

## NOTICE OF FINDING OF NO SIGNIFICANT IMPACT

AND

## NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

Date of Notice: June 9, 2025  
California Housing Finance Agency  
500 Capitol Mall, Suite 1400  
Sacramento, CA 95814

These notices shall satisfy the above-cited two (2) separate but related procedural notification requirements for activities to be undertaken by the California Housing Finance Agency (CalHFA).

REQUEST FOR RELEASE OF FUNDS

On or about Wednesday, June 25, 2025, the CalHFA, will submit a request to HUD for the release of funds (Grant Number: B121-98095) undertake a project known as Sutter Street Apartments. Sutter Street Apartments is a proposed new construction, 22-story, 303-unit mixed income project in the Lower Nob Hill neighborhood of San Francisco, CA. The project is subject to inclusionary housing requirements by the city and county of San Francisco. At construction closing, the property will be subdivided into two parcels.

The Sutter Street market rate parcel will be a 201-unit market rate project (FHA# 121-35996), with construction and financing provided by Berkadia under a 221 (d) (4) structure. The Sutter Street affordable rate parcel (which is the subject of this approval) will be 102 units of which 101 units will be affordable (LIHTC and similarly rent restricted units) and one unit for the property manager (FHA# 121-98132) and will be partially financed by CalHFA under a 542(c) HUD Risk-Sharing program structure. The estimated total project cost for fiscal year (FY) 2025 is \$85,000,000. The 542(c)- HFA Risk Sharing funds will be utilized for this project with a total HUD Funded amount of approximately \$15,300,00.

FINDING OF NO SIGNIFICANT IMPACT

CalHFA has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR). The ERR will be made available to the public for review either electronically or by U.S. mail. Please submit your request by U.S. mail to Jessica McQueen, 500 Capitol Mall, Suite 400, MS 990, Sacramento, California 95814 or [jmcqueen@calhfa.ca.gov](mailto:jmcqueen@calhfa.ca.gov). The ERR can be accessed online at the following website: <https://www.calhfa.ca.gov/about/press/public-notice/index.htm>

### PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to CalHFA, Attention: Jessica McQueen, Loan Administrator. All comments received by Tuesday, June 24, 2025, will be considered by the CalHFA prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

### ENVIRONMENTAL CERTIFICATION

CalHFA certifies to HUD that Rebecca Franklin, in her capacity as NEPA Certifying Officer, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows CalHFA to use Program funds.

### OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to the Responsible Entity's (RE) Request for Release of Funds and Environmental Certification for a period of fifteen days following the submission date specified above or the actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer with CalHFA; (b) CalHFA has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted via email in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to HUD at: [MFW-Public-Notices@HUD.gov](mailto:MFW-Public-Notices@HUD.gov) or mailed to U.S. HUD San Francisco Regional Office, Region IX, Office of Housing-Federal Housing Commission, One Sansome Street, Suite 1200, San Francisco, CA 94104. Potential objectors should contact HUD via email to verify the actual last day of the objection period.

/s/: Rebecca Franklin, Chief Deputy Director and NEPA Certifying Officer

CalHFA – Multifamily Programs

**HUD Project #: 121-98132**

June 4, 2025

Osric Whyte  
Department of Housing and Urban Development  
Multifamily Insured Production  
One Sansome Street, 11<sup>th</sup> Floor  
San Francisco, California 94104

**Re: Adoption of Environmental Assessment Report- Sutter Street**

The California Housing Finance Agency, as the U.S. Housing and Urban Development (HUD) Responsible Entity for the aforementioned project, is adopting the Environmental Assessment report dated August 28, 2024, which was prepared by Partner ESI on behalf of Berkadia Commercial Mortgage LLC. The report is being adopted to meet HUD's environmental review requirements related to the 542(c) Risk Sharing Program. A description of the adoption and changes to the existing report are outlined below.

**Adoption Description**

- A description of the current action:
  - The California Housing Finance Agency (CalHFA) as the Responsible Entity, is adopting Environmental Assessment dated August 28, 2024, and prepared on behalf Berkadia Commercial Mortgage LLC. CalHFA will use the report for the Request for Release of Funds related to the 542(c) HUD/RS program.
- The name and date of the existing NEPA document that describes and analyzes the action:
  - Environmental Assessment prepared by Partner Engineering and Science, Inc. (ESI) and dated August 28, 2024, to obtain HUD approval through the Federal Housing Administration (FHA) Insured program, Multifamily Accelerated Processing (MAP) 221d(d)4 program, on the Sutter Street market rate units, FHA# 121-35996.
- A statement that the existing NEPA document has been reviewed and that there are no substantive differences between the current proposal and its associated environmental impacts and the proposal and impacts as described in the existing NEPA document and associated decision document:
  - The Environmental Assessment report was reviewed by Partner ESI. There have not been material changes to the project or financing structure that would warrant modifying the existing report or preparing a new report.

- The existing report was properly noticed and submitted to HUD with a Request for Release of Funds (RROF). Instead of an Authority to Use Grant Funds (form HUD-7015.16), HUD issued a Finding of No Significant Impact (FONSI) on March 12, 2025 via their online portal (HUD Exchange, <https://cpd.hud.gov/cpd-public/environmental-review>).
- Partner ESI and CalHFA will coordinate posting a FONSI notice and repost the report for public comment prior to submitting for RROF.
- Notification to the preparing entity:
  - Email dated 5/8/2025 from CalHFA to Partner ESI: Notifying Partner ESI of CalHFA's plans to adopt the Environmental Assessment report.

**Changes to Environmental Assessment dated August 28, 2024**  
**prepared on behalf of Berkadia Commercial Mortgage LLC**

**Project Information, Page 1:**

- Responsible Entity:
  - California Housing Finance Agency
- Project Name:
  - Sutter Street Apartments- Affordable Parcel
- Heros Number 900000010421675:
  - Remove
- Start Date:
  - 05/30/2025
- HUD/State Identification Number (Insert):
  - Number 24-001-A/X/N
- Applicant/Grant Recipient (if different than Responsible Entity):
  - Same as Responsible Entity
- Point of Contact:
  - Jessica McQueen  
500 Capitol Mall, Suite 400  
Sacramento, Ca 95814  
916-326-8624  
jmcqueen@calhfa.ca.gov

- Certifying Officer Name:
  - o Rebecca Franklin, Chief Deputy Director

**Description of Proposed Project, Page 2-3:**

- Description of Proposed Project updated language:
  - o Sutter Street Apartments is a proposed new construction, 22-story, 303-unit mixed income project in the Lower Nob Hill neighborhood of San Francisco, CA. The project is subject to inclusionary housing requirements by the city and county of San Francisco. At construction closing, the property will be aurally subdivided into two parcels.

The Sutter Street market rate parcel will be a 201-unit market rate project (FHA# 121-35996), with construction and financing provided by Berkadia under a 221 (d) (4) structure.

The Sutter Street affordable rate parcel (which is the subject of this approval) will be 102 units of which 101 units will be affordable (LIHTC and similarly rent restricted units) and one unit for the property manager (FHA# 121-98132) and will be partially financed by CalHFA under a 542(c) HUD Risk-Sharing program structure.

For each project/loan there are separate appraisals, market studies, etc. The development costs between the two projects are split on a 67%/33% pro rata basis. The 6,409 SF of commercial space (retail/office) and the 3-story parking garage (existing but to be renovated), will be attributed wholly to the market rate property for purposes of income and construction costs. Originally, two HEROS were submitted - one for each project. These have been combined into this one project. It should be noted the combined, approved environmental review record (approved on March 12, 2025) is being relied upon by CalHFA to support the CalHFA's permanent financing with the HUD's Risk Share for the affordable component of this project through the 542(c) HUD Risk-Sharing program. According to consultation with the owner's representative and the client, the subject garage building at 1101 Sutter Street at Larkin Street will be rehabilitated and reused as a parking garage. The adjacent vacant mortuary property and parking lot at 1111- 1123 Sutter Street are scheduled for demolition and proposed to be developed with new construction of a multifamily apartment high-rise building, more specifically: The approved project consists of a residential conversion of the existing public parking garage building (1101 Sutter), demolition of the mortuary building (1111-1123 Sutter), and new construction of a 22-story high-rise tower. This high-density development will utilize the Individually Requested State Density Bonus Program to increase the number of code- permitted units from 184 to 286. The 22-story, 235-foot tower will offer 303 rental apartments over an active, pedestrian-friendly commercial ground floor. Oriented toward Sutter Street, the dynamic street level incorporates a mix of uses, including the primary residential lobby, common amenities for residents, and

commercial and retail spaces. At Hemlock Alley to the south, the ground level will include an outdoor entry court that serves a gym and provides secondary residential access. The building is set back from the alley at various distances to accommodate the entry court, an outdoor area for the child-care center, private terraces and balconies, and access to the garage and loading entries. The surface of the childcare play area is approximately 7 feet above the sidewalk level of Hemlock. There will also be a 4' tall guardrail along the entire childcare play area - so the total height of the wall and guardrail, from grade, is 11 feet. Midway up the tower, on the 7th floor, the building steps back about 40 feet on the west side, to provide a shared landscaped area at this setback. At the 21st floor, another setback is incorporated to create an outdoor landscaped terrace. Additionally, the top (22nd) floor provides shared viewpoints as well as several building services, and a community room with associated outdoor roof deck. All tenants (market rate, affordable, young, old) will use the same elevators and will have equal access to and use of all amenities. At the corner of Sutter and Larkin, the three-level concrete auto-repair building--built in 1920 and designated an A-status Historic Resource--will receive upgrades and repairs as needed to continue functioning as a parking facility. Detailed information regarding construction materials and design features of the proposed structure can be found in the provided architectural plans.

**Funding Information, Page 5-6:**

- Funding Information (updated information highlighted):
  - o Grant Number: 121-98095
  - o Program Name: 542(c)- HFA Risk Sharing- New Construction
  - o Funding Amount: \$15,300,000
  - o Estimated Total HUD Funded Amount: \$15,300,00
  - o Estimated Total Project Cost: \$85,000,000



Digitally signed by Rebecca Franklin  
DN: OU=Executive Office, O=California Housing Finance Agency  
(CalHFA), CN=Rebecca Franklin, E=rfranklin@calhfa.ca.gov  
Location:  
Foxit PDF Editor Version: 2024.4.1

Certifying Officer Signature: \_\_\_\_\_ Date: 6/5/2025

Name/Title: Rebecca Franklin, Chief Deputy Director

## Jessica McQueen

---

**From:** Shaw, Allyson <ashaw@partneresi.com>  
**Sent:** Monday, May 12, 2025 7:28 AM  
**To:** Kevin Brown  
**Cc:** Jessica McQueen; Andy Bixby; Kellen Polan; Terry Wellman; Chiu, Scott; Crews, Angelique; Roberts, Ellen  
**Subject:** RE: [External] - RE: Sutter Street NEPA Process

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Good morning Kevin, great to hear from you.

I will be on the lookout for communication from Jessica to get this project ready for public comment before the end of May.

Kind regards,

**Allyson Shaw**  
**Senior Project Manager**

Baltimore, Maryland  
T: 602-858-1196 | M: 480-604-6897

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**From:** Kevin Brown <KBrown@CalHFA.ca.gov>  
**Sent:** Thursday, May 8, 2025 1:32 PM  
**To:** Shaw, Allyson <ashaw@partneresi.com>  
**Cc:** Jessica McQueen <jmcqueen@CalHFA.ca.gov>; Andy Bixby <Andy.Bixby@berkadia.com>; Kellen Polan <Kellen.Polan@berkadia.com>; Terry Wellman <Terry.Wellman@berkadia.com>; Chiu, Scott <schiu@partneresi.com>  
**Subject:** RE: [External] - RE: Sutter Street NEPA Process

**CAUTION:** This message originated from outside the Partner organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Allyson,

Kellan mentioned we can work with you on CalHFA's adoption of the ERR.

Jessica McQueen from the CalHFA team will be reaching out to you within the next few days to coordinate. I am hoping to start the CalHFA posting period before the end of May.

We look forward to working with you.

-KB

Kevin Brown  
Housing Finance Officer  
CalHFA- Multifamily Programs

Direct: (916) 326-8808  
Mobile: (916) 616-8899  
Fax: (916) 326-6430  
Multifamily Main: (916) 326-8800

500 Capitol Mall, Suite 400, MS 990  
Sacramento, CA 95814

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**From:** Andy Bixby <[Andy.Bixby@berkadia.com](mailto:Andy.Bixby@berkadia.com)>

**Sent:** Thursday, October 24, 2024 3:24 PM

**To:** Kevin Brown <[KBrown@CalHFA.ca.gov](mailto:KBrown@CalHFA.ca.gov)>; Kellen Polan <[Kellen.Polan@berkadia.com](mailto:Kellen.Polan@berkadia.com)>; Terry Wellman <[Terry.Wellman@berkadia.com](mailto:Terry.Wellman@berkadia.com)>; Chiu, Scott <[schiu@partneresi.com](mailto:schiu@partneresi.com)>

**Cc:** Jessica McQueen <[jmcqueen@CalHFA.ca.gov](mailto:jmcqueen@CalHFA.ca.gov)>; Flavio Espinosa-Linares <[felinares@CalHFA.ca.gov](mailto:felinares@CalHFA.ca.gov)>

**Subject:** RE: [External] - RE: Sutter Street NEPA Process

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Hi Kevin,

I've looped in Scott Chiu with Partner. Scott – can you please work with Kevin on the adoption letter and advise on his questions below?

Thanks for the help!

Andy

**BERKADIA®**

Andy Bixby

UNDERWRITER

760 SW 9th Ave

Floor 23 Suite 2380

Portland, OR 97205

📞 +1 (503) 223-0697

[andy.bixby@berkadia.com](mailto:andy.bixby@berkadia.com)

Berkadia Commercial Mortgage LLC

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**From:** Kevin Brown <[KBrown@CalHFA.ca.gov](mailto:KBrown@CalHFA.ca.gov)>

**Sent:** Thursday, October 24, 2024 2:15 PM

**To:** Andy Bixby <[Andy.Bixby@berkadia.com](mailto:Andy.Bixby@berkadia.com)>; Kellen Polan <[Kellen.Polan@berkadia.com](mailto:Kellen.Polan@berkadia.com)>; Terry Wellman <[Terry.Wellman@berkadia.com](mailto:Terry.Wellman@berkadia.com)>

**Cc:** Jessica McQueen <[jmcqueen@CalHFA.ca.gov](mailto:jmcqueen@CalHFA.ca.gov)>; Flavio Espinosa-Linares <[felinares@CalHFA.ca.gov](mailto:felinares@CalHFA.ca.gov)>

**Subject:** RE: [External] - RE: Sutter Street NEPA Process

Thanks Andy. In that case, we don't have any further comments on the NEPA report for Berkadia. If adoption is the route we are taking, we will need to work on some kind adoption letter where we can address the CalHFA portion of the project development. Can you please put me in touch with whomever you are working with at Partner? It would be easier if we could communicate with them directly on the adoption process.

Do you know when the report is going to be posted and an estimated timeline for submitting the RROF to HUD? How close to closing do you guys usually get the AUGF?

Kevin Brown  
Housing Finance Officer  
CalHFA- Multifamily Programs

Direct: (916) 326-8808  
Mobile: (916) 616-8899  
Fax: (916) 326-6430  
Multifamily Main: (916) 326-8800

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**From:** Andy Bixby <[Andy.Bixby@berkadia.com](mailto:Andy.Bixby@berkadia.com)>

**Sent:** Tuesday, October 22, 2024 4:17 PM

**To:** Kevin Brown <[KBrown@CalHFA.ca.gov](mailto:KBrown@CalHFA.ca.gov)>; Kellen Polan <[Kellen.Polan@berkadia.com](mailto:Kellen.Polan@berkadia.com)>; Terry Wellman <[Terry.Wellman@berkadia.com](mailto:Terry.Wellman@berkadia.com)>

**Cc:** Jessica McQueen <[jmcqueen@CalHFA.ca.gov](mailto:jmcqueen@CalHFA.ca.gov)>; Flavio Espinosa-Linares <[felinares@CalHFA.ca.gov](mailto:felinares@CalHFA.ca.gov)>

**Subject:** RE: [External] - RE: Sutter Street NEPA Process

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Hi Kevin,

See some responses below.

Thanks!

Andy



Andy Bixby

UNDERWRITER

760 SW 9th Ave  
Floor 23 Suite 2380  
Portland, OR 97205  
O +1 (503) 223-0697  
andy.bixby@berkadia.com  
Berkadia Commercial Mortgage LLC

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**From:** Kevin Brown <[KBrown@CalHFA.ca.gov](mailto:KBrown@CalHFA.ca.gov)>

**Sent:** Monday, October 21, 2024 1:00 PM

**To:** Kellen Polan <[Kellen.Polan@berkadia.com](mailto:Kellen.Polan@berkadia.com)>; Terry Wellman <[Terry.Wellman@berkadia.com](mailto:Terry.Wellman@berkadia.com)>

**Cc:** Jessica McQueen <[jmcqueen@CalHFA.ca.gov](mailto:jmcqueen@CalHFA.ca.gov)>; Flavio Espinosa-Linares <[felinares@CalHFA.ca.gov](mailto:felinares@CalHFA.ca.gov)>; Andy Bixby <[Andy.Bixby@berkadia.com](mailto:Andy.Bixby@berkadia.com)>

**Subject:** RE: [External] - RE: Sutter Street NEPA Process

Hi Kellen,

A few comments and questions.

