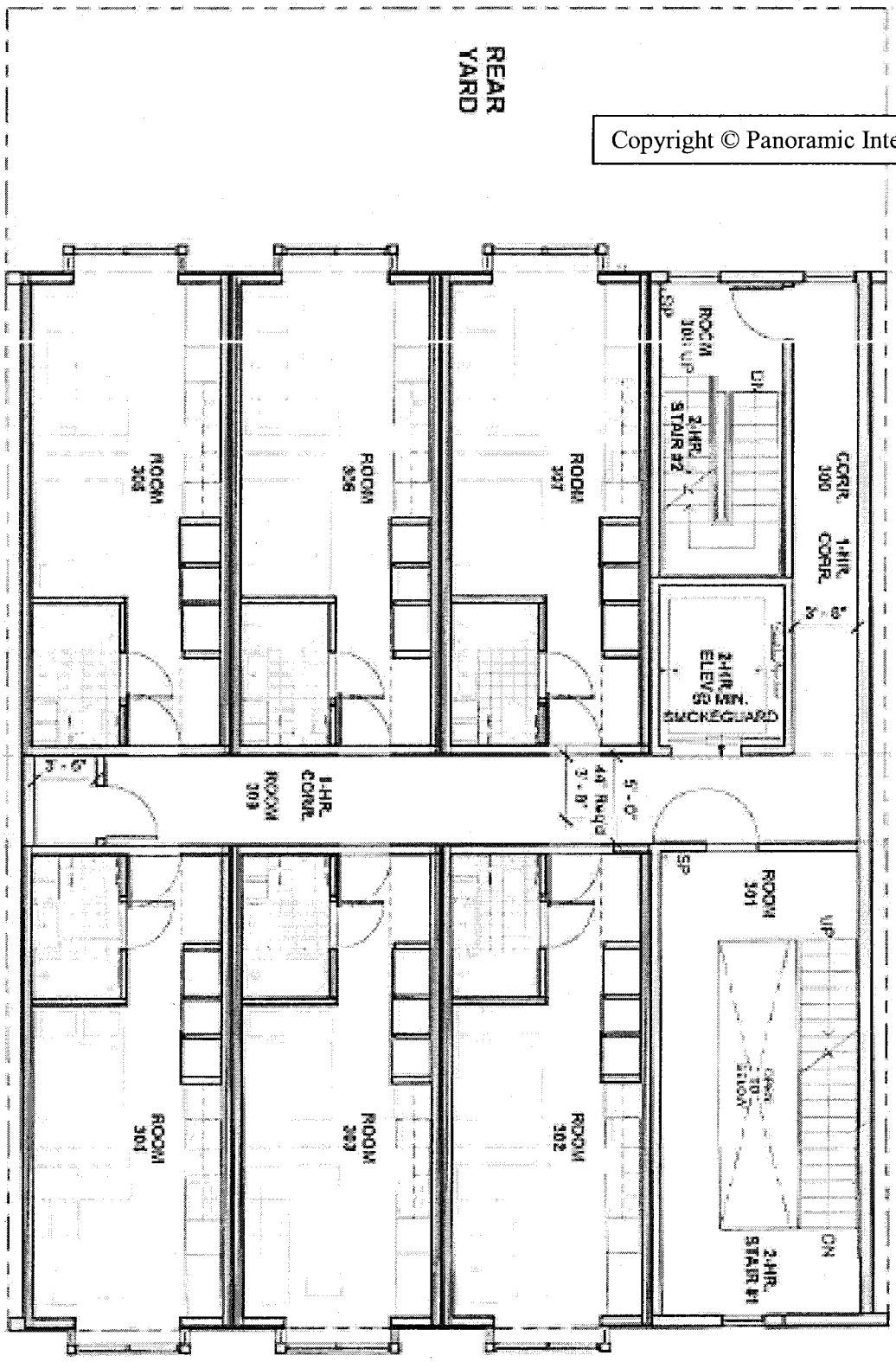


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Figure 5 – Third Floor Plan
36-38 Harriet Street
Source: ZETA Communities, October 2010