I am looking through the ERR and I only see references to Berkadia's participation in the project. I don't see any references to CalHFA our the 542(c) financing that will be on the affordable piece at permanent. **Although there is not a section for reliance in HEROS, Partner will provide a cover page that outlines reliance language for the HEROS (NEPA) report, similar to the Phase I ESA.**

Is the expectation that Berkadia will submit this to HUD for approval now for their 221(d)(4) financing and CalHFA will adopt the report? **Yes**

The determination is unmarked on page 4. **This is marked by HUD during their review**

None of the boxes are marked under "Compliance with 24 CFR". Which ones are Yes or No? **These are marked by HUD during their review.**

When is SHPO's deadline to respond? I would recommend waiting to submit this to HUD until after you hear back from SHPO. Otherwise it could cause a delay if the report needs to be reposted. **SHPO's deadline was 10/17, and a response was not received. As such, the project is in compliance with Historic Preservation.**

How is CalHFA's NEPA certifying officer going to sign this report? We do not submit these to HUD through HEROS. **CalHFA certifying officer should address this with HUD production and coordinate the paperwork / signatures and publications accordingly.**

Kevin Brown  
Housing Finance Officer  
CalHFA- Multifamily Programs

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Mobile: (916) 616-8899  
Fax: (916) 326-6430  
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**From:** Kellen Polan <[Kellen.Polan@berkadia.com](mailto:Kellen.Polan@berkadia.com)>

**Sent:** Thursday, October 17, 2024 4:12 PM

**To:** Kevin Brown <[KBrown@CalHFA.ca.gov](mailto:KBrown@CalHFA.ca.gov)>; Terry Wellman <[Terry.Wellman@berkadia.com](mailto:Terry.Wellman@berkadia.com)>

**Cc:** Jessica McQueen <[jmcqueen@CalHFA.ca.gov](mailto:jmcqueen@CalHFA.ca.gov)>; Flavio Espinosa-Linares <[felinares@CalHFA.ca.gov](mailto:felinares@CalHFA.ca.gov)>; Andy Bixby <[Andy.Bixby@berkadia.com](mailto:Andy.Bixby@berkadia.com)>

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Here is the link to updated HEROS spreadsheet for review. Thanks Kevin!

[24-454804.1 HEROS - Sutter Street Affordable, San Francisco, CA 101624](#)

**BERKADIA®**

Kellen Polan

UNDERWRITER

4275 Executive Square  
Suite 700  
La Jolla, CA 92037

**O** +1 (858) 257-4720 | **M** +1 (760) 505-1205

kellen.polan@berkadia.com

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**From:** Kevin Brown <[KBrown@CalHFA.ca.gov](mailto:KBrown@CalHFA.ca.gov)>

**Sent:** Tuesday, August 20, 2024 12:06 PM

**To:** Terry Wellman <[Terry.Wellman@berkadia.com](mailto:Terry.Wellman@berkadia.com)>

**Cc:** Kellen Polan <[Kellen.Polan@berkadia.com](mailto:Kellen.Polan@berkadia.com)>; Jessica McQueen <[jmcqueen@CalHFA.ca.gov](mailto:jmcqueen@CalHFA.ca.gov)>; Flavio Espinosa-Linares <[felinares@CalHFA.ca.gov](mailto:felinares@CalHFA.ca.gov)>

**Subject:** Sutter Street NEPA Process

Good morning, Terry.

Where are you at with engaging the NEPA consultant. I think I heard from someone at Partner back in June, but nothing since then.

CalHFA will want to co-engage the report. We are fine if Berkadia needs to be in the lead on behalf of HUD. We need to sign a co-engagement agreement though. I have attached a sample of such an agreement.

Please review and let me know if you have any questions or comments.

Kevin Brown

Housing Finance Officer

CalHFA- Multifamily Programs

Direct: (916) 326-8808

Mobile: (916) 616-8899

Fax: (916) 326-6430

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**From:** Terry Wellman <[Terry.Wellman@berkadia.com](mailto:Terry.Wellman@berkadia.com)>

**Sent:** Friday, August 2, 2024 1:32 PM

**To:** Kevin Brown <[KBrown@CalHFA.ca.gov](mailto:KBrown@CalHFA.ca.gov)>

**Cc:** Kellen Polan <[Kellen.Polan@berkadia.com](mailto:Kellen.Polan@berkadia.com)>

**Subject:** RE: [External] - Sutter - Max DSCR and Report Specifications

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Thanks, Kevin.

This one is going to be fun with the allocating of costs between two projects. I'll be interested to understand your requirements more fully. We may end up at the same place but get there a different way.



**Terry Wellman**

CHIEF UNDERWRITER, AFFORDABLE AND FHA TECHNICAL SUPPORT

3121 Michelson Drive

Suite 400

Irvine, CA 92612

**O** +1 (949) 622-9220 | **M** +1 (949) 241-5490

terry.wellman@berkadia.com

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**From:** Kevin Brown <[KBrown@CalHFA.ca.gov](mailto:KBrown@CalHFA.ca.gov)>

**Sent:** Friday, August 2, 2024 1:11 PM

**To:** Terry Wellman <[Terry.Wellman@berkadia.com](mailto:Terry.Wellman@berkadia.com)>

**Cc:** Kellen Polan <[Kellen.Polan@berkadia.com](mailto:Kellen.Polan@berkadia.com)>

**Subject:** RE: [External] - Sutter - Max DSCR and Report Specifications

**EXTERNAL SENDER**

Hi Terry! Pleased to meet you, Kellen.

CalHFA's appraisal specifications are attached.

**Max DSCR** – I have to admit that this is the first time I have had to be concerned with a max DSCR. I looked at the wrong number on the call when I said the perm DSCR was 1.60x. That was with the FHA rates. With a CalFHA rate of 6.55%, our underwriting is showing a 1.35x DSCR. I can increase expenses by \$83,500 or increase the loan to \$9MM to get a 1.20x. I assume the \$8MM is a locked in amount, so the change will

have to come in expenses or higher vacancy. **KB- \$8MM is the minimum loan amount with the MIP they are requesting (MIP must be no more than 50% of the CalHFA perm loan amount). The developer will either need to increase their expenses or increase their loan amount. The operating budget will be confirmed via an appraisal so however they want to work this out.**

An easy expense to increase is the Land Use Fee. We currently have it estimated at \$400,000. Increasing won't cause any issues on our side for HUD. There is plenty of room. **KB- The developer needs to be careful about adding a huge annual cost to the project. The land cost was originally \$3.877MM. Changing a \$400k per year ground lease-type fee, we hit that 3.8MM in like 9 years. Our perm loan is for 17 years and within that period the land cost is more like \$6.8MM so I am a bit concerned how the Agency is going to react to this new cost. If it is basically replacing acquisition costs, why has it increased so much? We had a lot of issues with this on another project from last year.**

What vacancy rate will you use? **KB- 5% vacancy rate is our standard. Anything more would have to be supported by an appraisal. We can't really use this to keep income reduced for DSCR purposes.**

Do we need to share underwriting or will you come up with your own? **KB- The only underwriting I have right now is from our initial approval and is vastly different from what the developer is proposing. Once I get the updated TCAC workbook which includes updated underwriting including the 2024 rents, I can share my numbers.**

Kevin Brown  
Housing Finance Officer  
CalHFA- Multifamily Programs

Direct: (916) 326-8808  
Mobile: (916) 616-8899  
Fax: (916) 326-6430  
Multifamily Main: (916) 326-8800

500 Capitol Mall, Suite 400, MS 990  
Sacramento, CA 95814

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**From:** Terry Wellman <[Terry.Wellman@berkadia.com](mailto:Terry.Wellman@berkadia.com)>  
**Sent:** Friday, August 2, 2024 11:46 AM  
**To:** Kevin Brown <[KBrown@CalHFA.ca.gov](mailto:KBrown@CalHFA.ca.gov)>  
**Cc:** Kellen Polan <[Kellen.Polan@berkadia.com](mailto:Kellen.Polan@berkadia.com)>  
**Subject:** [External] - Sutter - Max DSCR and Report Specifications

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Kevin –

- 1) **Third Party Reports** – For the third party reports, please coordinate with Kellen Polan, our lead underwriter for the deal. He's cc'ed and his full contact information is below:

## Kellen Polan

### UNDERWRITER

4275 Executive Square  
Suite 700  
La Jolla, CA 92037  
O +1 (858) 257-4720 | M +1 (760) 505-1205  
kellen.polan@berkadia.com  
Berkadia Commercial Mortgage LLC

BERKADIA.COM    

- 2) **Max DSCR** – I have to admit that this is the first time I have had to be concerned with a max DSCR. I looked at the wrong number on the call when I said the perm DSCR was 1.60x. That was with the FHA rates. With a CalFHA rate of 6.55%, our underwriting is showing a 1.35x DSCR. I can increase expenses by \$83,500 or increase the loan to \$9MM to get a 1.20x. I assume the \$8MM is a locked in amount, so the change will have to come in expenses or higher vacancy.

An easy expense to increase is the Land Use Fee. We currently have it estimated at \$400,000. Increasing won't cause any issues on our side for HUD. There is plenty of room.

What vacancy rate will you use?

Do we need to share underwriting or will you come up with your own?

Thanks.

## BERKADIA®

### Terry Wellman

#### CHIEF UNDERWRITER, AFFORDABLE AND FHA TECHNICAL SUPPORT

3121 Michelson Drive  
Suite 400  
Irvine, CA 92612  
O +1 (949) 622-9220 | M +1 (949) 241-5490  
terry.wellman@berkadia.com  
Berkadia Commercial Mortgage LLC

BERKADIA.COM    

Visit our [Account Portal](#) to manage email preferences and acquisition criteria, view available properties, and more.

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**Environmental Assessment  
Determinations and Compliance Findings  
for HUD-assisted Projects  
24 CFR Part 50**

**Project Information**

**Project Name:** Sutter-Street-Apartments

**HEROS Number:** 900000010421675

**Start Date:** 08/28/2024

**Applicant / Grant Recipient:** Berkadia Commercial Mortgage LLC

**Point of Contact:** Kellen Polan

**HUD Preparer:** David Melanson

**Consultant (if applicable):** Partner ESI Project No. 24-454804.2

**Point of Contact:** Anna Krick

40 CFR 1506.5(b)(4): The lead agency or, where appropriate, a cooperating agency shall prepare a disclosure statement for the contractor's execution specifying that the contractor has no financial or other interest in the outcome of the action. Such statement need not include privileged or confidential trade secrets or other confidential business information.

- ✓ By checking this box, I attest that as a preparer, I have no financial or other interest in the outcome of the undertaking assessed in this environmental review.

**Project Location:** 1101 Sutter Street, San Francisco, CA 94109

**Additional Location Information:**

The subject property is located on the south side of Sutter Street, the north side of Hemlock Street, and the west side of Larkin Street within a residential, commercial, and retail area of San Francisco. The adjoining properties include Sutter Street beyond which is Modern Eden Gallery, a vacant commercial unit, and Harcourt Hotel (1100-1104 Sutter Street and 1105 Larkin Street); two vacant commercial units and Yerba Buena Apartments (1114-1116 Sutter Street); The Blue Buddha, a vacant commercial unit, and Bina Apartments (1122-1128 Sutter Street); Croissanteria, Sutter Market, and Clenarm apartments (1136-1144 Sutter Street); and Hit Fit SF and multi-family residential (1150-1156 Sutter Street) to the north; Intersection of Sutter Street and Larkin Street beyond which is Dastarkhan restaurant (1098 Sutter Street) and multi-family residential (1112 Larkin Street) to the northeast; Larkin Street beyond which is Dacha Restaurant, Brani Piano Art Atelium, Hotel Sutter Larkin, The French Spot, and a vacant commercial unit (1085-1089 Sutter Street and 1038-1098 Larkin Street) to the east; Larkin Street beyond which is multi-family residential (1030 Larkin Street) to the southeast; Hemlock Street beyond which is S&B Grocery & Liquor Store and multi-family residential (1029 Larkin Street and 1010-1012 Post Street); Haroldon Apartments (1020 Post Street); multi-family residential (1030 Post Street); Community Youth Center (1038-1044 Post Street); and multi-family residential (1050 Post Street) to the south; Hemlock Street beyond which is multi-family residential (1070 Post Street) to the southwest; Fika Flowers and multi-family residential (1151 Sutter Street) to the west and Sutter Street beyond which is a vacant commercial unit and multi-family residential (1158 Sutter Street) to the northwest.

**Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:**

Sutter Street Apartments is a proposed 22-story, 303-unit mixed income project in the Lower Nob Hill neighborhood of San Francisco, CA. The proposed financing is for two separate 221(d)(4) loans on the single property. The property will be divided via a condominium regime. Sutter Street Market Rate will be a 201 unit market rate project (FHA# 121-35996). Sutter Street Affordable will be 102 units of which 101 units will be affordable (LIHTC and similarly rent restricted units) and one unit for the property manager (FHA# 121-35997). For each project/loan there are separate appraisals, market studies, etc. The development costs between the two projects are split on a 67%/33% pro rata basis. The 6,409 SF of commercial space (retail/office) and the 3 story parking garage (existing but to be renovated), will be attributed wholly to the market rate property for purposes of income and construction costs. Originally, two HEROS were submitted - one for each project. These have been combined into this one project. According to consultation with the owner's representative and the client, the subject garage building at 1101 Sutter Street at Larkin Street will be rehabilitated and reused as a parking garage. The adjacent vacant mortuary property and parking lot at 1111-1123 Sutter Street are scheduled for demolition and proposed to be developed with new construction of a multifamily apartment high-rise building, more specifically: The approved project consists of a residential conversion of the existing public parking garage building (1101 Sutter), demolition of the mortuary building (1111-1123 Sutter), and construction of

new construction of a 22-story high-rise tower. This high-density development will utilize the Individually Requested State Density Bonus Program to increase the number of code-permitted units from 184 to 286. The 22-story, 235-foot tower will offer 303 rental apartments over an active, pedestrian-friendly commercial ground floor. Oriented toward Sutter Street, the dynamic street level incorporates a mix of uses, including the primary residential lobby, common amenities for residents, and commercial and retail spaces. At Hemlock Alley to the south, the ground level will include an outdoor entry court that serves a gym and provides secondary residential access. The building is set back from the alley at various distances to accommodate the entry court, an outdoor area for the child-care center, private terraces and balconies, and access to the garage and loading entries. The surface of the childcare play area is approximately 7 feet above the sidewalk level of Hemlock. There will also be a 4' tall guardrail along the entire childcare play area - so the total height of the wall and guardrail, from grade, is 11 feet. Midway up the tower, on the 7th floor, the building steps back about 40 feet on the west side, to provide a shared landscaped area at this setback. At the 21st floor, another setback is incorporated to create an outdoor landscaped terrace. Additionally, the top (22nd) floor provides shared viewpoints as well as several building services, and a community room with associated outdoor roof deck. All tenants (market rate, affordable, young, old) will use the same elevators and will have equal access to and use of all amenities. At the corner of Sutter and Larkin, the three-level concrete auto-repair building--built in 1920 and designated an A-status Historic Resource--will receive upgrades and repairs as needed to continue functioning as a parking facility. Detailed information regarding construction materials and design features of the proposed structure can be found in the provided architectural plans.

**Does this project involve over 200 lots, dwelling units, or beds?**

No

- ✓ Yes (Consult early with the Environmental Clearance Officer (ECO), who is required to sign off on this project if it requires an Environmental Assessment)

**Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:**

The purpose of the proposed project is intended to bring additional stability to the area via a much-needed affordable residential housing. This project is proposed to obtain Federal Housing Administration (FHA) HUD funding for the new construction of high-quality affordable and market rate rental housing on an Urban Site that is currently occupied by a vacant and underutilized building and parking lot (at 1111 and 1123 Sutter Street); an existing garage at 1101 Sutter Street is being rehabilitated and reused as a parking garage. The subject property is proposed for new construction through a FHA-insured program, MAP 221d(d)(4). The subject's proposed mix of units is recommended and will be reasonable compared to the direct competition in the market area. The need for the proposed development will create affordable homes in close proximity to high-quality transit and a living environment that is safe, lively, and creates a strong sense of community. The subject property is also proposed to provide a childcare facility and underground parking. It is reasonable to believe that without the proposed property improvements the population would remain underserved and the proposed project location would remain underutilized. Also, this market rate

project will be part of a larger mixed income project that will serve LIHTC residents at 30%, 50%, and 70% AMI. The market rate project will help to make the larger mixed income project feasible.

**Existing Conditions and Trends [24 CFR 58.40(a)]:**

The subject property, identified as 1101-1123 Sutter Street and 1075 Larkin Street in the southwestern corner of the intersection of Sutter and Larkin Streets in San Francisco, San Francisco County, California, is comprised of two (2) buildings and one (1) surface parking lot; the surface parking lot has a basement. The parcels are identified as Assessor Parcel Numbers 0692-001 and 0692-019 and the combined parcels consist of 29,700 square feet fronting approximately 247.5 feet wide along Sutter Street and approximately 120 feet deep along Larkin Street; an alley named Hemlock Street is immediately behind the property to the south. Situated in between the Pacific Heights, Chinatown, Union Square, and Civic Center areas of the northeastern section of the city, the property straddles the Lower Nob Hill neighborhood and Tenderloin district, located on previously developed land situated on the south side of Sutter Street in between Larkin Street at the east, Hemlock Street (an alley) and Post Street to the south, and Polk Street to the west, in the City of San Francisco, San Francisco County, California. The property sits at a lower elevation, approximately at 150 feet and the surrounding area rises to 200 and 300 feet moving outward. The subject property is comprised of two (2) contiguous parcels identified as Parcel A and Parcel B for the purposes of this assessment. Parcel A is an existing 3-story historic commercial parking garage built in 1920-1921 at the corner of Sutter and Larkin Streets (1101 Sutter, 1075 Larkin, and Assessor Parcel 0692-001). Parcel B is a 1-story (and mezzanine) historic commercial mortuary building with a basement initially built in 1913 but completed in 1925 and includes an asphalt-paved parking lot with basement (1111-1123 Sutter Street and Assessor Parcel 0692-019). The subject property flanks the public sidewalk along Sutter and Larkin Streets; a paved alley (Hemlock Street) is set along the south end of the parcel. The site is built out within a diverse and dense urban center. The garage is currently under rehabilitation and in continued use as a parking garage. The mortuary building is currently vacant and locked down and not in use. The adjacent surface parking lot is being used for parking. According to available historical sources, the subject property was formerly improved with multiple buildings consisting of residential, stores, photo gallery, drugs, florist, printing shop and saloon, and associated stable and/or storage sheds prior to 1886, which were apparently destroyed or damaged during the 1906 San Francisco Earthquake and Fire; improved with the current mortuary structure in 1913 and the parking garage structure in 1921; and the current paved surface parking and basement parking garage on the western portion was improved in 1950, prior to which was developed with a multi-unit commercial structure as early as 1913 to circa 1949, consisting of plumbing, upholstering, stores, furniture, quilt shop, interior decorator, and antiques. Phase I ESA assessment completed by Partner in August

2024 has revealed no evidence of RECs or CRECs in connection with the subject property; however, HRECs and BERs were identified. Please refer to Phase I ESA report for details. The demand generators, such as household and employment growth, were used to estimate future demand for products within the Primary Market Area (PMA). Future demand based on a weighted household and employment growth in the area was reconciled for the PMA. The reconciled demand figures indicate continued demand for additional multifamily apartment products in the immediate area. In the absence of the project, future trends include either the property remaining vacant or the development of the property with residential and/or commercial developments. Construction of the proposed project will positively impact the surrounding neighborhood by improving the proposed project's overall site appeal.

**Maps, photographs, and other documentation of project location and description:**[Sutter Site Visit 12-4-2024.docx](#)[2022 08 30 1123 Sutter Street Demolition Plan.pdf](#)[1101-1111 Sutter Street Concept Package 6 2 24 FINAL.pdf](#)[4 App A Photos.pdf](#)[3 Fig 3 Topo Map.pdf](#)[2 Fig 2 Site Plan Landscape.pdf](#)[1 Fig 1 Site Location Map.pdf](#)**Determination:**

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

<b>Review Certified by</b>	Shannon Bergman, Division Director	<b>on</b>	03/12/2025
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**Funding Information**

Grant / Project Identification Number	HUD Program	Program Name	Funding Amount
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121-35996 & 121-35997	Housing: Multifamily FHA	Section 221(d)(4). Mortgage Insurance for new construction or substantial rehabilitation of Multifamily Rental Housing - profit-motivated sponsors	\$0.00
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**Estimated Total HUD Funded,  
Assisted or Insured Amount:** \$139,999,900.00

**Estimated Total Project Cost [24 CFR 58.2 (a)  
(5)]:** \$204,691,816.00

**Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities**

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>		
<b>Airport Hazards</b> Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.
<b>Coastal Barrier Resources Act</b> Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.
<b>Flood Insurance</b> Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). According to Community Panel Number 0602980116A, dated March 23, 2021, the subject property is not located within a Special Flood Hazard Area (SFHA). The subject property is located within Zone X, Unshaded. It should be noted that based on a review of the

		online NFIP information, city and county of San Francisco are active participants within the NFIP. The community identification number is 060298A. The project is in compliance with flood insurance requirements.
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b>		
<b>Air Quality</b> Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The project's county or air quality management district is in non-attainment status for the following: Carbon monoxide, Ozone, Particulate Matter, &lt;2.5 microns. This project does not exceed de minimis emissions levels or the screening level established by the state or air quality management district for the pollutant(s) identified above. The proposed site activities include new construction or conversion of land use at this time. Review of the EPA's Green Book on Nonattainment Areas for Criteria Pollutants and the State's SIP indicates the criteria pollutants are identified as nonattainment and/or maintenance for the following pollutants: CO, PM-2.5 and Ozone. The project has proposed mitigation measures as outlined in the Addendum EIR prepared by the City of San Francisco certified March 24, 2022 and the mitigation plan was approved by the City and County OF San Francisco Health Departments in the approval letter dated November 28, 2022. The EIR determined that construction-related impacts would be reduced to a less than significant level with implementation of Mitigation Measure M-AQ-2: Clean Off-Road Construction Equipment and operational-related impacts would be reduced to less than significant with implementation of Mitigation Measure M-AQ-4: Best Available Control Technology for Diesel Generators. Further as stated in the Approval Letter and in compliance with SFHC Article 22B, the SMP includes protocols to</p>



		prevent visible dust emission during development activities. Dust control measures presented within include limiting on-site vehicle speed, application of water to exposed soil, perimeter fencing, suspension of work during high wind speeds, minimizing on-site soil storage, and truck loading protocols. Any track-out onto public roads from ingress/egress points at the Site will be cleaned using wet or vacuum sweeping at the end of each workday or more frequently. Monitoring of dust levels will be implemented to increase measures if needed. As the project's estimated emission levels are below de minimis levels with the Mitigation Plan for the noted nonattainment and/or maintenance level pollutants, the project is in compliance with the Clean Air Act and no further action is required.
<b>Coastal Zone Management Act</b> Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. According to the Coastal Zone Map of San Francisco County, the subject property is located approximately 4.5 miles east of the identified coastal zone boundary. The project is in compliance with the Coastal Zone Management Act.
<b>Contamination and Toxic Substances</b> 24 CFR 50.3(i) & 58.5(i)(2)]	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	According to the review of available information, the subject property was historically equipped with one 1,500-gallon diesel, two 550-gallon gasoline, and one 1,500-gallon gasoline underground storage tanks (USTs). The 1,500-gallon diesel tank was associated with the 40 Hemlock Street site at the subject property, and reportedly located beneath the sidewalk south adjoining the property, off Hemlock Street. The two 550-gallon and one 1,500-gallon gasoline tanks were associated with the 1101 Sutter Street site at the subject property, and reportedly located

		<p>beneath the sidewalk east adjoining the property, off Larkin Street. The tanks were reportedly installed in the 1920s during the original development of the subject property, and apparently used for vehicle fueling operations; however, have not been used since at least the late-1950s to the early-1960s. It should be noted that in other documents and records, the USTs are referred to as two 500-gallon and one 2,000-gallon gasoline USTs. The four tanks were removed in March 1999 under the regulatory oversight and permit from San Francisco Department of Environmental Health (SFDPH) and Fire Department (SFFD). At the time of tank removal, the two 1,500-gallon tanks were observed to be in good condition, while the two 550-gallon tanks were observed with several holes. Subsequently, the subject property reported a release of gasoline on August 7, 2000, which reportedly impacted soil only. Confirmatory soil sampling consisted of collecting two soil samples from the tank excavation at 40 Hemlock Street and four soil samples from the tank excavation at 1101 Sutter Street. In addition, four soil samples from stockpile soil, approximately 25-yards, were collected. The soil samples were analyzed for total petroleum hydrocarbons as gasoline (TPH-g) and diesel (TPH-d), benzene, toluene, ethylbenzene, and xylenes (BTEX), methyl tert-butyl ether (MTBE), and lead. Results of soil analysis indicated one sample contained detectable concentration of TPH-d at 5.3 milligrams per kilogram (mg/kg) TPH-g at 3.4 mg/kg, ethylbenzene at 0.019 mg/kg, and MTBE at 0.098 mg/kg; two samples contained detectable concentrations of toluene at 0.013 and 0.081 mg/kg and xylenes at 0.026 and 0.066 mg/kg.</p>
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		<p>Detectable concentrations of lead ranged between 5.2 and 53 mg/kg. Analysis results of stockpile soil sample indicated detectable concentration of TPH-d at 2.8 mg/kg, toluene at 0.008 mg/kg, xylenes at 0.025 mg/kg, and lead at 53 mg/kg. No other contaminants of concern were identified. The responsible party is identified as Halsted, N. Gray, Carew &amp; English, Inc. Following the remedial actions under the oversight of SFDPH and SFFD, regulatory closure was obtained on August 22, 2000. Based on the analytical data, proper removal of the tanks, and the regulatory closure, the historical USTs are considered a HREC. Based on the conclusions of this assessment, Partner recommends the following: - Implementation of Maher Ordinance requirements during the proposed development of the subject property, and approval of the Final Report and Certification from SFDPH. According to SFHC Article 22A - Site Mitigation Plan Approval 1101-1123 Sutter Street, San Francisco, CA 94109 SMED Case Number: 1827 letter, based on a review of the documents submitted, the Site Mitigation Plan is approved. Confirmation soil samples collected adjacent to the former USTs shall be analyzed for benzene, toluene, ethylbenzene, and xylenes, in addition to other gasoline-constituents. All soil samples collected for volatiles analyses shall be collected in compliance with EPA Method 5035. With mitigation, the project is in compliance with contamination and toxic substances requirements.</p>
<b>Endangered Species Act</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>This project will have No Effect on listed species due to the nature of the activities involved in the project. The project is located in an area that has been developed with mixed land uses</p>

		<p>and is isolated from natural wildlife areas by the surrounding urban development. Nonetheless, Partner reviewed the U.S. Fish &amp; Wildlife Service (USFW) Planning and Conservation (IPaC) database for threatened and endangered species and critical habitats for the project area. A summary of the IPaC database indicates nine (9) endangered, four (4) threatened and no critical habitats are within the project area. The proposed new construction and demolition actions at the property will not likely adversely affect species or habitats identified within the IPaC Report. The project activities will be limited to existing development footprint. As such, the project will have minimal to no impact on the natural resources. There is no likely impact on any endangered specie. This project is in compliance with the Endangered Species Act.</p>
<b>Explosive and Flammable Hazards</b> Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>Based on the site reconnaissance, no aboveground or below ground tanks (ASTs or USTs) are located at the subject property. Based on the site reconnaissance, no existing industrial facilities handling explosive or fire-prone materials such as liquid propane, gasoline, diesel fuel of 100-gallons or larger are adjacent to and/or visible from the subject property, including from online satellite imagery (when available). Based on the regulatory review, two existing registered AST facilities containing fire-prone materials such as liquid propane, gasoline, diesel fuel of 100-gallons or larger were identified within 1/4-mile of the subject property. Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.</p>

<b>Farmlands Protection</b> Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The subject property is not currently being farmed or being converted from farmland and because the project does not convert agricultural land to non-agricultural land, the Federal Farmland Protection Policy Act (FPPA) is not triggered. According to the USDA mapped soil information, the onsite soils are rated as "Not prime farmland". In addition, according to the Geography Division, U.S. Census Bureau map, the subject property is located within an urban area. Further, the subject property and surrounding area are located within a densely developed urban setting. The project is in compliance with the Farmland Protection Policy Act.
<b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not occur in a floodplain. Partner performed a review of the Flood Insurance Rate Map (FIRM), published by the Federal Emergency Management Agency. According to Community Panel Number 0602980116A, dated March 23, 2021, the subject property is located in Unshaded Flood Zone X, defined as areas determined to be outside the 0.2% annual chance floodplain. No preliminary FEMA FIRM (p-FIRM) are available for the subject property at this time. Additionally, regulatory floodways are not considered a hazard for the subject property, including ingress and egress, at this time. HUD adopted the FEMA's Federal Flood Risk Management Standard (FFRMS) on May 23, 2024. The compliance date for other HUD programs is June 24, 2024. The FFRMS defines an expanded floodplain that takes future flood risk into account via three (3) methods: (1) Climate Information Science Approach (CISA): This CISA approach is completed by using the online Federal flood Standard Support Tool (FFSST). This tool has not

		<p>been officially adopted by HUD and is to be used for information purposes only and not as part of the decision-making process outlined herein. According to the FFRMS Freeboard Value Approach (FVA) Report (using the FFSST), the proposed project is not in the coastal or riverine FFRMS floodplain. Because the FFSST has not been adopted by HUD, the CISA method does not apply at this time (2) 0.2 percent annual chance of flooding (PFA): Review of the FEMA FIRM indicates the 500-year floodplain has been mapped. However, no special flood hazard areas (SFHAs) or 500-year flood zones are located within a 1-mile radius of the subject property. (Of note, the 1-Mile Radius Map through NEPAssist does not show the entire 1-mile radius because the flood zones are no longer depicted on the website if the zoom-out radius is greater than 1-mile. As such, Partner has included the full FEMA FIRM for review). (3) Freeboard Value Approach (FVA): Review of the FEMA FIRM indicates no SFHAs are located on or adjoining the subject property. Furthermore, the nearest SFHA is located greater than 1-mile from the subject property. Because the 0.2% PFA method applies, the FVA method does not apply at this time. Based on the above methods, the subject property is outside the FFRMS floodplains. The project is in compliance with Executive Orders 11988 and 13690.</p>
<b>Historic Preservation</b> National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Based on Section 106 consultation the project will have an Adverse Effect on historic properties. With mitigation, as identified in the MOA or SMMA, the project will be in compliance with Section 106. Satisfactory implementation of the mitigation should be monitored.</p>

<b>Noise Abatement and Control</b> Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject property is proposed for new construction, as such, noise calculations were completed for the proposed project. With respect to interior building noise, the calculated exterior noise was determined to be "Normally Unacceptable" for the proposed tenant structure (NALs #1-3; 5-6). As outlined within the Salter Supplemental Noise report, the STraCAT calculations indicated STC 26 to 31 ratings are needed for the window and exterior doors to meet DNL 45 dB inside, which is considered "Acceptable" per the HUD guidelines. With respect to exterior noise for gathering areas, the calculated noise was determined to be "Normally Unacceptable" for the proposed 7th Level Garden / Terrace; proposed 21st Level Terrace; and proposed 22nd Level Terrace. As outlined within the Salter Supplemental Noise report, the Barrier Performance Module (BPM) was used to calculate noise at the outdoor-use spaces based on the size and location of parapet walls and the location of a typical occupant of the outdoor-use spaces. With these building features, noise levels are calculated to be less than DNL 65 dB at NAL-7, 8, and 9, which is considered "Acceptable" per the HUD guidelines. With respect to the proposed unit balconies, which have access from the tenant bedrooms, the following requirements will be met: (1) Interior noise levels have been mitigated and will not exceed a day-night average noise level of 45 decibels as documented by the STraCAT, (2) Walls factoring in fenestration, (3) Appropriate ventilation is provided by a mechanical ventilation system and not by opening doors or windows, and (4) An Operations and Maintenance plan will be prepared and will require</p>
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		periodically inspecting seals and repairing or replacing building components when their performance diminishes. Of note, per HUD 2021 MAP guidelines, Section 9.6.8.I.3, "HUD Approving Officials may require additional mitigation measures or deny approval of balconies based on noise or other concern. In addition, Environmental Assessment or Environmental Impact Statement levels of environmental review must consider potential health effects stemming from issues related to noise sources, such as air quality, and toxic hazard exposure near transportation." Please refer to the Partner Noise Study and Salter Supplemental Noise Report (STraCAT / BPM) for details
<b>Sole Source Aquifers</b> Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not located within a sole source aquifer area. Based on a review of the Designated Sole Source Aquifers National Map, published by the USEPA, the subject property is not located in a sole source aquifer recharge area. Moreover, the water supply for the subject property will be tied into the public utilities; therefore, it will not impact existing groundwater conditions. The project is in compliance with Sole Source Aquifer requirements.
<b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project will not impact on- or off-site wetlands. According to the U.S. Fish & Wildlife Service National Wetlands Inventory website, there are no federally regulated wetlands located on or adjacent to the subject property. The project site is in an urbanized area. No settling ponds, lagoons, surface impoundments, wetlands, or natural catch basins were observed at the subject or adjoining properties during this assessment. The project is in compliance with Executive Order 11990.