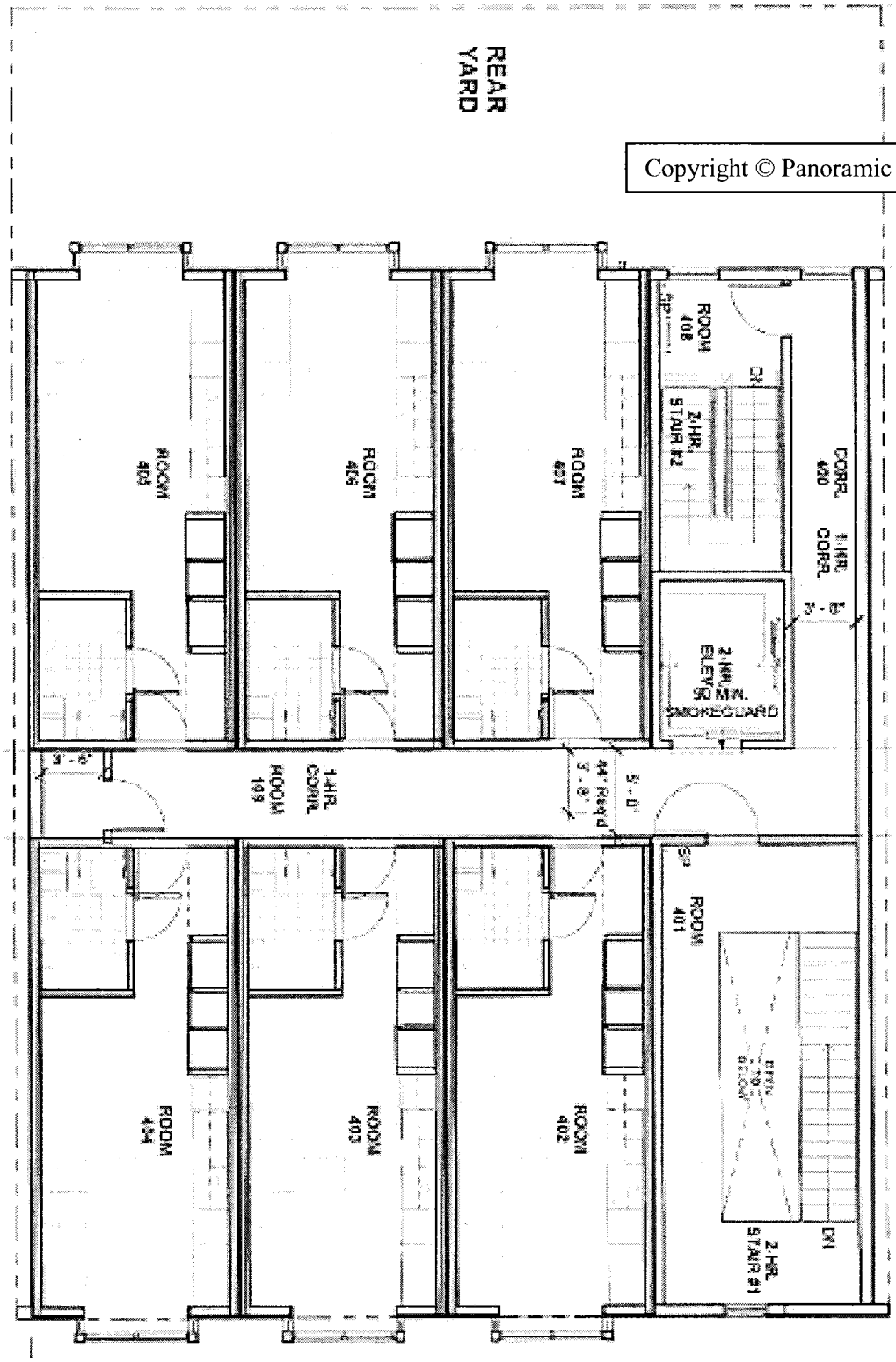

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Figure 6 – Fourth Floor Plan
36-38 Harriet Street
Source: ZETA Communities, October 2010