<b>Wild and Scenic Rivers Act</b> Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project site is in an urbanized area. No unique natural features or areas were identified within visible distance of the subject property. Unique natural features or areas include bluffs, cliffs, public or private scenic areas, and/or special natural resources on the property or in the vicinity of the property. The subject property is not located within a one-mile radius of a designated Wild and Scenic River. Therefore, a consultation review by the National Park Service is not required. The Wild and Scenic Rivers Act protects selected rivers in a free-flowing condition and prohibits federal support for activities that would harm a designated rivers free-flowing condition, water quality or outstanding resource values. The project is in compliance with the Wild and Scenic Rivers Act.
<b>HUD HOUSING ENVIRONMENTAL STANDARDS</b>		
<b>Housing Requirements (50)</b> [MAP Guide - Chapter 9: Lead-based paint, Radon, and Asbestos]	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	LBP: Pre-renovation/demolition Asbestos and Lead inspection was conducted at the subject property. Lead based paint/glazing was located within multiple components. Current EPA and HUD guidelines recommend that surfaces containing lead based paint in damaged condition to be considered "lead-based paint hazards" and should be addressed through abatement (permanent removal) or interim controls (temporary). Surfaces containing lead based paints in intact condition should be monitored, but are not considered to be "lead based paint hazards". At the time of inspection, the following components were found to contain damaged lead based paints/glazing and are considered a "lead-based paint hazard": White CMU wall on the exterior of the building. Before commencement of disturbance to onsite building materials through

		<p>demolition and/or renovation activities, identified/presumed LBP hazards will be restored to an intact condition prior to renovation activities. Radon: Per HUD guidelines, radon mitigation activities are required to be implemented during the construction phase of the subject property per CC-1000 (latest guidelines), Soil Gas Control Systems in New Construction of Buildings. The guidelines require soil gas control for all portions of the foundation system and post-construction testing will be required by a licensed, radon professional. Asbestos: Pre-renovation/demolition Asbestos and Lead inspection was conducted at the subject property. Current EPA National Emissions Standards for Hazardous Air Pollutants (NESHAP) regulations require that most ACM be removed prior to demolition or renovation activities. Analytical results indicated that various asbestos containing insulating materials are present within the building. If these materials are to be disturbed NorBay Consulting recommends that a licensed asbestos abatement contractor be utilized to remove these materials prior to renovation/demolition activities taking place that would disturb them. The contractor chosen must be familiar with and abide by the strict rules and regulations regarding the removal, packaging and disposal of asbestos containing materials. Before commencement of disturbance to onsite building materials through demolition and/or renovation activities, identified/presumed ACMs will be abated and properly disposed offsite in accordance with local, state and federal laws. Additional Nuisances and Hazards: Partner did not observe high pressure natural gas or petroleum pipelines or pipeline easements on or</p>
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		adjacent to the subject property. According to online information, there are no natural gas or petroleum high pressure pipelines or easements located on or adjacent to the subject property. The subject property is not located within the fall distance of a high voltage power transmission tower, or other tower. No additional known natural hazards will likely affect the subject property.
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b> Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project will bring 201 units of market rate housing and 101 units of affordable housing to the area (not counting the manager's unit) plus 6,409 SF of commercial space. The adjoining properties include Sutter Street beyond which is Modern Eden Gallery, a vacant commercial unit, and Harcourt Hotel (1100-1104 Sutter Street and 1105 Larkin Street); two vacant commercial units and Yerba Buena Apartments (1114-1116 Sutter Street); The Blue Buddha, a vacant commercial unit, and Bina Apartments (1122-1128 Sutter Street); Croissanteria, Sutter Market, and Clenarm apartments (1136-1144 Sutter Street); and Hit Fit SF and multi-family residential (1150-1156 Sutter Street) to the north; Intersection of Sutter Street and Larkin Street beyond which is Dastarkhan restaurant (1098 Sutter Street) and multi-family residential (1112 Larkin Street) to the northeast; Larkin Street beyond which is Dacha Restaurant, Brani Piano Art Atelium, Hotel Sutter Larkin, The French Spot, and a vacant commercial unit (1085-1089 Sutter Street and 1038-1098 Larkin Street) to the east; Larkin Street beyond which is multi-family residential (1030 Larkin Street) to the southeast; Hemlock Street beyond which is S&B

		<p>Grocery &amp; Liquor Store and multi-family residential (1029 Larkin Street and 1010-1012 Post Street); Haroldon Apartments (1020 Post Street); multi-family residential (1030 Post Street); Community Youth Center (1038-1044 Post Street); and multi-family residential (1050 Post Street) to the south; Hemlock Street beyond which is multi-family residential (1070 Post Street) to the southwest; Fika Flowers and multi-family residential (1151 Sutter Street) to the west and Sutter Street beyond which is a vacant commercial unit and multi-family residential (1158 Sutter Street) to the northwest. These land uses are not expected to have a detrimental environmental impact to the subject property. Partners Phase I ESA, there are no adjacent facilities identified as sites of environmental concern, which include Brownfields, Superfund, Hazardous Waste, Air Emission, Water Discharge, and Toxic Release sites. No potential for exposure to significant hazards from surrounding properties or activities was found to exist for the project site. There are no indications that environmental indicators are disproportionately high in the regional area, when compared to state and National indicators. The proposed activities have no potential to create discrimination or isolation of minority or low-income individuals based on the location of the subject property. Additionally, this project does not create an adverse health or environmental effect that disproportionately impacts minorities of low-income populations. In addition, the subject property is not located within an opportunity zone. The project is in compliance with Executive Order 12898.</p>
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**Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]**

**Impact Codes:** An impact code from the following list has been used to make the determination of impact for each factor.

(1) Minor beneficial impact

(2) No impact anticipated

(3) Minor Adverse Impact – May require mitigation

(4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	Per the San Francisco Planning Department, an initial application for the development was approved and later modified to the present project, also approved. Per the SFPD: Project Sponsor proposes to modify the previously entitled project under Motion No. M-21090 and Planning Case No. 2019-022850. The subject property is zoned "NCD" for Polk Street Neighborhood Commercial development by the City of San Francisco. Please refer to ZONING COMPLIANCE MATRIX for details. The subject property is situated in between the Pacific Heights, Chinatown, Union Square, and Civic Center areas of the northeastern section of the city, the property straddles the Lower Nob Hill neighborhood and Tenderloin district, located on previously developed land situated on the south side of Sutter Street in between Larkin Street at the east, Hemlock Street (an alley) and Post Street to the south, and Polk Street to the west, in the City of San Francisco, San Francisco County, California. A	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>study of visual impact relative to the city block, the surrounding area was implemented in order to determine potential effects from the proposed new construction. While the building will be 22-stories in height, there are buildings immediately in the area ranging from 12 to 14-stories and at higher elevations than the subject property. Additionally, there are buildings from 1987 (19-stories), 1973 (25-story) and post 1990 (ranging from 12 to 14-story) adjacent the 1/4 mile APE. While the proposed project will have some effect on the area, we feel that effect will not be adverse due to a number of factors. First and foremost, the pedestrian nature of the historic districts as well as those city blocks with historically aged buildings (not listed) are typically adjoining one another and rise between 4-6 stories, forming for a lack of better words, an "architectural barrier" from those blocks behind them. In all cases the sense of history is preserved in these places, and nothing is visible above or beyond. The same generally holds true when said pedestrian turns around to view the other side of the street--the sense of the architectural wall is repeated and very little is seen immediately above the cornices and rooftops. This slightly changes when one enters the intersection, where other blocks adjacent slowly come into focus. It is usually on these adjacent blocks</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>that similar buildings prevail and in instances, a high-rise building flanks the street in the distance. Secondly, the property sits at a lower elevation than the surrounding area and those blocks to the west, north, and east rise to 100 and 200 feet higher than the subject property. The south ranges in height but also contains several newer high-rise buildings that have impacted the area. Third, the presence of street trees and other landscaping envelops the pedestrian in many blocks. From under the branches the upper floors of the buildings are barely visible. Additionally, only the first floor of those buildings across the street are visible. Finally, there is a pre-existing presence of non-historic, newer buildings that in some cases rise to 25 stories that are dominant in the skyline. Even these buildings are not known when one is immersed within a city block, amongst the facades of the pedestrian scale buildings. These monumental buildings are generally experienced from intersections and from lower elevations. It is for these reasons that we have concluded that there may be an effect from the new construction on the surrounding environment, however an adverse impact already exists in context and that context will not be made more adverse. None of the reasonably foreseeable aspects of the proposed project or future use</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		plans for the site conflict with the community's vision for its future.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	1	<p>According to USGS San Francisco North, California Quadrangle 7.5-minute series topographic map, the subject property is located at approximately 140 feet above mean sea level (MSL). The contour lines in the area of the subject property indicate the area is sloping gently toward the south-southeast. Based on a previous geotechnical investigation conducted on the subject property in September 2019, consisting of three test borings drilled to approximately 31.5 and 35 feet below the top of the basement slab, and 101.5 feet below ground surface (bgs), the soil beneath the subject property consisted of about seven feet of fill, very loose to medium dense sand and clayey sand with gravel, and brick and wood fragments. Below the fill was Dune sand that extended to a depth of about 57 feet bgs, which is loose to medium dense sand to a depth of about 15 feet bgs, and medium dense to very dense sand between 15 and 57 feet bgs. The Dune sand was underlain by clayey sand of the Colma formation that extended to a depth of about 100 feet bgs, which is generally very dense with some thin zones of medium dense material. Between 100 and 101.5 feet bgs, hard sandy clay materials were reported. Groundwater beneath the subject property was encountered in one boring at approximately 60 feet below</p>	<p>According to SFHC Article 22A - Site Mitigation Plan Approval 1101-1123 Sutter Street, San Francisco, CA 94109 SMED Case Number: 1827 letter, based on a review of the documents submitted, the Site Mitigation Plan is approved. Confirmation soil samples collected adjacent to the former USTs shall be analyzed for benzene, toluene, ethylbenzene, and xylenes, in addition to other gasoline-constituents. All soil samples collected for volatiles analyses shall be collected in compliance with EPA Method 5035. Implementation of the SMP shall remain in effect for the duration of the activities involving earthmoving.</p>



Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>ground surface; however, may not be representative of static groundwater level. For new construction, soil suitability will be determined by a Geotechnical Report. Preliminary Geotechnical Investigation was completed in 2020. The primary geotechnical issues affecting the proposed development include: (1) the presence of adjacent structures that may need to be underpinned during construction; (2) the presence of loose to medium dense sand fill and Dune sand that are susceptible to caving during shoring and underpinning installation; and (3) providing adequate foundation support. Based on the subsurface data from field investigation and engineering analysis, preliminarily conclude the proposed high-rise tower can be supported on a mat foundation founded on native Dune sand. New loads, if any, for the renovation of the existing historic building may be supported on existing and/or new spread footings. Stormwater is removed from the subject property primarily by sheet flow action across the paved surfaces towards stormwater drains located in the public right of way. The City of San Francisco is responsible for monitoring the City's stormwater quality and maintaining the storm drain system. Stormwater runoff is generated from rain or excess water over land or impervious surfaces, such as streets, parking</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>lots, and building rooftops, that is not able to soak into the ground. As a result, stormwater runoff can pick up and deposit pollutants such as trash, chemicals, oils, and dirt/sediment that can harm our ocean and coastline. To protect these resources, stormwater controls to filter out pollutants and/or prevent pollution at its source should be considered during the construction activities. According to SFHC Article 22A - Site Mitigation Plan Approval 1101-1123 Sutter Street, San Francisco, CA 94109 SMED Case Number: 1827 letter, development activities include excavation to a maximum depth of 3 feet below ground surface and removal of approximately 4,000 cubic yards of soil at 1123 Sutter Street, related to construction of the new foundation. The development at 1101 Sutter Street is anticipated to disturb between 200 and 300 cubic yards of soil associated with installation of new foundation piers. Groundwater is not anticipated to be encountered during development activities. A site civil engineer/architect will provide slope/erosion/drainage and/or storm water runoff recommendations, if warranted.</p>	
Hazards and Nuisances including Site Safety and Site-Generated Noise	1	<p>Sutter Master Development will have extensive security operations and procedures ensuring resident safety 24/7. Outlined below are the general operational guidelines: * During normal workday business hours (8 to 5),</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>there will be at least two, and sometimes as many as four, property operations personnel stationed at the lobby desk and immediately adjacent offices. * During all non-business, weekday hours, a security guard will be stationed at the entry desk and performing hourly property perimeter inspections. * All three street frontages will include comprehensive camera coverage with after-hours remote monitoring by Aclarity Systems (in addition to on-site security guard monitoring). Aclarity also utilizes a private security force (with vehicle support) to ensure immediate response in case of a security concern and/or breach (with typical response time for the private security force is within 3 minutes). * On-property camera monitoring locations will also include the lobby, mail areas, gymnasium, parking, roof amenity spaces and dog oasis. * Extensive access control systems utilizing the latest Bluetooth and phone technologies. In addition, the elevators will only be able to be utilized by residents with access fobs or authorized Bluetooth devices. Elevator access controls will also limit the operating hours of the amenity and rooftop spaces. A secured fencing for children using the outdoor area described as following: The surface of the childcare play area is approximately 7' above the sidewalk level of Hemlock. There will also be a 4' tall guardrail along</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>the entire childcare play area - so the total height of the wall and guardrail, from grade, is 11'. There are no known natural hazards on the project site or adjacent to it. The subject property is located in the Coast Ranges geomorphic province of California that is characterized by northwest-trending valleys and ridges. These topographic features are controlled by folds and faults that resulted from the collision of the Farallon plate and North American plate and subsequent strike-slip faulting along the San Andreas Fault system. Movements along this plate boundary in the Northern California region occur along right-lateral strike-slip faults of the San Andreas Fault system. The major active faults in the area are the San Andreas, San Gregorio, and Hayward faults. The site is not within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known active or potentially active faults exist on the site. The risk of fault offset at the site from a known active fault is very low. The site has not been mapped within of a zone of liquefaction potential on the map titled State of California Seismic Hazard Zones, City and County of San Francisco, Official Map, dated November 17, 2000. Radon: Per HUD guidelines, radon mitigation activities are required to be implemented during the construction phase of the subject property per CC-1000, latest</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		edition, Soil Gas Control Systems in New Construction of Buildings. The guidelines require soil gas control for all portions of the foundation system and post-construction testing will be required by a licensed, radon professional. Site Generated Noise: Development of the subject property will result in short-term noise during the daylight hours. The proposed use of the subject property upon completion of construction, will not result in elevated levels of noise.	
<b>SOCIOECONOMIC</b>			
Employment and Income Patterns	1	San Francisco's population is forecast to grow 2.0% over the next five years to nearly 4,649,919 residents from a current population of 4,560,909. The population grew 5.2% from 2010 to 2023. The total labor force for the MSA is 2,440,503. The Median Housing Unit Value for the area is \$1,154,640. Per bureau of labor statistics- BLS, the MSA was reported total nonfarm with 1,156,100 jobs as of March 2024. Major employment sectors contributing to the economy of the MSA include professional and business services with 292,200 jobs followed by education and health services with 162,400 jobs. Other services include government with 142,600 jobs; trade, transportation, and utilities with 130,900 jobs; leisure and hospitality with 126,300 jobs; information with 107,700 jobs; financial activities with 79,200 jobs; mining, logging, and	

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>	<b>Mitigation</b>
		Construction with 40,700 jobs and other services with 39,400 jobs; manufacturing with 34,700 jobs. The unemployment rate in the MSA as of May 2023 was reported at 3.6%. No direct or indirect displacement is associated with the proposed project. No people will be displaced. No jobs will be destroyed or relocated. The proposed development has the potential to create permanent opportunities associated with facility maintenance and management. The proposed development will not have an adverse effect on the community or neighborhoods.	
Demographic Character Changes / Displacement	1	With a current population of nearly 4.6 million residents, the San Francisco MSA is the second-most populated metropolitan area in California. Consisting of four major subregions, Greater San Francisco boasts robust technology and transportation infrastructures, an excellent quality of life, and one of the world's most educated workforces. The development of the proposed project will not have an adverse effect on demographic character changes in the surrounding area. No displacement will take place in connection with the subject property development. The proposed project is a mixed-income occupancy and does not contribute to reducing or significantly altering the racial, ethnic, or income segregation of the area's housing. 1. There is no	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		"poor door." 2. There is a single entrance for all tenants. 3. All tenants will use the same elevators. 4. All tenants (market rate, affordable, young, old) will have equal access to and use of all amenities. The proposed project does not create a concentration of low-income or disadvantaged people in violation of HUD site and neighborhood standards.	
Environmental Justice EA Factor	1	No adverse environmental impacts were identified during the environmental review outlined herein. No evidence of historical environmental injustices or disproportionate impacts burdening low-income and/or minority persons or communities was identified during the assessment activities. There are no adjacent facilities identified as sites of environmental concern, which include Brownfields, Superfund, Hazardous Waste, Air Emission, Water Discharge, and Toxic Release sites. There are no indications that environmental indicators are disproportionately high in the regional area, when compared to state and National indicators. The proposed development will not expose the area to disproportionate adverse environmental or human health conditions. No adverse impacts are anticipated and will not require mitigation.	
<b>COMMUNITY FACILITIES AND SERVICES</b>			
Educational and Cultural Facilities (Access and Capacity)	2	The San Francisco Bay Area is a higher-education center, with approximately 50 colleges and universities that support	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>economic growth, provide jobs, and attract new residents to the area, generating sustained demand for off-campus housing. The Bay Area is home to the largest number of top-ten-ranked graduate programs in business, law, medicine, and engineering in the nation. University of California, Berkeley (UC Berkeley) is the oldest institution in the University of California (UC) system and offers over 350 undergraduate and graduate degree programs across 130 academic departments and 80 interdisciplinary research units. The University of California, San Francisco, located 1.4 miles from the Project, is the leading university exclusively focused on health. The university offers 20 PhD programs and 13 master's programs. As of fall 2023, the total learner population in fall 2023 is 6,032 (3,139-degree program, 1,776 Medical, Dental and Pharmacy Residents and Fellows, and 1,117 Postdoctoral Scholars). Assigned schools in the area include Redding Elementary School (K-5), Marina Middle School (6-8), and Jordan (June) School for Equity (9-12). Various cultural facilities and places of worship are located within one-mile radius and can be accessible via pedestrian infrastructure (e.g., sidewalks and crosswalks) and/or public and private transportation. Nearby recreation and entertainment centers in the area include popular restaurants, and</p>	



<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>	<b>Mitigation</b>
		live music venues and movie houses, such as The Regency Ballroom, Great American Music Hall, and Landmark's Opera Plaza Cinema. Destinations like Civic Center Plaza, Lafayette Park, Jefferson Square Park, and Union Square are just a stroll away.	
Commercial Facilities (Access and Proximity)	2	The subject property is located withi densely developed urban area with reasonable distance of services and commercial shopping areas. This location is Very Walkable so most errands can be accomplished on foot. San Francisco Bus System provides public transportation within the project area. The San Francisco Center located 1.1 miles from the project property is one of the nation's largest urban shopping malls, however, the occupancy declined to 25% in recent year, comprises of specialty stores; Class A office space; and restaurants. Other malls nearby include Crocker Galleria, Three Embarcadero Center, and Japan Center Malls. The development of this project is not considered a concern and will not require additional commercial facilities.	
Health Care / Social Services (Access and Capacity)	2	Emergency health services, including special medical services or skills such as geriatric clinics are available in the area. These services also include ambulatory care, emergency services, medical clinics and offices, and pharmacies. The subject property is located within reasonable distance of health care and social services Saint Francis Memorial	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>Hospital is 0.3 miles from the Project. Located atop Nob Hill, Saint Francis Memorial Hospital has a long and rich history of serving the city of San Francisco. Saint Francis is recognized for its clinical expertise in burn care, orthopedics, sports medicine, and acute rehabilitation. They have 288 licensed beds and nearly 500 doctors on staff. California Pacific Medical Center's Van Ness Campus is 0.2 miles from the Project at Van Ness and Geary St. A 2019-constructed, \$2.5BN, 608-bed facility, the Van Ness Campus is nationally recognized for its high level of care and specialty care through its Heart and Vascular Center, Transplant Center, and Birth Center with a Level III Neonatal Intensive Care Unit, Primary Stroke Center, and advanced imaging for complex gastrointestinal problems. The Van Ness Campus employs more than 2,500 people. The development of this project is not considered a concern and will not require additional healthcare facilities. Although the proposed development will add residential development on the vacant project site and therefore potentially generate an increase in public safety service requirements, all services are currently in place. This site is in a dense urban environment which can be adequately served by public safety services. For these reasons, proposed project will have minimal impact on the city</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		and/or county Health Care and Social Services.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	<p>Solid waste generated at the subject property is disposed of in trash cans located on the east side of the subject property. An independent solid waste disposal contractor, Recology, removes solid waste from the subject property. No evidence of illegal dumping of solid waste was observed during the Partner site reconnaissance. The subject property is located within a heavily developed area and therefore, solid waste routes are likely already in place for the project area. Solid waste facilities and trash collection will serve the subject property during the construction of the development as well as serving the solid waste disposal of the site when it is occupied by future tenants. Solid waste will be generated at the subject property in the form of household-type trash. Sanitary discharges on the subject property are directed into the municipal sanitary sewer system. The San Francisco Public Utilities Commission services the subject property vicinity. No wastewater treatment facilities were observed or reported on the subject property. No industrial process is currently generated and/or proposed for the subject property. Positive effects are that storm water will be separated from the sewage collection system that is maintained by the municipality. No adverse effects from the</p>	

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>	<b>Mitigation</b>
		proposed development is applicable at this time. According to the developing team, all requirements per planning approval will be satisfied during the construction of the project.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	Sanitary discharges on the subject property are directed into the municipal sanitary sewer system. The San Francisco Public Utilities Commission services the subject property vicinity. No wastewater treatment facilities were observed or reported on the subject property. No industrial process is currently generated and/or proposed for the subject property. Positive effects are that storm water will be separated from the sewage collection system that is maintained by the municipality. No adverse effects from the proposed development is applicable at this time. According to the developing team, all requirements per planning approval will be satisfied during the construction of the project.	
Water Supply (Feasibility and Capacity)	2	Although the proposed development will add residential development on the vacant project site and therefore potentially generate an increase in utility service requirements, all utilities and services are currently in place in the surrounding infrastructure. This site is in a dense urban environment which can be adequately served by all utilities. San Francisco Public Utilities Commission The sources of public water for the City of San Francisco are surface water and	

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>	<b>Mitigation</b>
		groundwater from reservoirs located in the Sierra Nevada, Alameda County, and San Mateo County Lake Whatcom deep aquifers located in the northern part of San Mateo County and the western side of San Francisco. According to the 2023 Annual Water Quality Report, water supplied to the subject property is in compliance with all State and Federal regulations pertaining to drinking water standards, including lead and copper. Water sampling was not conducted to verify water quality. According to the developing team, all requirements per planning approval will be satisfied during the construction of the project.	
Public Safety - Police, Fire and Emergency Medical	2	The development of this site will have minimal impact on the San Francisco County Police, Fire and Emergency Medical Services. The project meets the site access requirements for emergency vehicles, including fire truck and ambulance. The subject property does not present a risk of public health exposure at a level that would exceed the standards establish by any state or federal agency, either from the proposed use (residential) or from adjacent uses (residential and typical urban commercial). Building, Fire and Health codes provide sufficient requirements that protect from the risk of exposure of health exposures. Although the proposed development will add residential development on the vacant project site and therefore	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>potentially generate an increase in public safety service requirements, all services are currently in place. This site is in a dense urban environment which can be adequately served by public safety services. For these reasons, proposed project will have minimal impact on the city and/or county Police, Fire and Emergency Medical Services. As previously noted, Sutter Master Development will have extensive security operations and procedures ensuring resident safety 24/7. Outlined below are the general operational guidelines:</p> <ul style="list-style-type: none"><li>* During normal workday business hours (8 to 5), there will be at least two, and sometimes as many as four, property operations personnel stationed at the lobby desk and immediately adjacent offices.</li><li>* During all non-business, weekday hours, a security guard will be stationed at the entry desk and performing hourly property perimeter inspections.</li><li>* All three street frontages will include comprehensive camera coverage with after-hours remote monitoring by Aclarity Systems (in addition to on-site security guard monitoring). Aclarity also utilizes a private security force (with vehicle support) to ensure immediate response in case of a security concern and/or breach (with typical response time for the private security force is within 3 minutes).</li><li>* On-property camera monitoring locations will also</li></ul>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		include the lobby, mail areas, gymnasium, parking, roof amenity spaces and dog oasis. * Extensive access control systems utilizing the latest Bluetooth and phone technologies. In addition, the elevators will only be able to be utilized by residents with access fobs or authorized Bluetooth devices. Elevator access controls will also limit the operating hours of the amenity and rooftop spaces.	
Parks, Open Space and Recreation (Access and Capacity)	2	<p>Parks, open spaces and recreation areas are within the surrounding area. The following recreational amenities are located within close proximity to the subject property: Huntington Park, Alta Plaza Park, Jefferson Square Park and others. Passive and active recreational activities and cultural resources are available for the subject property vicinity. From a selection of over 4,400 restaurants, dozens of historical sites, and the extraordinary beauty of the Bay, Greater San Francisco has earned its reputation as one of the best places to live in the United States. From the iconic Golden Gate Bridge to renowned exhibits at the San Francisco Museum of Modern Art, the metro takes pride in a vibrant culture, unique neighborhoods, and an exceptional quality of life. Sports enthusiasts can catch a game at Oracle Park, where Major League Baseball's San Francisco Giants play throughout the year. According to NBC Sports, the 41,500-seat stadium ranked No. 6</p>	

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>	<b>Mitigation</b>
		among the best Major League ballparks in the country. The proposed development will not have an adverse effect on passive and active recreational activities including parks, recreational areas, and open spaces within the vicinity of the subject property.	
Transportation and Accessibility (Access and Capacity)	2	Regional and long-distance passenger train service is provided by the Bay Area Rapid Transit (BART), Caltrain, and Amtrak. BART operates six routes on 131 miles of track, linking the East Bay with San Francisco and San Mateo County. Over the past 10 years, BART has served an average of 115 million passengers annually. Commercial air service is provided by San Francisco International Airport (SFO) and Oakland International Airport (OAK). The subject property will provide residents with convenient access to employment centers and recreational outlets (commercial/retail shopping services) and can be accessible via pedestrian infrastructure (e.g., sidewalks and crosswalks) and/or public and private transportation.	
Transportation and Accessibility (Access and Capacity)	2	Regional and long-distance passenger train service is provided by the Bay Area Rapid Transit (BART), Caltrain, and Amtrak. BART operates six routes on 131 miles of track, linking the East Bay with San Francisco and San Mateo County. Over the past 10 years, BART has served an average of 115 million passengers annually. Commercial air service is provided by San Francisco International	



Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		Airport (SFO) and Oakland International Airport (OAK). The subject property will provide residents with convenient access to employment centers and recreational outlets (commercial/retail shopping services) and can be accessible via pedestrian infrastructure (e.g., sidewalks and crosswalks) and/or public and private transportation.	
<b>NATURAL FEATURES</b>			
Unique Natural Features /Water Resources	2	The project site is in an urbanized area and is isolated from natural wildlife areas by the surrounding urban environment. The project site does not contain a riparian habitat or other sensitive natural community. No geological features that include rare or special social/cultural, economic, educational, aesthetic, or scientific value were identified on or adjoining to the subject property. As such, no adverse impact to unique natural features is considered applicable for the proposed development. No visual or other indications of water quality problems on or near the site were identified. The proposed project will include a storm water runoff control/design. The proposed project will not involve the discharge of non-sewage pollutants into surface water bodies and will not limit the access to or quality of water for downstream communities.	
Unique Natural Features /Water Resources	2	The project site is in an urbanized area and is isolated from natural wildlife areas by the surrounding urban environment. The project	

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>	<b>Mitigation</b>
		site does not contain a riparian habitat or other sensitive natural community. No geological features that include rare or special social/cultural, economic, educational, aesthetic, or scientific value were identified on or adjoining to the subject property. As such, no adverse impact to unique natural features is considered applicable for the proposed development. No visual or other indications of water quality problems on or near the site were identified. The proposed project will include a storm water runoff control/design. The proposed project will not involve the discharge of non-sewage pollutants into surface water bodies and will not limit the access to or quality of water for downstream communities.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	1	The project site does not contain any native plant or wildlife species because it is completely built-out and improved as a parking lot. The project site is in an urbanized area and is isolated from natural wildlife areas by the surrounding urban environment. The proposed development will involve demolition of the current parking area and building; grading the land; and development of the subject building. Based on the Partner research of analysis of habitats for endangered and threatened species, as well as environmental condition occurring at the subject property, which is currently asphalt-paved parking and vacant building, the presence	

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>	<b>Mitigation</b>
		of the listed species is not likely and can be ruled out. No nuisance or non-indigenous species of vegetation will be included within the proposed development. The proposed project will not damage or destroy plant species that are legally protected by state or local ordinances.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	1	The project site does not contain any native plant or wildlife species because it is completely built-out and improved as a parking lot. The project site is in an urbanized area and is isolated from natural wildlife areas by the surrounding urban environment. The proposed development will involve demolition of the current parking area and building; grading the land; and development of the subject building. Based on the Partner research of analysis of habitats for endangered and threatened species, as well as environmental condition occurring at the subject property, which is currently asphalt-paved parking and vacant building, the presence of the listed species is not likely and can be ruled out. No nuisance or non-indigenous species of vegetation will be included within the proposed development. The proposed project will not damage or destroy plant species that are legally protected by state or local ordinances.	
Other Factors 1	2	No other known environmental factors are affected by the proposed development. There are	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		no other factors to consider for this project.	
Other Factors 1	2	No other known environmental factors are affected by the proposed development. There are no other factors to consider for this project.	
Other Factors 2	2	No other factors apply to this project. The site is not located near any military bases, as such, a military presence does not appear applicable.	
Other Factors 2	2	No other factors apply to this project. The site is not located near any military bases, as such, a military presence does not appear applicable.	
<b>CLIMATE AND ENERGY</b>			
Climate Change	1	According to FEMA's National Risk Index (NRI) online tool, the subject property Census Tract has an overall "Relatively Moderate" rating for the risk index, expected annual loss and social vulnerability. The community resilience is listed as "Relatively Moderate". The risk rating of "Relatively High" was listed for Earthquakes. The subject property is located in the Coast Ranges geomorphic province of California that is characterized by northwest-trending valleys and ridges. These topographic features are controlled by folds and faults that resulted from the collision of the Farallon plate and North American plate and subsequent strike-slip faulting along the San Andreas Fault system. Movements along this plate boundary in the Northern California region occur along right-lateral strike-slip faults	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>of the San Andreas Fault system. The major active faults in the area are the San Andreas, San Gregorio, and Hayward faults. The site is not within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known active or potentially active faults exist on the site. The risk of fault offset at the site from a known active fault is very low. According to San Francisco Climate and Health Program website (<a href="https://www.sf.gov/san-francisco-climate-and-health-program">https://www.sf.gov/san-francisco-climate-and-health-program</a>) San Francisco's climate is changing. Extreme heat events are becoming more frequent and more intense. While San Francisco's temperatures do not regularly get as hot as other parts of the state or country, San Francisco is particularly vulnerable to extreme heat events when they do occur. In San Francisco, extreme heat functions as an "invisible" hazard. The health impacts of extreme heat largely happen indoors -- and vulnerability to extreme heat may vary from home to home, person to person, community to community, based on many intertwined physiological, social, and economic factors. While heat wave and wildfire smoke events may become more common under certain climate change scenarios, the project would provide in-unit temperature control/HVAC systems and that the project</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		would have on-site management if residents were to need assistance during a heat wave event. The proposed development will meet or surpass all energy efficiency and conservation codes required by the city and state as outlined within the project civil and/or architectural design plans.	
Climate Change	1	According to FEMA's National Risk Index (NRI) online tool, the subject property Census Tract has an overall "Relatively Moderate" rating for the risk index, expected annual loss and social vulnerability. The community resilience is listed as "Relatively Moderate". The risk rating of "Relatively High" was listed for Earthquakes. The subject property is located in the Coast Ranges geomorphic province of California that is characterized by northwest-trending valleys and ridges. These topographic features are controlled by folds and faults that resulted from the collision of the Farallon plate and North American plate and subsequent strike-slip faulting along the San Andreas Fault system. Movements along this plate boundary in the Northern California region occur along right-lateral strike-slip faults of the San Andreas Fault system. The major active faults in the area are the San Andreas, San Gregorio, and Hayward faults. The site is not within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known active	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>or potentially active faults exist on the site. The risk of fault offset at the site from a known active fault is very low. According to San Francisco Climate and Health Program website (<a href="https://www.sf.gov/san-francisco-climate-and-health-program">https://www.sf.gov/san-francisco-climate-and-health-program</a>) San Francisco's climate is changing. Extreme heat events are becoming more frequent and more intense. While San Francisco's temperatures do not regularly get as hot as other parts of the state or country, San Francisco is particularly vulnerable to extreme heat events when they do occur. In San Francisco, extreme heat functions as an "invisible" hazard. The health impacts of extreme heat largely happen indoors -- and vulnerability to extreme heat may vary from home to home, person to person, community to community, based on many intertwined physiological, social, and economic factors. While heat wave and wildfire smoke events may become more common under certain climate change scenarios, the project would provide in-unit temperature control/HVAC systems and that the project would have on-site management if residents were to need assistance during a heat wave event. The proposed development will meet or surpass all energy efficiency and conservation codes required by the city and state as outlined</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		within the project civil and/or architectural design plans.	
Energy Efficiency	1	The updated Land Use Element, which is part of the 2040 General Plan, seeks to prioritize green and healthy living approaches. Per CalGreen standards, the as-built property will be constructed with lead-free pipes, solder, and flux. The subject property will be designed to meet HUD's Green MIP requirements. The project will include the completion of a SEDI and evidence energy efficiency features by achieving NGBS green designation.	
Energy Efficiency	1	The updated Land Use Element, which is part of the 2040 General Plan, seeks to prioritize green and healthy living approaches. Per CalGreen standards, the as-built property will be constructed with lead-free pipes, solder, and flux. The subject property will be designed to meet HUD's Green MIP requirements. The project will include the completion of a SEDI and evidence energy efficiency features by achieving NGBS green designation.	

**Supporting documentation**[12 Geotechnical Report.pdf](#)[11 Verification of Zoning.pdf](#)[10 Local Planning Approval Report.pdf](#)[9 San Francisco Zoning Map.pdf](#)[8 WebSoil Survey.pdf](#)[7 San Francisco Land Use Index August2011.pdf](#)[6A Community Report Census tract 06075012002 San Francisco County California](#)[National Risk Index.pdf](#)[6 Climate Risk Spreadsheet 2024.docx](#)[5 Police Map.docx](#)



[4 Hospital Map.pdf](#)

[3 Fire Map.docx](#)

[2 School Map.pdf](#)

[1 Park Map.docx](#)

[EIR Addendum 1101-1123 Sutter Street.pdf](#)

**Additional Studies Performed:**

Phase I Environmental Site Assessment prepared by Partner Assessment Corporation, dated August 2024. Noise Assessment prepared by Partner Assessment Corporation, dated August 2024 Supplemental Noise Report prepared by Salter, dated September 2024

**Field Inspection [Optional]:** Date and completed

by:

Dany Medved

12/4/2024 12:00:00 AM

[Sutter Site Visit 12-4-2024.docx](#)

[2022 08 30 1123 Sutter Street Demolition Plan.pdf](#)

[1101-1111 Sutter Street Concept Package 6 2 24 FINAL.pdf](#)

[4 App A Photos.pdf](#)

[3 Fig 3 Topo Map.pdf](#)

[2 Fig 2 Site Plan Landscape.pdf](#)

[1 Fig 1 Site Location Map.pdf](#)

**List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:**

California Environmental Protection Agency (CalEPA); San Francisco Department of Public Health (SFDPH); San Francisco Fire Department (SFFD); San Francisco Department of Building Inspection (SFDBI); San Francisco Planning Department (SFPD); California Geologic Energy Management Division (CalGEM); San Francisco Assessor; Bay Area Air Quality Management District (BAAQMD); Regional Water Quality Control Board (RWQCB); California Department of Toxic Substances Control (DTSC)

**List of Permits Obtained:**

Permits, reviews and approvals required for construction activities will be issued by local, city/county and state regulatory agencies with implementation by project contractor and oversight by engineer/architect.

**Public Outreach [24 CFR 58.43]:**

In the course of conducting this environmental compliance review, no issues warranting NEPA-related hearings or public meetings were revealed. Upon acceptance by the HUD Certifying Official, the FONSI will be posted on a publicly available website for one year at:  
<https://www.hudexchange.info/programs/environmental-review/environmental-review-records/>

**Cumulative Impact Analysis [24 CFR 58.32]:**

No significant cumulative impacts to the environment were encountered during the research of this project and will require further investigation and mitigation. The proposed construction project will not adversely impact the surrounding area. This activity is compatible with the existing uses in the area. There will not be any adverse impact on existing resources or services to the area.

**Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]**

The alternative was not considered. The demand for affordable/market rate housing in the County and region has increased in the last few years. If not been given this housing opportunity, the affordable/market rate households and prospective tenants for these properties will not be able to meet their household needs.