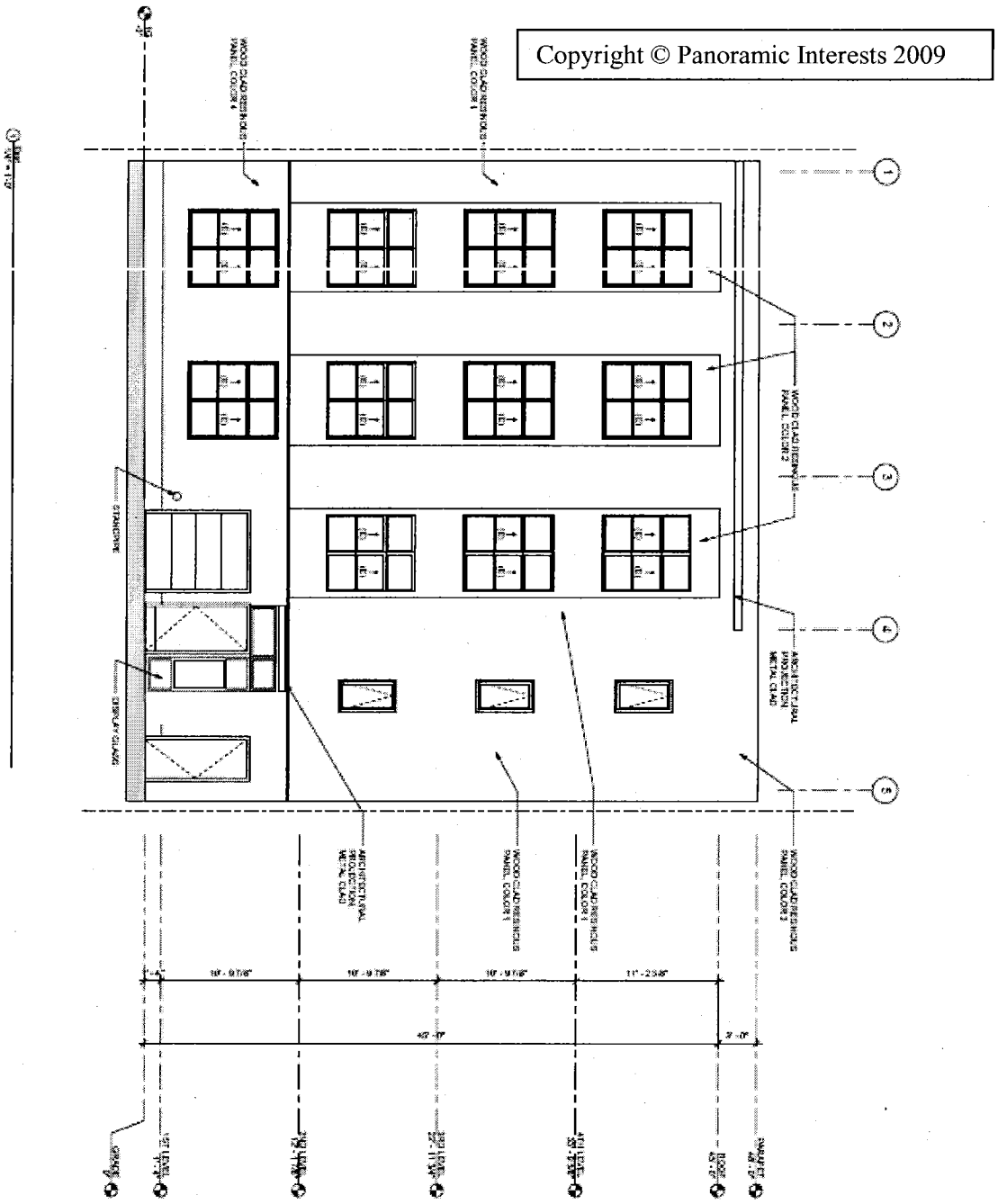

Figure 7 – Northeast (Front) Building Elevation
36-38 Harriet Street
Source: ZETA Communities, October 2010

B. PROJECT SETTING

The project site is located in the SOMA neighborhood, and is in the MUG and RED zoning districts, a 45-X height and bulk district, and the Youth and Family Zone SUD. The project area is located within the East SOMA Area Plan of the General Plan. The MUG use district is intended to maintain and facilitate the growth and expansion of small-scale light industrial, wholesale distribution, arts production and performance/exhibition activities, general commercial and neighborhood-serving retail and personal service activities while protecting existing housing and encouraging the development of housing at a scale and density compatible with the existing neighborhood. The project site is also designated as RED as the site is viewed as an opportunity for new, moderate-income, in-fill housing. The entire project area is located within a potential historic district (Western SOMA Light Industrial and Residential Historic District).

The lots immediately surrounding the project site are zoned either SOMA Neighborhood Commercial Transit, MUG, and RED, and there are three lots to the southeast that are zoned Public (P) land. All of the surrounding lots, including the project site, are in the Youth and Family Zone SUD. This SUD is intended to expand the provision of affordable housing in the area and to protect and enhance the health and environment of youth and families by adopting policies that focus on certain lower density areas of this district for the expansion of affordable housing opportunities. Land uses in the surrounding neighborhood primarily consist of residential, industrial, retail, and recreational.

The project site is located on the south side of Harriet Street between Folsom Street and Howard Street. The current use of the site is a vacant surface parking lot with 18 spaces. The project block is bounded by Folsom Street to the east, 6th Street to the north, Howard Street to the west, and 7th Street to the south (see figure 1, project location). On the project block, and to the immediate west of the project site, fronting on Harriet Street, is a two-story industrial building (circa 1925) with the ground-floor occupied by a rug cleaning business, and a two-story office building (circa 1939) fronting on Howard Street that is occupied by the City of Refuge United Church.

To the immediate east of the project site is a four-story, three-unit live/work condominium (circa 1999); a three-story, four-unit residential building (circa 1911); a two-story, three-unit residential building (circa 1916); a three-story, 15-unit live/work condominium (circa 2003); a two-story, two-unit residential building (circa 1911); a three-story, six-unit apartment building (circa 1911); and a two-story, 19-unit condominium building (circa 2001) that fronts on both Harriet and Folsom Streets.

Across Harriet Street to the north of the project site, from Howard Street to Folsom Street, is a four-story hotel (circa 1907) with ground-floor commercial (Seventh Son Tattoo) fronting on Howard Street; a two-story, three-unit residential building (circa 1921); a three-story, six-unit apartment building (circa 1912); a three-story five-unit apartment building (circa 1914) that fronts

on 6th Street with a parking lot that fronts on Harriet Street; a three-story apartment building (circa 1907) that fronts of 6th Street; a two-story, industrial building (circa 1925) that fronts on 6th Street with a curb cut on Harriet Street, which is directly across from the project site and is occupied by two automotive repair facilities (Bee Automotive Collision Center and Auto Dynamik); and the South of Market/Gene Friend Recreation Center which fronts on 6th Street, Folsom Street, and Harriet Street, and includes an indoor community center and an outdoor recreational area.

There are no schools within the vicinity of the project site. The closest open spaces to the project site are the South of Market/Gene Friend Recreation Center (one block away), the Victoria Manalo Davies Park (one block away), the Hallidie Plaza (seven blocks away), and the Civic Center Plaza (ten blocks away).

C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

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

The project site is located within the East SOMA Area Plan of the General Plan, adopted in December 2008. The Eastern Neighborhoods Program was intended in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods Program also included changes to existing height and bulk districts in some areas.

During the Eastern Neighborhoods adoption phase, the Planning Commission held public hearings to consider the various aspects of the proposed area plans, and Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern

Neighborhoods Final EIR by Motion 176592 and adopted the Preferred Project for final recommendation to the Board of Supervisors.[3,4]

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

The current project at 36-38 Harriet Street is consistent with the development density established by the Eastern Neighborhoods Final EIR, a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a "No Project" alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the Final EIR.

Planning Department Citywide Planning and Neighborhood Planning staff have determined that the proposed project is consistent with density established with the Eastern Neighborhood Rezoning and Area Plans, satisfies the requirements of the General Plan and the Planning Code, and is eligible for a Community Plan Exemption.[5,6]

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[3] *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, Planning Department Case No. 2004.0160E, certified August 7, 2008. The FEIR is on file for public review at the Planning Department, 1650 Mission Street Suite 400 as part of Case No. 2004.0160E, or at: http://www.sfgov.org/site/planning_index.asp?id=67762.

[4] San Francisco Planning Commission Motion 17659, August 7, 2008. http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Eastern_Neighborhoods/Draft_Resolution_Public%20Parcels_FINAL.pdf

[5] David Alumbaugh, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 36-38 Harriet Street. This document is on file and available for review as part of Case File No. 2010.0128E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

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 checked below.

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

E. EVALUATION OF ENVIRONMENTAL EFFECTS

California Environmental Quality Act (CEQA) State Guidelines Section 15183 provides an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects for projects eligible for a Community Plan Exemption shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are

[6] Kelley Amdur, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Neighborhood Analysis, 36-38 Harriet Street. This document is on file and available for review as part of Case File No. 2010.0128E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR; and d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

An initial analysis was conducted by the Planning Department to evaluate potential project-specific environmental effects peculiar to the 36-38 Harriet Street project, and incorporated by reference information contained within the Eastern Neighborhoods Rezoning and Area Plans Final EIR (Eastern Neighborhoods) (Case No. 2004.0160E; State Clearinghouse No. 2005032048). This initial analysis assessed the proposed project's potential to cause environmental impacts and concluded that, with the exception of hazardous materials, the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods.[7] Due to the peculiar impact found concerning hazardous materials, this Focused Initial Study was prepared for this topic area only.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
1. HAZARDS AND HAZARDOUS MATERIALS Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☐	☒

7 Community Plan Exemption Checklist, 42 - 48 Harriet Street, November 10, 2010. This document is on file and available for review as part of Case File No. 2010.0128E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	☐
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	☐	☐	☐	☒	☐

The project site is not located within one-quarter mile of an existing school, and therefore, Topic 1c is not applicable to the proposed project. The project site is not included on the Department of Toxic Substances Control (DTSC) list compiled pursuant to Government Code Section 65962.5 of hazardous materials sites in San Francisco, and therefore, Topics 1d is not applicable to the proposed project. The project site is not located within an airport land use plan area, nor is it in the vicinity of a private airstrip, and therefore, Topics 1e and 1f are not applicable to the proposed project.