**No Action Alternative [24 CFR 58.40(e)]**

The "no action" alternative was considered; Developing this parcel will bring long-term benefits to the community by providing needed market-rate (201 units) and affordable (101 units) housing. The demand for affordable and market rate housing in the City and region has increased in the last few years. If not been given this housing opportunity, both affordable and market rate renter households will not be able to meet their household needs.

**Summary of Findings and Conclusions:**

Based on information outlined within the Phase I Environmental Site Assessment and information outlined within HEROS, the proposed project will have no significant impact on the environment, with mitigation.

**Mitigation Measures and Conditions [CFR 1505.2(c)]:**

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Historic Preservation	<p>In the event of the discovery of previously unrecorded cultural materials or unanticipated effects to known historic properties during the implementation of the Undertaking, work shall immediately cease within 50 feet of the find and HUD will be immediately notified. The find will be protected from further impacts. HUD shall follow procedures for post-review discoveries in accordance with 36 C.F.R. s. 800.13(b)(3).</p> <p>The Developer shall prepare and submit to HUD an Annual Report documenting actions carried out pursuant to this MOA. The reporting period shall commence one year from the date of execution of this MOA. The Annual Report shall address issues and describe actions and accomplishments over the past year, including, as applicable: status of mitigation activities; ongoing and completed public education activities; any issues that are affecting or may affect the ability of the federal agency to continue to meet the terms of this MOA; any disputes and objections received, and how they were resolved; any additional parties who have become signatory or concurring</p>	N/A		

	parties to the MOA in the past year.			
Noise Abatement and Control	Noise Mitigation: NALs 2, 5, and 8 are in the Normally Unacceptable zone at between 67 and 70 decibels. These will require 28 decibels of mitigation. NALs 1, 7, and 9 are in the Normally Unacceptable zone at between 71 and 73 decibels and require higher attenuation at decibels of attenuation. The Sponsor must utilize the components identified in the STraCAT analysis, or similar components with equivalent STC ratings, in the construction of the subject apartment buildings. Prior to Initial Endorsement, the project/design architect must provide a signed certification that the STC for the designed composite exterior walls protecting all interior space is at least the attenuation noted. Prior to Final Endorsement the supervisory architect must provide a signed certification that the "as built" construction is in accordance with the submitted STraCAT analysis and construction documents. Balconies that have a door to a bedroom require an Operations and Maintenance (O&M) plan for the periodic inspection and repair of seals and other building components when their performance diminishes. A copy of the O&M Plan must	N/A		

	be submitted prior to Final Endorsement.			
Housing Requirements (50)	<p>Lead-Based Paint &amp; Asbestos: Buildings on site contain both Lead-Based Paint (LBP) and Asbestos Containing Materials (ACMs). Prior to Final Endorsement, the ownership must provide signed certifications acceptable to HUD that the demolition and removal of all ACMs and LBPs was done in conformance with all Local, State, Tribal, and Federal regulations and by properly credentialed companies.</p> <p>Radon: Per HUD guidelines, radon mitigation activities are required to be implemented during the construction phase of the subject property per CC-1000 (latest guidelines), Soil Gas Control Systems in New Construction of Buildings. The guidelines require soil gas control for all portions of the foundation system and post-construction testing will be required by a licensed, radon professional.</p>	N/A		
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	<p>According to SFHC Article 22A - Site Mitigation Plan Approval 1101-1123 Sutter Street, San Francisco, CA 94109 SMED Case Number: 1827 letter, based on a review of the documents submitted, the Site Mitigation Plan is approved. Confirmation soil samples collected adjacent to the former USTs shall be analyzed for benzene, toluene,</p>	N/A	There is a detailed Site Mitigation Plan prepared by PII Environmental, signed by David DeMent, and dated September 7, 2022. The mitigation plan was approved by the San	

	ethylbenzene, and xylenes, in addition to other gasoline-constituents. All soil samples collected for volatiles analyses shall be collected in compliance with EPA Method 5035. Implementation of the SMP shall remain in effect for the duration of the activities involving earthmoving.		Francisco Department of Public Health - Environmental Health division in a letter dated November 28, 2022. As outlined within the SMP, the SMP shall remain in effect for the duration of the activities involving earthmoving. Prior to Initial Endorsement, the soils/excavation contractor must provide a signed certification that they have received a copy of the mitigation plan and the approval letter and will comply with both. Prior to Final Endorsement a closure letter must be presented from the San Francisco Department of Public Health - Environmental Health division.	
Air Quality	The proposed site activities include new construction or conversion of land use at this	N/A	Implementation of Mitigation Measure M-AQ-	

	<p>time. Review of the EPA's Green Book on Nonattainment Areas for Criteria Pollutants and the State's SIP indicates the criteria pollutants are identified as nonattainment and/or maintenance for the following pollutants: CO, PM-2.5 and Ozone. As the project's estimated emission levels are below de minimis levels with the Mitigation Plan for the noted nonattainment and/or maintenance level pollutants, the project is in compliance with the Clean Air Act and no further action is required. The project has proposed mitigation measures as outlined in the Addendum EIR prepared by the City of San Francisco certified March 24, 2022 and the mitigation plan was approved by the City and County OF San Francisco Health Departments in the approval letter dated November 28, 2022.</p>		<p>2: Clean Off-Road Construction Equipment and operational-related impacts will be reduced to less than significant with implementation of Mitigation Measure M-AQ-4: Best Available Control Technology for Diesel Generators.</p>	
Contamination and Toxic Substances	<p>According to the review of available information, the subject property was historically equipped with one 1,500-gallon diesel, two 550-gallon gasoline, and one 1,500-gallon gasoline underground storage tanks (USTs). The 1,500-gallon diesel tank was associated with the 40 Hemlock Street site at the subject property, and reportedly located beneath the sidewalk south adjoining the property, off Hemlock Street. The two 550-</p>	N/A	<p>According to SFHC Article 22A - Site Mitigation Plan Approval 1101-1123 Sutter Street, San Francisco, CA 94109 SMED Case Number: 1827 letter, based on a review of the documents submitted, the Site Mitigation</p>	

	<p>gallon and one 1,500-gallon gasoline tanks were associated with the 1101 Sutter Street site at the subject property, and reportedly located beneath the sidewalk east adjoining the property, off Larkin Street. The tanks were reportedly installed in the 1920s during the original development of the subject property, and apparently used for vehicle fueling operations; however, have not been used since at least the late-1950s to the early-1960s. It should be noted that in other documents and records, the USTs are referred to as two 500-gallon and one 2,000-gallon gasoline USTs. The four tanks were removed in March 1999 under the regulatory oversight and permit from San Francisco Department of Environmental Health (SFDPH) and Fire Department (SFFD). At the time of tank removal, the two 1,500-gallon tanks were observed to be in good condition, while the two 550-gallon tanks were observed with several holes. Subsequently, the subject property reported a release of gasoline on August 7, 2000, which reportedly impacted soil only. Confirmatory soil sampling consisted of collecting two soil samples from the tank excavation at 40 Hemlock Street and four soil samples from the tank excavation at 1101 Sutter</p>		<p>Plan is approved. Confirmation soil samples collected adjacent to the former USTs shall be analyzed for benzene, toluene, ethylbenzene, and xylenes, in addition to other gasoline-constituents. All soil samples collected for volatiles analyses shall be collected in compliance with EPA Method 5035. Further as stated in the Approval Letter and in compliance with SFHC Article 22B, the SMP includes protocols to prevent visible dust emission during development activities. Dust control measures presented within include limiting on-site vehicle speed, application of water to</p>	
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	<p>Street. In addition, four soil samples from stockpile soil, approximately 25-yards, were collected. The soil samples were analyzed for total petroleum hydrocarbons as gasoline (TPH-g) and diesel (TPH-d), benzene, toluene, ethylbenzene, and xylenes (BTEX), methyl tert-butyl ether (MTBE), and lead. Results of soil analysis indicated one sample contained detectable concentration of TPH-d at 5.3 milligrams per kilogram (mg/kg) TPH-g at 3.4 mg/kg, ethylbenzene at 0.019 mg/kg, and MTBE at 0.098 mg/kg; two samples contained detectable concentrations of toluene at 0.013 and 0.081 mg/kg and xylenes at 0.026 and 0.066 mg/kg. Detectable concentrations of lead ranged between 5.2 and 53 mg/kg. Analysis results of stockpile soil sample indicated detectable concentration of TPH-d at 2.8 mg/kg, toluene at 0.008 mg/kg, xylenes at 0.025 mg/kg, and lead at 53 mg/kg. No other contaminants of concern were identified. The responsible party is identified as Halsted, N. Gray, Carew &amp; English, Inc. Following the remedial actions under the oversight of SFDPH and SFFD, regulatory closure was obtained on August 22, 2000. Based on the analytical data, proper removal of the tanks, and the regulatory closure, the historical USTs are</p>		<p>exposed soil, perimeter fencing, suspension of work during high wind speeds, minimizing on-site soil storage, and truck loading protocols. Any track-out onto public roads from ingress/egress points at the Site will be cleaned using wet or vacuum sweeping at the end of each workday or more frequently. Monitoring of dust levels will be implemented to increase measures if needed.</p>	
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	considered a HREC. Based on the conclusions of this assessment, Partner recommends the following: - Implementation of Maher Ordinance requirements during the proposed development of the subject property, and approval of the Final Report and Certification from SFDPH.			
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**Project Mitigation Plan**

Project Mitigation Plan is Outlined Above

**Supporting documentation on completed measures**

**APPENDIX A: Related Federal Laws and Authorities****Airport Hazards**

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

✓ No

Based on the response, the review is in compliance with this section.  
Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

**Screen Summary****Compliance Determination**

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.

**Supporting documentation**

[15 000 Ft Airport Radius Map.pdf](#)

[2 500 Ft Airport Radius Map.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

**Coastal Barrier Resources**

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

**This project is located in a state that does not contain CBRA units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.**

**Compliance Determination**

This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

**Supporting documentation**

[Coastal Barrier Map.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

**Flood Insurance**

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

**1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?**

No. This project does not require flood insurance or is excepted from flood insurance.

✓ Yes

**2. Upload a FEMA/FIRM map showing the site here:**

[FEMA Map.pdf](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

**Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?**

✓ No

Based on the response, the review is in compliance with this section.

Yes

**4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?**

Yes

✓ No

**Screen Summary****Compliance Determination**

The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). According to Community Panel Number 0602980116A, dated March 23, 2021, the subject property is not located within a Special Flood Hazard Area (SFHA). The subject property is located within Zone X, Unshaded. It should be noted that based on a review of the online NFIP information, city and county of San Francisco are active participants within the NFIP. The community identification number is 060298A. The project is in compliance with flood insurance requirements.

**Supporting documentation**

[Community status book report for state CA.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

**Air Quality**

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

**1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?**

☒ Yes

No

**Air Quality Attainment Status of Project's County or Air Quality Management District**

**2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?**

No, project's county or air quality management district is in attainment status for all criteria pollutants.

☒ Yes, project's management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

☒ Carbon Monoxide

Lead

Nitrogen dioxide

Sulfur dioxide

- ✓ Ozone
- ✓ Particulate Matter, <2.5 microns
- Particulate Matter, <10 microns

**3. What are the *de minimis* emissions levels (40 CFR 93.153) or screening levels for the non-attainment or maintenance level pollutants indicated above**

Carbon monoxide	100.00	ppm (parts per million)
Ozone	25.00	ppb (parts per million)
Particulate Matter, <2.5 microns	70.00	µg/m3 (micrograms per cubic meter of air)

**Provide your source used to determine levels here:**

California SIP Report and EPA Table of Level of De Minimis Pollutants

**4. Determine the estimated emissions levels of your project. Will your project exceed any of the *de minimis* or threshold emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?**

- ✓ No, the project will not exceed *de minimis* or threshold emissions levels or screening levels.

**Enter the estimate emission levels:**

Carbon monoxide	0.00	ppm (parts per million)
Ozone	0.00	ppb (parts per million)
Particulate Matter, <2.5 microns	0.00	µg/m3 (micrograms per cubic meter of air)

Based on the response, the review is in compliance with this section.

Yes, the project exceeds *de minimis* emissions levels or screening levels.

**Screen Summary**

**Compliance Determination**

The project's county or air quality management district is in non-attainment status for the following: Carbon monoxide, Ozone, Particulate Matter, <2.5 microns. This project does not exceed *de minimis* emissions levels or the screening level established by the



state or air quality management district for the pollutant(s) identified above. The proposed site activities include new construction or conversion of land use at this time. Review of the EPA's Green Book on Nonattainment Areas for Criteria Pollutants and the State's SIP indicates the criteria pollutants are identified as nonattainment and/or maintenance for the following pollutants: CO, PM-2.5 and Ozone. The project has proposed mitigation measures as outlined in the Addendum EIR prepared by the City of San Francisco certified March 24, 2022 and the mitigation plan was approved by the City and County OF San Francisco Health Departments in the approval letter dated November 28, 2022. The EIR determined that construction-related impacts would be reduced to a less than significant level with implementation of Mitigation Measure M-AQ-2: Clean Off-Road Construction Equipment and operational-related impacts would be reduced to less than significant with implementation of Mitigation Measure M-AQ-4: Best Available Control Technology for Diesel Generators. Further as stated in the Approval Letter and in compliance with SFHC Article 22B, the SMP includes protocols to prevent visible dust emission during development activities. Dust control measures presented within include limiting on-site vehicle speed, application of water to exposed soil, perimeter fencing, suspension of work during high wind speeds, minimizing on-site soil storage, and truck loading protocols. Any track-out onto public roads from ingress/egress points at the Site will be cleaned using wet or vacuum sweeping at the end of each workday or more frequently. Monitoring of dust levels will be implemented to increase measures if needed. As the project's estimated emission levels are below de minimis levels with the Mitigation Plan for the noted nonattainment and/or maintenance level pollutants, the project is in compliance with the Clean Air Act and no further action is required.

**Supporting documentation**[9 Mitigation Plan Approval by City County Heath Depts.pdf](#)[8 EIR Addendum 1101 1123 Sutter Street.pdf](#)[7 Carbon Monoxide 1971 Designated Area State Information with Design Values Green Book US EPA.pdf](#)[6 PM25 2006 Designated Area State Information with Design Values Green Book US EPA.pdf](#)[5 PM25 24 hr Design Values.PNG](#)[4 8 Hour Ozone 2015 Designated Area State Information with Design Values Green Book US EPA.pdf](#)[3 Ozone Design Values.PNG](#)[2 Air Quality De Minimis and Non Attainment Tables EPA.JPG](#)[1 SIP Report.pdf](#)**Are formal compliance steps or mitigation required?**

✓ Yes

No



**Coastal Zone Management Act**

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

**1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?**

Yes

☒ No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

**Screen Summary****Compliance Determination**

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. According to the Coastal Zone Map of San Francisco County, the subject property is located approximately 4.5 miles east of the identified coastal zone boundary. The project is in compliance with the Coastal Zone Management Act.

**Supporting documentation**[San Francisco Coastal Zone Map.pdf](#)**Are formal compliance steps or mitigation required?**

Yes

☒ No

**Contamination and Toxic Substances**

General Requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)
Reference		
<a href="https://www.onecpd.info/environmental-review/site-contamination">https://www.onecpd.info/environmental-review/site-contamination</a>		

**1. How was site contamination evaluated?\* Select all that apply.**

- ☒ ASTM Phase I ESA
- ASTM Phase II ESA
- Remediation or clean-up plan
- ☒ ASTM Vapor Encroachment Screening.
- None of the above

\* HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site. For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD's toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

**2. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)**

- ☒ No

Explain:

According to the review of available information, the subject property was historically equipped with one 1,500-gallon diesel, two 550-gallon gasoline, and one 1,500-gallon gasoline underground storage tanks (USTs). The 1,500-gallon diesel tank was associated with the 40 Hemlock Street site at the subject property, and reportedly located beneath the sidewalk south adjoining the property, off Hemlock Street. The two 550-gallon and one 1,500-gallon gasoline tanks were associated with the 1101 Sutter Street site at the subject property, and reportedly located beneath the sidewalk east adjoining the property, off Larkin Street. The tanks were reportedly installed in the 1920s during the original development of the subject property, and apparently used for vehicle fueling operations; however, have not been used since at least the late-1950s to the early-1960s. It should be noted that in other documents and records, the USTs are referred to as two 500-gallon and one 2,000-gallon gasoline USTs. The four tanks were removed in March 1999 under the regulatory oversight and permit from San Francisco Department of Environmental Health (SFDPH) and Fire Department (SFFD). At the time of tank removal, the two 1,500-gallon tanks were observed to be in good condition, while the two 550-gallon tanks were observed with several holes. Subsequently, the subject property reported a release of gasoline on August 7, 2000, which reportedly impacted soil only. Confirmatory soil sampling consisted of collecting two soil samples from the tank excavation at 40 Hemlock Street and four soil samples from the tank excavation at 1101 Sutter Street. In addition, four soil samples from stockpile soil, approximately 25-yards, were collected. The soil samples were analyzed for total petroleum hydrocarbons as gasoline (TPH-g) and diesel (TPH-d), benzene, toluene, ethylbenzene, and xylenes (BTEX), methyl tert-butyl ether (MTBE), and lead. Results of soil analysis indicated one sample contained detectable concentration of TPH-d at 5.3 milligrams per kilogram (mg/kg) TPH-g at 3.4 mg/kg, ethylbenzene at 0.019 mg/kg, and MTBE at 0.098 mg/kg; two samples contained detectable concentrations of toluene at 0.013 and 0.081 mg/kg and xylenes at 0.026 and 0.066 mg/kg. Detectable concentrations of lead ranged between 5.2 and 53 mg/kg. Analysis results of stockpile soil sample indicated detectable concentration of TPH-d at 2.8 mg/kg, toluene at 0.008 mg/kg, xylenes at 0.025 mg/kg, and lead at 53 mg/kg. No other contaminants of concern were identified. The responsible party is identified as Halsted, N. Gray, Carew & English, Inc. Following the remedial actions under the oversight of SFDPH and SFFD, regulatory closure was obtained on August 22, 2000. Based on the analytical data, proper removal of the tanks, and the regulatory closure, the historical USTs are considered a HREC. Based on the conclusions of this assessment, Partner recommends the following: - Implementation of Maher Ordinance requirements during the proposed development of the subject property, and approval of the Final Report and Certification from SFDPH.