The Maher Ordinance (Ordinance 253-86) is a San Francisco ordinance that requires certain hazardous materials reporting and handling for parcels primarily located "Bayward of the high-tide-line." The project site is not within the limits of the Maher Zone.

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

The proposed project would involve demolition of the existing vacant surface parking lot and the construction of a four-story residential building with 23 SRO units. During operation, the proposed project would result in the use of relatively small quantities of hazardous materials for routine purposes. The owner and occupants of the development likely would handle common types of hazardous materials, such as cleaners and disinfectants. These products are labeled to

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

Impact HZ-2: Demolition and excavation of the project site would not result in handling and accidental release of contaminated soils and hazardous building materials associated with historic uses. (Less than Significant with Mitigation Incorporated)

Ceres Associates conducted a Phase I Environmental Site Assessment (ESA) for the project site.[8] This assessment was performed to provide a record of the conditions at the subject property and to evaluate what, if any, environmental issues exist at the site. The ESA assessed the potential for adverse environmental impacts from the current and historical practices on the site and the surrounding area.

According to the Phase I ESA, the review of the property's history revealed that in 1899 there were apartment buildings on the subject property, which were demolished prior to 1915 (likely due to the 1906 San Francisco Earthquake). A building permit for a house was filed for the property in 1914 and was constructed as evidenced on the 1931 Sanborn Fire Insurance Map. The residential structure appeared on the 1950 Sanborn Fire Insurance Map but was removed prior to 1968, as the structure does not appear on the 1968 Sanborn Fire Insurance Map. The subject property was not listed on the environmental database report that was acquired for the Phase I ESA. The site neighboring the project site to the northeast is a two-story building, with the ground floor occupied by a rug cleaning business. Directly across Harriet Street from the subject property is an automotive repair facility. Neither site was noted in the environmental database generated for this Phase I ESA. However, the project site is located within an area of San

[8] Phase I Environmental Site Assessment, 36 and 38 Harriet Street, San Francisco, California, prepared by Ceres Associates, December 17, 2009. This report is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Project File No. 2010.0128E.

Francisco known to have soil contamination related to the earthquake and subsequent fire in 1906.

On July 15, 2010, ACC conducted six soil borings in randomly selected locations across the site to obtain information pertaining to the soil lithology at the site and to determine if potential soil contamination is present. All of the soil borings were conducted to a maximum depth of 2.5 feet below ground surface (this is the maximum depth of excavation for the proposed building foundation). All of the six soil samples collected from the site are impacted with either heavy metals (lead or nickel) above their respective risk-based screening levels. In addition, elevated concentrations of polynuclear aromatic hydrocarbons (PNAs) were reported in three soil samples. Although the levels of heavy metals and PNAs detected exceeded their risk-based screening levels for unrestricted (residential) use, a majority of samples were below commercial screening levels.[9]

Based on these results, ACC submitted a Site Mitigation Plan (SMP) to the Department of Public Health (DPH).[10] The DPH reviewed the SMP and provided comments which have been incorporated into the below mitigation measures.[11] The SMP includes the following: notification of DPH 15 days prior to the commencement of work; a description of the work to be performed; a summary of environmental conditions; a schedule for the work and summary of the applicable components of the excavation workplan; a management of the hazardous or potentially hazardous work by an environmental consultant; a statement that stockpiles shall be bermed and tarped or treated with a biosurfactant; characterization of soils and groundwater prior to proper disposal; all transport of material will be performed by licensed haulers; trucks will be properly placarded; excavated material shall be covered with tight fitting covers; all points of egress for truck and equipment will be kept clean of dirt and other material. Dust suppression methods will be employed by the contractor whenever construction activities may cause dust, such as demolition of buildings, excavation, grading or earth-moving. Confirmation soil sampling shall

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[9] Voluntary Remedial Action Program Soil Sampling Results, 42-48 Harriet Street, San Francisco, prepared by ACC, August 2010. This report is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Project File No. 2010.0128E.

[10] Site Mitigation Plan, 42-48 Harriet Street, San Francisco, prepared by ACC, August 2010. This report is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Project File No. 2010.0128E.

[11] Department of Public Health, Voluntary Remedial Action Memorandum, to Cara Houser, 42-48 Harriet Street, San Francisco, September 6, 2010. This report is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Project File No. 2010.0128E.

be collected to evaluate residual soils remaining on the site. Should unexpected conditions occur, the contractor shall screen for evidence of grossly contaminated soil, periodic screening for organic vapors, excavated within the limits of the proposed excavation, stockpile materials separately from other materials and dispose material at appropriate offsite location. If drums are encountered, EHS-HWU will be contacted. If unidentified tanks, associated appurtenance, drums and/or petroleum impacted soils are found the impacted soils will be properly removed in accordance with applicable regulations. Imported clean fill shall be free of extraneous debris and solid waste.

The Eastern Neighborhoods identified a significant impact related to Hazardous Building Materials and determined that Mitigation Measure L-1: Hazardous Building Materials would reduce effects to a less-than-significant level. Since there are no structures at 36-38 Harriet Street, Mitigation Measure L-1 does not apply to the project.

The project site is located adjacent to a church building and is in close proximity to the South of Market/Gene Friend Recreation Center, which are considered sensitive receptors for potential hazards and hazardous materials exposure. Notably, the South of Market/Gene Friend Recreation Center is located less than 250 feet to the southeast, across Harriet Street. In order to address potentially significant adverse health effects of exposure to contaminated soils, by workers and by sensitive receptors, including children, in the area, Mitigation Measures M-HZ-1 to M-HZ-4 are required. With implementation of Mitigation Measures M-HZ-1 to M-HZ-4, which are described below and were developed in consultation with the Department of Public Health's Environmental Health Section, this impact related to hazards and hazardous materials release and exposure would be reduced to a less-than-significant level.

Mitigation Measure M-HZ-1

Hazards (UST Removal and/or Monitoring)

In accordance with San Francisco Health Code Article 21, the project sponsor shall file an application with the San Francisco Department of Public Health (DPH) for removal and/or monitoring of any UST that are identified during project construction. If the proposed excavation activities encounter groundwater, the groundwater shall also be tested for contaminants. Copies of the test results shall be submitted to the DPH, Division of Environmental Health, and to the Planning Department, prior to the start of construction.

If contamination or abandoned tanks are encountered, the project sponsor shall immediately notify the DPH, Division of Environmental Health, and shall take all necessary steps to ensure the safety of site workers and members of the public. USTs shall be removed by an appropriate licensed UST contractor under permit by the Hazardous Materials Unified Program Agency (HMUPA) and the San Francisco Fire Department. Imported fill shall be characterized to be below residential ESLs. A health and safety plan shall be submitted two weeks prior to the commencement of work. EHS-HWU requires confirmatory sampling to occur following excavation of the site to confirm the removal of contaminated soils. These steps shall include implementation of a health and safety plan prepared by a qualified professional, and disposal of any contaminated soils removed from the site at an approved facility. In addition, the project shall be constructed, so that all remaining site soils are entirely encapsulated beneath a concrete slab. If confirmation testing following site excavation indicates that contaminated soils remain on site, a deed restriction notifying subsequent property owners of the contamination and the necessity of maintaining the cap, shall be executed, prior to a certificate of occupancy.

Mitigation Measure M-HZ-2

Hazards (Testing for and Handling of Contaminated Soil)

Step 1: Handling, Hauling, and Disposal of Contaminated Soils

(a) Specific work practices: If, based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated at or above potentially hazardous levels, the construction contractor shall be alert for the presence of such soils during excavation and other construction activities on the site (detected through soil odor, color, and texture and results of on-site soil testing), and shall be prepared to handle, profile (i.e., characterize), and dispose of such soils appropriately (i.e., as dictated by local, state, and federal regulations) when such soils are encountered on the site. If excavated materials contain over one percent friable asbestos, they shall be treated as hazardous waste, and shall be transported and disposed of in accordance with applicable State and federal regulations. These procedures are intended to mitigate any potential health risks related to chrysotile asbestos, which may or may not be located on the site.

(b) Dust suppression: Soils exposed during excavation for site preparation and project construction activities shall be kept moist throughout the time they are exposed, both during and after construction work hours.

(c) Surface water runoff control: Where soils are stockpiled, visqueen shall be used to create an impermeable liner, both beneath and on top of the soils, with a berm to contain any potential surface water runoff from the soil stockpiles during inclement weather.

(d) Soils replacement: If necessary, clean fill or other suitable material(s) shall be used to bring portions of the project site, where contaminated soils have been excavated and removed, up to construction grade.

(e) Hauling and disposal: Contaminated soils shall be hauled off the project site by waste hauling trucks appropriately certified with the State of California and adequately covered to prevent dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California.

Step 2: Preparation of Closure/Certification Report

After construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.

Mitigation Measure M-HZ-3

Hazards (Disposal of Contaminated Soil, Site Health and Safety Plan)

If, based on the results of the soil tests conducted, the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, any contaminated soils designated as hazardous waste and required by DPH to be excavated shall be removed by a qualified Removal Contractor and disposed of at a regulated Class I hazardous waste landfill in accordance with U.S. Environmental Protection Agency regulations, as stipulated in the Site Mitigation Plan. The Removal Contractor shall obtain, complete, and sign hazardous waste manifests to accompany the soils to the disposal site. Other excavated soils shall be disposed of in an appropriate landfill, as governed by applicable laws and regulations, or other appropriate actions shall be taken in coordination with the DPH.