Yes

### **Screen Summary**

**Compliance Determination**

According to the review of available information, the subject property was historically equipped with one 1,500-gallon diesel, two 550-gallon gasoline, and one 1,500-gallon gasoline underground storage tanks (USTs). The 1,500-gallon diesel tank was associated with the 40 Hemlock Street site at the subject property, and reportedly located beneath the sidewalk south adjoining the property, off Hemlock Street. The two 550-gallon and one 1,500-gallon gasoline tanks were associated with the 1101 Sutter Street site at the subject property, and reportedly located beneath the sidewalk east adjoining the property, off Larkin Street. The tanks were reportedly installed in the 1920s during the original development of the subject property, and apparently used for vehicle fueling operations; however, have not been used since at least the late-1950s to the early-1960s. It should be noted that in other documents and records, the USTs are referred to as two 500-gallon and one 2,000-gallon gasoline USTs. The four tanks were removed in March 1999 under the regulatory oversight and permit from San Francisco Department of Environmental Health (SFDPH) and Fire Department (SFFD). At the time of tank removal, the two 1,500-gallon tanks were observed to be in good condition, while the two 550-gallon tanks were observed with several holes. Subsequently, the subject property reported a release of gasoline on August 7, 2000, which reportedly impacted soil only. Confirmatory soil sampling consisted of collecting two soil samples from the tank excavation at 40 Hemlock Street and four soil samples from the tank excavation at 1101 Sutter Street. In addition, four soil samples from stockpile soil, approximately 25-yards, were collected. The soil samples were analyzed for total petroleum hydrocarbons as gasoline (TPH-g) and diesel (TPH-d), benzene, toluene, ethylbenzene, and xylenes (BTEX), methyl tert-butyl ether (MTBE), and lead. Results of soil analysis indicated one sample contained detectable concentration of TPH-d at 5.3 milligrams per kilogram (mg/kg) TPH-g at 3.4 mg/kg, ethylbenzene at 0.019 mg/kg, and MTBE at 0.098 mg/kg; two samples contained detectable concentrations of toluene at 0.013 and 0.081 mg/kg and xylenes at 0.026 and 0.066 mg/kg. Detectable concentrations of lead ranged between 5.2 and 53 mg/kg. Analysis results of stockpile soil sample indicated detectable concentration of TPH-d at 2.8 mg/kg, toluene at 0.008 mg/kg, xylenes at 0.025 mg/kg, and lead at 53 mg/kg. No other contaminants of concern were identified. The responsible party is identified as Halsted, N. Gray, Carew & English, Inc. Following the remedial actions under the oversight of SFDPH and SFFD, regulatory closure was obtained on August 22, 2000. Based on the analytical data, proper removal of the tanks, and the regulatory closure, the historical USTs are considered a HREC. Based on the conclusions of this assessment, Partner recommends the following: - Implementation of Maher Ordinance requirements during the proposed development of the subject property, and approval of the Final Report and Certification from SFDPH. According to SFHC Article 22A - Site Mitigation Plan Approval 1101-1123 Sutter Street, San Francisco, CA 94109 SMED Case Number: 1827 letter, based on a review of the documents submitted, the Site Mitigation Plan is

approved. Confirmation soil samples collected adjacent to the former USTs shall be analyzed for benzene, toluene, ethylbenzene, and xylenes, in addition to other gasoline-constituents. All soil samples collected for volatiles analyses shall be collected in compliance with EPA Method 5035. With mitigation, the project is in compliance with contamination and toxic substances requirements.

**Supporting documentation**

[24-454804 2 Phase I - Sutter Street Apartments Market Rate San Francisco CA 101624.pdf](#)

[7 VEC Report.pdf](#)

[6 ERIS Database Report.pdf](#)

[5 Physical Setting Report.pdf](#)

[4 Mitigation Plan.pdf](#)

[3 2022-11-28 SMPApprov-Letter.pdf](#)

[2 1101 Sutter SMP-1- submitted 7sept22.pdf](#)

**Are formal compliance steps or mitigation required?**

✓ Yes

No

**Endangered Species**

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service ("FWS" and "NMFS" or "the Services").	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i> ); particularly section 7 (16 USC 1536).	50 CFR Part 402

**1. Does the project involve any activities that have the potential to affect species or habitats?**

No, the project will have No Effect due to the nature of the activities involved in the project.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

- ✓ Yes, the activities involved in the project have the potential to affect species and/or habitats.

**2. Are federally listed species or designated critical habitats present in the action area?**

- ✓ No, the project will have No Effect due to the absence of federally listed species and designated critical habitat

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Documentation may include letters from the Services, species lists from the Services' websites, surveys or other documents and analysis showing that there are no species in the action area.

Yes, there are federally listed species or designated critical habitats present in the action area.



**Screen Summary****Compliance Determination**

This project will have No Effect on listed species due to the nature of the activities involved in the project. The project is located in an area that has been developed with mixed land uses and is isolated from natural wildlife areas by the surrounding urban development. Nonetheless, Partner reviewed the U.S. Fish & Wildlife Service (USFW) Planning and Conservation (IPaC) database for threatened and endangered species and critical habitats for the project area. A summary of the IPaC database indicates nine (9) endangered, four (4) threatened and no critical habitats are within the project area. The proposed new construction and demolition actions at the property will not likely adversely affect species or habitats identified within the IPaC Report. The project activities will be limited to existing development footprint. As such, the project will have minimal to no impact on the natural resources. There is no likely impact on any endangered specie. This project is in compliance with the Endangered Species Act.

**Supporting documentation**

[Endangered Species Analysis.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

**Explosive and Flammable Hazards**

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

**1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?**

☒ No

☐ Yes

**2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?**

☐ No

☒ Yes

**3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:**

- Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR
- Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.

**If all containers within the search area fit the above criteria, answer "No." For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "Yes."**

☒ No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Yes

**Screen Summary****Compliance Determination**

Based on the site reconnaissance, no aboveground or below ground tanks (ASTs or USTs) are located at the subject property. Based on the site reconnaissance, no existing industrial facilities handling explosive or fire-prone materials such as liquid propane, gasoline, diesel fuel of 100-gallons or larger are adjacent to and/or visible from the subject property, including from online satellite imagery (when available). Based on the regulatory review, two existing registered AST facilities containing fire-prone materials such as liquid propane, gasoline, diesel fuel of 100-gallons or larger were identified within 1/4-mile of the subject property. Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.

**Supporting documentation**

[ERIS AST Database.docx](#)

[1 Mile Explosive Map.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

**Farmlands Protection**

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	<a href="#">7 CFR Part 658</a>

**1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?**

✓ Yes

No

**2. Does your project meet one of the following exemptions?**

- Construction limited to on-farm structures needed for farm operations.
- Construction limited to new minor secondary (accessory) structures such as a garage or storage shed
- Project on land already in or committed to urban development or used for water storage. (7 CFR 658.2(a))

✓ Yes

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

No

**Screen Summary****Compliance Determination**

The subject property is not currently being farmed or being converted from farmland and because the project does not convert agricultural land to non-agricultural land, the Federal Farmland Protection Policy Act (FPPA) is not triggered. According to the USDA mapped soil information, the onsite soils are rated as "Not prime farmland". In addition, according to the Geography Division, U.S. Census Bureau map, the subject property is located within an urban area. Further, the subject property and surrounding area are located within a densely developed urban setting. The project is in compliance with the Farmland Protection Policy Act.

**Supporting documentation**

[Urban Area Map.pdf](#)

[Farmland Protection Map.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No



**Floodplain Management**

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988 * Executive Order 13690 * 42 USC 4001-4128 * 42 USC 5154a * only applies to screen 2047 and not 2046	24 CFR 55

**1. Does this project meet an exemption at 24 CFR 55.12 from compliance with HUD's floodplain management regulations in Part 55?**

Yes

(a) HUD-assisted activities described in 24 CFR 58.34 and 58.35(b).

(b) HUD-assisted activities described in 24 CFR 50.19, except as otherwise indicated in § 50.19.

(c) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, where a permanent covenant or comparable restriction is place on the property's continued use for flood control, wetland projection, open space, or park land, but only if:

(1) The property is cleared of all existing buildings and walled structures; and

(2) The property is cleared of related improvements except those which:

(i) Are directly related to flood control, wetland protection, open space, or park land (including playgrounds and recreation areas);

(ii) Do not modify existing wetland areas or involve fill, paving, or other ground disturbance beyond minimal trails or paths; and

(iii) Are designed to be compatible with the beneficial floodplain or wetland function of the property.

(d) An action involving a repossession, receivership, foreclosure, or similar acquisition of property to protect or enforce HUD's financial interests under previously approved loans, grants, mortgage insurance,

or other HUD assistance.

(e) Policy-level actions described at 24 CFR 50.16 that do not involve site-based decisions.

(f) A minor amendment to a previously approved action with no additional adverse impact on or from a floodplain or wetland.

(g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area) but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements such as recreation areas and trails; and (2) the proposed project will not result in any new construction in or modifications of a wetland .

(h) Issuance or use of Housing Vouchers, or other forms of rental subsidy where HUD, the awarding community, or the public housing agency that administers the contract awards rental subsidies that are not project-based (i.e., do not involve site-specific subsidies).

(i) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities.

Describe:

✓ No

**2. Does the project include a Critical Action? Examples of Critical Actions include projects involving hospitals, fire and police stations, nursing homes, hazardous chemical storage, storage of valuable records, and utility plants.**

Yes

Describe:

✓ No

**3. Determine the extent of the FFRMS floodplain and provide mapping documentation in support of that determination**



The extent of the FFRMS floodplain can be determined using a Climate Informed Science Approach (CISA), 0.2 percent flood approach (0.2 PFA), or freeboard value approach (FVA). For projects in areas without available CISA data or without FEMA Flood Insurance Rate Maps (FIRMs), Flood Insurance Studies (FISs) or Advisory Base Flood Elevations (ABFEs), use the best available information<sup>1</sup> to determine flood elevation. Include documentation and an explanation of why this is the best available information<sup>2</sup> for the site. Note that newly constructed and substantially improved<sup>3</sup> structures must be elevated to the FFRMS floodplain regardless of the approach chosen to determine the floodplain.

Select one of the following three options:

CISA for non-critical actions. If using a local tool, data, or resources, ensure that the FFRMS elevation is higher than would have been determined using the 0.2 PFA or the FVA.

- ✓ 0.2-PFA. Where FEMA has defined the 0.2-percent-annual-chance floodplain, the FFRMS floodplain is the area that FEMA has designated as within the 0.2-percent-annual-chance floodplain.

FVA. If neither CISA nor 0.2-PFA is available, for non-critical actions, the FFRMS floodplain is the area that results from adding two feet to the base flood elevation as established by the effective FIRM or FIS or — if available — a FEMA-provided preliminary or pending FIRM or FIS or advisory base flood elevations, whether regulatory or informational in nature. However, an interim or preliminary FEMA map cannot be used if it is lower than the current FIRM or FIS.

<sup>1</sup> Sources which merit investigation include the files and studies of other federal agencies, such as the U. S. Army Corps of Engineers, the Tennessee Valley Authority, the Soil Conservation Service and the U. S. Geological Survey. These agencies have prepared flood hazard studies for several thousand localities and, through their technical assistance programs, hydrologic studies, soil surveys, and other investigations have collected or developed other floodplain information for numerous sites and areas. States and communities are also sources of information on past flood experiences within their boundaries and are particularly knowledgeable about areas subject to high-risk flood hazards such as alluvial fans, high velocity flows, mudflows and mudslides, ice jams, subsidence and liquefaction.

<sup>2</sup> If you are using best available information, select the FVA option below and provide supporting documentation in the screen summary. Contact your [local environmental officer](#) with additional compliance questions.

<sup>3</sup> Substantial improvement means any repair or improvement of a structure which costs at least 50 percent of the market value of the structure before repair or improvement or results in an increase of more than 20 percent of the number of dwelling units. The full definition can be found at [24 CFR 55.2\(b\)\(12\)](#).

5. Does your project occur in the FFRMS floodplain?

Yes

✓ No

### **Screen Summary**

#### **Compliance Determination**

This project does not occur in a floodplain. Partner performed a review of the Flood Insurance Rate Map (FIRM), published by the Federal Emergency Management Agency. According to Community Panel Number 0602980116A, dated March 23, 2021, the subject property is located in Unshaded Flood Zone X, defined as areas determined to be outside the 0.2% annual chance floodplain. No preliminary FEMA FIRM (p-FIRM) are available for the subject property at this time. Additionally, regulatory floodways are not considered a hazard for the subject property, including ingress and egress, at this time. HUD adopted the FEMA's Federal Flood Risk Management Standard (FFRMS) on May 23, 2024. The compliance date for other HUD programs is June 24, 2024. The FFRMS defines an expanded floodplain that takes future flood risk into account via three (3) methods: (1) Climate Information Science Approach (CISA): This CISA approach is completed by using the online Federal flood Standard Support Tool (FFSST). This tool has not been officially adopted by HUD and is to be used for information purposes only and not as part of the decision-making process outlined herein. According to the FFRMS Freeboard Value Approach (FVA) Report (using the FFSST), the proposed project is not in the coastal or riverine FFRMS floodplain. Because the FFSST has not been adopted by HUD, the CISA method does not apply at this time (2) 0.2 percent annual chance of flooding (PFA): Review of the FEMA FIRM indicates the 500-year floodplain has been mapped. However, no special flood hazard areas (SFHAs) or 500-year flood zones are located within a 1-mile radius of the subject property. (Of note, the 1-Mile Radius Map through NEPAAssist does not show the entire 1-mile radius because the flood zones are no longer depicted on the website if the zoom-out radius is greater than 1-mile. As such, Partner has included the full FEMA FIRM for review). (3) Freeboard Value Approach (FVA): Review of the FEMA FIRM indicates no SFHAs are located on or adjoining the subject property. Furthermore, the nearest SFHA is located greater than 1-mile from the subject property. Because the 0.2% PFA method applies, the FVA method does not apply at this time. Based on the above methods, the subject property is outside the FFRMS floodplains. The project is in compliance with Executive Orders 11988 and 13690.

#### **Supporting documentation**

[5 NEPAAssist 1 Mile Radius Flood Map.pdf](#)

[4 CISA FFSST Report FVA.pdf](#)

[3 No pFIRM for the subject property.pdf](#)

[2 FEMA FIRM 0602980116A.pdf](#)

[1 FEMA Map.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" <a href="https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf">https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf</a>

### Threshold

#### Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA ). (See the PA Database to find applicable PAs.)  
 No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

- ✓ Yes, because the project includes activities with potential to cause effects (direct or indirect).

### Step 1 – Initiate Consultation

#### Select all consulting parties below (check all that apply):

✓ State Historic Preservation Offer (SHPO) Completed

✓ Advisory Council on Historic Preservation Not Required

✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

Other Consulting Parties

**Describe the process of selecting consulting parties and initiating consultation here:**

Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

Document and upload all correspondence, notices and notes (including comments and objections received below).

**Was the Section 106 Lender Delegation Memo used for Section 106 consultation?**

- ✓ Yes  
No

**Step 2 – Identify and Evaluate Historic Properties**

1. **Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:**

The Area of Potential Effect (APE) for this project is the subject property parcel which includes the building and associated improvements of the lot. Because the building is located in a dense residential neighborhood, in a generally lower elevation than the surrounding streets to the west, north, and east, is previously impacted by newer high rise construction, is pedestrian-based, and includes areas of lush landscape and mature trees, the APE Assessment Area extended outward to 1/4 mile to determine potential effects from the proposed undertaking: demolition of the one-story mortuary building and construction of a new 22-story residential tower on the site of the demolished building and adjacent surface parking lot (also scheduled for demolition).

**In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.**

Upload the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
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**Additional Notes:**

**2. Was a survey of historic buildings and/or archeological sites done as part of the project?**

✓ Yes

Document and upload surveys and report(s) below.

For Archeological surveys, refer to HP Fact Sheet #6, Guidance on Archeological Investigations in HUD Projects.

Additional Notes:

see below

No

***Step 3 –Assess Effects of the Project on Historic Properties***

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36 CFR 800.5)] Consider direct and indirect effects as applicable as per guidance on direct and indirect effects.

**Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.**

No Historic Properties Affected

No Adverse Effect

✓ Adverse Effect

**Document reason for finding; upload the criteria with summary and justification.  
Criteria of Adverse Effect 36 CFR 800.5.**

An Historic American Building Survey (HABS) Level III report, including measured drawings, photographic documentation, video documentation, an architectural

description, as well as an historical account of the property, including, histories of the mortuary industry in San Francisco, the Halsted N. Gray-Carew & English Funeral Home, and biographies of the architect and important figures in the business's history, was prepared by an architectural historian who meets the Secretary of the Interior's Professional Qualification Standards. This documentation was completed in fulfillment of San Francisco Mitigation Measure M-CR-2a: Historical Documentation. The package has been approved for completeness by the San Francisco Planning Department in its capacity of ensuring that this mitigation measure is fulfilled. The completed documentation package has been submitted to several local and regional repositories, including the San Francisco Public Library and the Northwest Information Center at Sonoma State University.