If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, a Site Health and Safety (H&S) Plan shall be required by the California Division of Occupational Safety and Health (Cal-OSHA) prior to initiating any earth-moving activities at the site. The Site Health and Safety Plan shall identify protocols for managing soils during construction to minimize worker and public exposure to contaminated soils. The protocols shall include at a minimum:

- Sweeping of adjacent public streets daily (with water sweepers) if any visible soil material is carried onto the streets.
- Characterization of excavated native soils proposed for use on site prior to placement to confirm that the soil meets appropriate standards.
- The dust controls specified in the Construction Dust Control Ordinance (176-08). This includes dust control during excavation and truck loading shall include misting of the area prior to excavation, misting soils while loading onto trucks, stopping all excavation work should winds exceed 25 mph, and limiting vehicle speeds onsite to 15mph.

- Protocols for managing stockpiled and excavated soils.

The Site Health and Safety Plan shall identify site access controls to be implemented from the time of surface disruption through the completion of earthwork construction. The protocols shall include as a minimum:

- Appropriate site security to prevent unauthorized pedestrian/vehicular entry, such as fencing or other barrier or sufficient height and structural integrity to prevent entry and based upon the degree of control required.
- Posting of "no trespassing" signs.
- Providing on-site meetings with construction workers to inform them about security measures and reporting/contingency procedures.

If groundwater contamination is identified, the Site Health and Safety Plan shall identify protocols for managing groundwater during construction to minimize worker and public exposure to contaminated groundwater. The protocols shall include procedures to prevent unacceptable migration of contamination from defined plumes during dewatering.

The Site Health and Safety Plan shall include a requirement that construction personnel be trained to recognize potential hazards associated with underground features that could contain hazardous substances, previously unidentified contamination, or buried hazardous debris. Excavation personnel shall also be required to wash hands and face before eating, smoking, and drinking.

The Site Health and Safety Plan shall include procedures for implementing a contingency plan, including appropriate notification and control procedures, in the event unanticipated subsurface hazards are discovered during construction. Control procedures shall include, but would not be limited to, investigation and removal of underground storage tanks or other hazards.

Mitigation Measure M-HZ-4

Hazards (Decontamination of Vehicles)

If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, all trucks and excavation and soil handling equipment shall be decontaminated following use and prior to removal from the site. Gross contamination shall be first removed through brushing, wiping, or dry brooming. The vehicle or equipment shall then be washed clean (including tires). Prior to removal from the work site, all vehicles and equipment shall be inspected to ensure that contamination has been removed.

Impact HZ-3: The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (Less than Significant)

San Francisco ensures fire safety and emergency accessibility within new and existing developments through provisions of its Building and Fire Codes. The project would conform to these standards, which may include development of an emergency procedure manual and an exit drill plan for the proposed building. Potential fire hazards (including those associated with hydrant water pressure and blocking of emergency access points) would be addressed during the permit review process. Conformance with these standards would ensure appropriate life safety protections. Consequently, the project would not have a significant impact on fire hazards, nor interfere with emergency access plans.

Impact HZ-4: The proposed project would not expose people or structures to a significant risk of loss, injury or death involving fires. (Less than Significant)

San Francisco ensures fire safety primarily through provisions of the Building Code and the Fire Code. Existing and new buildings are required to meet standards contained in these codes. In addition, the final building plans for any new residential project greater than two units are reviewed by the San Francisco Fire Department (as well as the Department of Building Inspection), in order to ensure conformance with these provisions. The proposed project would conform to these standards, which (depending on the building type) may also include development of an emergency procedure manual and an exit drill plan. Therefore, the proposed project's exposure of people or buildings to the risk of fire would be an impact that is less than significant.

Impact HZ-5: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would result in less-than-significant impacts related to hazards and hazardous materials. (Less than Significant)

Impacts from hazards are generally site-specific, and typically do not result in cumulative impacts. Any hazards present at surrounding sites would be subject to the same safety requirements discussed for the proposed project above, which would reduce any cumulative hazard effects to levels considered less than significant. Overall, with implementation of Mitigation Measures M-HZ-1 to M-HZ-4, described on pages 17 to 20, the project would not contribute to cumulatively considerable significant effects related to hazards and hazardous materials.

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

The proposed project would involve demolition of the existing vacant surface parking lot and the construction of a new four-story residential building with 23 SRO units. As previously discussed, an initial analysis was conducted and found that, with the exception of hazardous materials, the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods Rezoning and Area Plans Final EIR. Due to the peculiar impact found concerning hazardous materials, this Focused Initial Study was prepared for this topic area only.

The foregoing analysis indentifies potentially significant impacts to hazardous materials, which would be mitigated to a less-than-significant level through implementation of Mitigation Measures M-HZ-1 to M-HZ-4, described on pages 17 to 20.

F. MITIGATION AND IMPROVEMENT MEASURES

Mitigation Measure M-HZ-1

Hazards (UST Removal and/or Monitoring)

In accordance with San Francisco Health Code Article 21, the project sponsor shall file an application with the San Francisco Department of Public Health (DPH) for removal and/or monitoring of any UST that are identified during project construction. If the proposed excavation activities encounter groundwater, the groundwater shall also be tested for contaminants. Copies of the test results shall be submitted to the DPH, Division of Environmental Health, and to the Planning Department, prior to the start of construction.

If contamination or abandoned tanks are encountered, the project sponsor shall immediately notify the DPH, Division of Environmental Health, and shall take all necessary steps to ensure the safety of site workers and members of the public. USTs shall be removed by an appropriate licensed UST contractor under permit by the Hazardous Materials Unified Program Agency (HMUPA) and the San Francisco Fire Department. Imported fill shall be characterized to be below residential ESLs. A health and safety plan shall be submitted two weeks prior to the commencement of work. EHS-HWU requires confirmatory sampling to occur following excavation of the site to confirm the removal of contaminated soils. These steps shall include implementation of a health and safety plan prepared by a qualified professional, and disposal of any contaminated soils removed from the site at an approved facility. In addition, the project shall be constructed, so that all remaining site soils are entirely encapsulated beneath a concrete slab. If confirmation testing following site excavation indicates that contaminated soils remain on site, a deed restriction notifying subsequent property owners of the contamination and the necessity of maintaining the cap, shall be executed, prior to a certificate of occupancy.

Mitigation Measure M-HZ-2

Hazards (Testing for and Handling of Contaminated Soil)

Step 1: Handling, Hauling, and Disposal of Contaminated Soils

(a) Specific work practices: If, based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated at or above potentially hazardous levels, the construction contractor shall be alert for the presence of such soils during excavation and other construction activities on the site (detected through soil odor, color, and texture and results of on-site soil testing), and shall be prepared to handle, profile (i.e., characterize), and dispose of such soils appropriately (i.e., as dictated by local, state, and federal regulations) when such soils are encountered on the site. If excavated materials contain over one percent friable asbestos, they shall be treated as hazardous waste, and shall be transported and disposed of in accordance with applicable State and federal regulations. These procedures are intended to mitigate any potential health risks related to chrysotile asbestos, which may or may not be located on the site.

(b) Dust suppression: Soils exposed during excavation for site preparation and project construction activities shall be kept moist throughout the time they are exposed, both during and after construction work hours.

(c) Surface water runoff control: Where soils are stockpiled, visqueen shall be used to create an impermeable liner, both beneath and on top of the soils, with a berm to contain any potential surface water runoff from the soil stockpiles during inclement weather.

(d) Soils replacement: If necessary, clean fill or other suitable material(s) shall be used to bring portions of the project site, where contaminated soils have been excavated and removed, up to construction grade.

(e) Hauling and disposal: Contaminated soils shall be hauled off the project site by waste hauling trucks appropriately certified with the State of California and adequately covered to prevent dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California.

Step 2: Preparation of Closure/Certification Report

After construction activities are completed, the project sponsor shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.

Mitigation Measure M-HZ-3

Hazards (Disposal of Contaminated Soil, Site Health and Safety Plan)

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If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, a Site Health and Safety (H&S) Plan shall be required by the California Division of Occupational Safety and Health (Cal-OSHA) prior to initiating any earth-moving activities at the site. The Site Health and Safety Plan shall identify protocols for managing

soils during construction to minimize worker and public exposure to contaminated soils. The protocols shall include at a minimum:

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The Site Health and Safety Plan shall include procedures for implementing a contingency plan, including appropriate notification and control procedures, in the event unanticipated subsurface

hazards are discovered during construction. Control procedures shall include, but would not be limited to, investigation and removal of underground storage tanks or other hazards.

Mitigation Measure M-HZ-4

Hazards (Decontamination of Vehicles)

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G. PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on May 14, 2010 to owners of properties within 300 feet of the project site and adjacent occupants. One member of the public expressed concern related to the soil stability underneath the project site. A geotechnical investigation report was reviewed by Planning and was discussed the Community Plan Exemption Checklist, which concluded that the proposed project would not result in a significant effect related to geology, either individually or cumulatively. [12]

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[12] Community Plan Exemption Checklist, 36-38 Harriet Street. This document is on file and available for review as part of Case No. 2010.0128E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

G. 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.

Bill Wycko
Environmental Review Officer
for
John Rahaim
Director of Planning

DATE November 19, 2010