#### ***Step 4 – Resolve Adverse Effects***

Work with consulting parties to try to avoid, minimize or mitigate adverse effects. Refer to HUD Exchange guidance and 36 CFR 800.6 and 800.7.

#### **Were the Adverse Effects resolved?**

✓ Yes

#### **Describe the resolution of Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation:**

Developer shall facilitate the creation of an interpretive program focused on the history of the mortuary. The interpretive program will be designed by a qualified professional with experience in creating historical interpretive displays. The interpretive program may include the installation of a permanent on-site exhibit and/or the development of digital/virtual interpretive programs. All interpretive products will be available to the public and will include high-quality graphics, photographs, and written narratives. The interpretive program will be approved by preservation staff at the San Francisco Planning Department prior to issuance of any site demolition permit. This interpretive display will be prepared in fulfillment of San Francisco Mitigation Measure M-CR-2b: Interpretation. Prior to removal of any character-defining features, Developer shall consult with San Francisco Planning Department preservation staff as to whether any such features may be salvaged, in whole or in part, during demolition. Developer shall make good faith effort to salvage materials of historical interest to be used as part of an interpretive program. The Developer shall prepare a salvage plan for review and approval by preservation staff at the San Francisco Planning Department prior to issuance of any site demolition permit. The historical

architectural salvage program will be prepared in fulfillment of San Francisco Mitigation Measure M-CR-2c: Historical Architectural Salvage.

**For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.**

In the event of the discovery of previously unrecorded cultural materials or unanticipated effects to known historic properties during the implementation of the Undertaking, work shall immediately cease within 50 feet of the find and HUD will be immediately notified. The find will be protected from further impacts. HUD shall follow procedures for post-review discoveries in accordance with 36 C.F.R. s. 800.13(b)(3).

The Developer shall prepare and submit to HUD an Annual Report documenting actions carried out pursuant to this MOA. The reporting period shall commence one year from the date of execution of this MOA. The Annual Report shall address issues and describe actions and accomplishments over the past year, including, as applicable: status of mitigation activities; ongoing and completed public education activities; any issues that are affecting or may affect the ability of the federal agency to continue to meet the terms of this MOA; any disputes and objections received, and how they were resolved; any additional parties who have become signatory or concurring parties to the MOA in the past year.

Based on the response, the review is in compliance with this section. Document and upload the signed Memorandum of Agreement (MOA) or Standard Mitigation Measures Agreement (SMMA) below.

No

#### **Screen Summary**

#### **Compliance Determination**

Based on Section 106 consultation the project will have an Adverse Effect on historic properties. With mitigation, as identified in the MOA or SMMA, the project will be in compliance with Section 106. Satisfactory implementation of the mitigation should be monitored.

#### **Supporting documentation**

[Sutter Street - San Francisco Planning.docx](#)

[Sutter Street - San Francisco Heritage.docx](#)

[Draft Public Notice - 1-2025.docx](#)

[Sutter Street - ACHP Response.pdf](#)

[Email Explaining Why SHPO Uses a Signature Page for MOA.pdf](#)



[HUD\\_2024\\_1120\\_003\\_SanFrancisco1111and1123SutterStMultifamilyHousingDevMOA\\_SignaturePage\\_250310.pdf](#)

[HUD\\_2024\\_1120\\_003\\_SanFrancisco1111and1123SutterStMultifamilyHousingDevMOA\\_Final\\_250310.pdf](#)

[TDAT Data Showing No Federally Recognized Tribes.docx](#)

[No Response from THPOs 12-18-2024.msg](#)

[Sutter Street Apartments Project 11-7-2024.xlsx](#)

[SLF No Sutter Street Apartments Project 11-7-2024.pdf](#)

[THPO Review Request\\_Sutter Street Apartments\\_San Francisco\\_CA\\_11\\_21\\_2024.msg](#)

[Sacred Land File Request\\_Sutter Street Apartments\\_San Francisco\\_CA](#)

[11\\_04\\_2024.msg](#)

[3 Housing Section 106 Delegation Memo 5 Year renewal 01012023.pdf](#)

[2 SHPO response indicating packet received on 091724.pdf](#)

[1 SHPO Concurrence Request Sutter Street Apts San Francisco CA 081924.pdf](#)

**Are formal compliance steps or mitigation required?**

✓ Yes

No

**Noise Abatement and Control**

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972  General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B

**1. What activities does your project involve? Check all that apply:**

- ☒ New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster  
None of the above

**4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).**

**Indicate the findings of the Preliminary Screening below:**

There are no noise generators found within the threshold distances above.

- ✓ Noise generators were found within the threshold distances.

5. **Complete the Preliminary Screening to identify potential noise generators in the**

Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

- ✓ Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

**Is your project in a largely undeveloped area?**

- ✓ No

Document and upload noise analysis, including noise level and data used to complete the analysis below.

Yes

Unacceptable: (Above 75 decibels)

6. **HUD strongly encourages mitigation be used to eliminate adverse noise impacts. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review.**

- ✓ Mitigation as follows will be implemented:

Noise Mitigation: NALs 2, 5, and 8 are in the Normally Unacceptable zone at between 67 and 70 decibels. These will require 28 decibels of mitigation. NALs 1, 7, and 9 are in the Normally Unacceptable zone at between 71 and 73 decibels and require higher attenuation at decibels of attenuation. The Sponsor must utilize the components identified in the STraCAT analysis, or similar components with equivalent STC ratings, in the construction of the

subject apartment buildings. Prior to Initial Endorsement, the project/design architect must provide a signed certification that the STC for the designed composite exterior walls protecting all interior space is at least the attenuation noted. Prior to Final Endorsement the supervisory architect must provide a signed certification that the "as built" construction is in accordance with the submitted STraCAT analysis and construction documents. Balconies that have a door to a bedroom require an Operations and Maintenance (O&M) plan for the periodic inspection and repair of seals and other building components when their performance diminishes. A copy of the O&M Plan must be submitted prior to Final Endorsement.

Based on the response, the review is in compliance with this section. Document and upload drawings, specifications, and other materials as needed to describe the project's noise mitigation measures below.

No mitigation is necessary.

#### **Screen Summary**

##### **Compliance Determination**

The subject property is proposed for new construction, as such, noise calculations were completed for the proposed project. With respect to interior building noise, the calculated exterior noise was determined to be "Normally Unacceptable" for the proposed tenant structure (NALs #1-3; 5-6). As outlined within the Salter Supplemental Noise report, the STraCAT calculations indicated STC 26 to 31 ratings are needed for the window and exterior doors to meet DNL 45 dB inside, which is considered "Acceptable" per the HUD guidelines. With respect to exterior noise for gathering areas, the calculated noise was determined to be "Normally Unacceptable" for the proposed 7th Level Garden / Terrace; proposed 21st Level Terrace; and proposed 22nd Level Terrace. As outlined within the Salter Supplemental Noise report, the Barrier Performance Module (BPM) was used to calculate noise at the outdoor-use spaces based on the size and location of parapet walls and the location of a typical occupant of the outdoor-use spaces. With these building features, noise levels are calculated to be less than DNL 65 dB at NAL-7, 8, and 9, which is considered "Acceptable" per the HUD guidelines. With respect to the proposed unit balconies, which have access from the tenant bedrooms, the following requirements will be met: (1) Interior noise levels have been mitigated and will not exceed a day-night average noise level of 45 decibels as documented by the STraCAT, (2) Walls factoring in fenestration, (3) Appropriate ventilation is provided by a mechanical ventilation system and not by opening doors or windows, and (4) An Operations and Maintenance plan will be prepared and will require periodically inspecting seals and repairing or replacing building components when their performance diminishes. Of note, per HUD 2021 MAP guidelines, Section 9.6.8.I.3, "HUD Approving Officials may

require additional mitigation measures or deny approval of balconies based on noise or other concern. In addition, Environmental Assessment or Environmental Impact Statement levels of environmental review must consider potential health effects stemming from issues related to noise sources, such as air quality, and toxic hazard exposure near transportation. " Please refer to the Partner Noise Study and Salter Supplemental Noise Report (STraCAT / BPM) for details

**Supporting documentation**

[Salter Supp HUD Env Noise 20 0310 1101 Sutter 20240930.pdf](#)  
[Partner Noise Assessment Report 082624 Optimized.pdf](#)

**Are formal compliance steps or mitigation required?**

✓ Yes

No

**Sole Source Aquifers**

General requirements	Legislation	Regulation
<b>The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.</b>	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes

✓ No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

✓ No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

**Screen Summary****Compliance Determination**

The project is not located within a sole source aquifer area. Based on a review of the Designated Sole Source Aquifers National Map, published by the USEPA, the subject property is not located in a sole source aquifer recharge area. Moreover, the water supply for the subject property will be tied into the public utilities; therefore, it

will not impact existing groundwater conditions. The project is in compliance with Sole Source Aquifer requirements.

**Supporting documentation**

[Sole Source Aquifer Map.pdf](#)  
[CA ssa.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

**Wetlands Protection**

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

✓ No

Based on the response, the review is in compliance with this section.

Yes

**Screen Summary****Compliance Determination**

The project will not impact on- or off-site wetlands. According to the U.S. Fish & Wildlife Service National Wetlands Inventory website, there are no federally regulated wetlands located on or adjacent to the subject property. The project site is in an urbanized area. No settling ponds, lagoons, surface impoundments, wetlands, or natural catch basins were observed at the subject or adjoining properties during this assessment. The project is in compliance with Executive Order 11990.

**Supporting documentation**

[Wetlands Map.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No



**Wild and Scenic Rivers Act**

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

**1. Is your project within proximity of a NWSRS river?**

✓ No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

**Screen Summary****Compliance Determination**

This project is not within proximity of a NWSRS river. The project site is in an urbanized area. No unique natural features or areas were identified within visible distance of the subject property. Unique natural features or areas include bluffs, cliffs, public or private scenic areas, and/or special natural resources on the property or in the vicinity of the property. The subject property is not located within a one-mile radius of a designated Wild and Scenic River. Therefore, a consultation review by the National Park Service is not required. The Wild and Scenic Rivers Act protects selected rivers in a free-flowing condition and prohibits federal support for activities that would harm a designated rivers free-flowing condition, water quality or outstanding resource values. The project is in compliance with the Wild and Scenic Rivers Act.

**Supporting documentation**

[Wild and Scenic River Map.pdf](#)

[Study River List 2022.pdf](#)

[Nationwide Inventory Map.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No



**Housing Requirements**

General requirements	Legislation	Regulations
Many Housing Programs have additional requirements beyond those listed at 50.4. Some of these relate to compliance with 50.3(i) and others relate to site nuisances and hazards		24 CFR 50.3(i) 24 CFR 35

**Hazardous Substances**

Requirements for evaluating additional housing requirements vary by program. Refer to the appropriate guidance for the program area (i.e, the Multifamily Accelerated Processing (MAP) guide, Chapter 7 of the Healthcare Mortgage Insurance Handbook, etc.) for specific requirements.

**Lead-based paint**

**Was a lead-based paint inspection or survey performed by the appropriate certified lead professional?**

✓ Yes

No, because the project was previously deemed to be lead free.

No, because the project does not involve any buildings constructed prior to 1978.

No, because program guidance does not require testing for this type of project  
For example: HUD's lead-based paint requirements at 24 CFR Part 35 do not apply to housing designated exclusively for the elderly or persons with disabilities, unless a child of less than 6 years of age resides or is expected to reside in such housing. In addition, the requirements do not apply to 0-bedroom dwelling units.

**Was lead-based paint identified on site?**

✓ Yes

No

Pre-renovation/demolition Asbestos and Lead inspection was conducted at the subject property. Lead based paint/glazing was located within multiple components. Current EPA and HUD guidelines recommend that surfaces containing lead based paint in damaged condition to be considered "lead-based paint hazards" and should be addressed through abatement (permanent removal) or interim controls (temporary). Surfaces containing lead based paints in intact condition should be monitored, but are not considered to be "lead based paint hazards". At the time of inspection, the following components were found to contain damaged lead based paints/glazing and are considered a "lead-based paint hazard": White CMU wall on the exterior of the building.

**Radon**

**Was radon testing performed following the appropriate and latest ANSI-AARST standard?**

Yes

No, because program guidance does not require testing for this type of project.  
Note that radon testing is encouraged for all HUD projects, even where it is not required.  
Explain why radon testing was not completed below.

Review of the U.S. Environmental Protection Agency (EPA) Radon Zone Map indicates the subject property is located within radon Zone 2. Based on the proposed development activities, radon mitigation is warranted as part of the new construction activities. Per HUD guidelines, radon mitigation activities are required to be implemented during the construction phase of the subject property per CC-1000, 2021 guidelines, Soil Gas Control Systems in New Construction of Buildings. The guidelines require soil gas control for all portions of the foundation system and post-construction testing will be required by a licensed, radon professional.

**Asbestos**

**Was a comprehensive asbestos building survey performed pursuant to the relevant requirements of the latest ASTM standard?**

✓ Yes

No, because the project does not involve any buildings constructed prior to 1978.  
Provide documentation of construction date(s) below.

No, because program guidance does not require testing for this type of project  
Explain in textbox below.

**Was asbestos identified on site?**

- ✓ Yes, friable or damaged asbestos was identified.  
Refer to program guidance for remediation requirements. Describe the testing procedure and findings in the textbox below and any necessary mitigation measures in the Mitigation textbox at the bottom of this screen. Upload all documentation below.

Yes, asbestos was identified, but it was not friable or damaged  
Refer to program guidance for remediation requirements. Describe the testing procedure and findings in the textbox below and any necessary mitigation measures in the Mitigation textbox at the bottom of this screen. Upload all documentation below.

No

Pre-renovation/demolition Asbestos and Lead inspection was conducted at the subject property. Current EPA National Emissions Standards for Hazardous Air Pollutants (NESHAP) regulations require that most ACM be removed prior to demolition or renovation activities. Analytical results indicated that various asbestos containing insulating materials are present within the building. If these materials are to be disturbed NorBay Consulting recommends that a licensed asbestos abatement contractor be utilized to remove these materials prior to renovation/demolition activities taking place that would disturb them. The contractor chosen must be familiar with and abide by the strict rules and regulations regarding the removal, packaging and disposal of asbestos containing materials.

**Additional Nuisances and Hazards**

Many Housing Programs have additional requirements with respect to common nuisances and hazards. These include High Pressure Pipelines; Fall Hazards (High Voltage Transmission Lines and Support Structures); Oil or Gas Wells, Sour Gas Wells and Slush Pits; and Development planned on filled ground. There may also be additional regional or local requirements.

Partner did not observe high pressure natural gas or petroleum pipelines or pipeline easements on or adjacent to the subject property. According to online information, there are no natural gas or petroleum high pressure pipelines or easements located on or adjacent to the subject property. The subject property is not located within the fall distance of a high voltage power transmission tower, or other tower. No additional known natural hazards will likely affect the subject property. Natural

hazards include: faults/fractures, cliffs, bluffs, crevices, slope failure from rains, unprotected water bodies, fire hazard materials, wind/sand storm concerns, poisonous plants/insects/animals, or hazardous terrain features. No built hazards were identified during the field reconnaissance. Other built hazards include: metal electrical towers, hazardous streets, dangerous intersections, inadequate street lighting, children play areas located next to a busy street, railroad crossings, hazardous or chemical storage, high-pressure gas or liquid petroleum transmission lines on site, oil or gas wells, or industrial operations.

### **Mitigation**

Describe all mitigation measures that will be taken for the Housing Requirements.

**Lead-Based Paint & Asbestos:** Buildings on site contain both Lead-Based Paint (LBP) and Asbestos Containing Materials (ACMs). Prior to Final Endorsement, the ownership must provide signed certifications acceptable to HUD that the demolition and removal of all ACMs and LBPs was done in conformance with all Local, State, Tribal, and Federal regulations and by properly credentialed companies.

**Radon:** Per HUD guidelines, radon mitigation activities are required to be implemented during the construction phase of the subject property per CC-1000 (latest guidelines), Soil Gas Control Systems in New Construction of Buildings. The guidelines require soil gas control for all portions of the foundation system and post-construction testing will be required by a licensed, radon professional.

### **Screen Summary**

#### **Compliance Determination**

**LBP:** Pre-renovation/demolition Asbestos and Lead inspection was conducted at the subject property. Lead based paint/glazing was located within multiple components. Current EPA and HUD guidelines recommend that surfaces containing lead based paint in damaged condition to be considered "lead-based paint hazards" and should be addressed through abatement (permanent removal) or interim controls (temporary). Surfaces containing lead based paints in intact condition should be monitored, but are not considered to be "lead based paint hazards". At the time of inspection, the following components were found to contain damaged lead based paints/glazing and are considered a "lead-based paint hazard": White CMU wall on the exterior of the building. Before commencement of disturbance to onsite building materials through demolition and/or renovation activities, identified/presumed LBP hazards will be restored to an intact condition prior to renovation activities. **Radon:** Per HUD guidelines, radon mitigation activities are required to be implemented during the construction phase of the subject property per CC-1000 (latest guidelines), Soil Gas Control Systems in New Construction of Buildings. The guidelines require soil gas

control for all portions of the foundation system and post-construction testing will be required by a licensed, radon professional. Asbestos: Pre-renovation/demolition Asbestos and Lead inspection was conducted at the subject property. Current EPA National Emissions Standards for Hazardous Air Pollutants (NESHAP) regulations require that most ACM be removed prior to demolition or renovation activities. Analytical results indicated that various asbestos containing insulating materials are present within the building. If these materials are to be disturbed NorBay Consulting recommends that a licensed asbestos abatement contractor be utilized to remove these materials prior to renovation/demolition activities taking place that would disturb them. The contractor chosen must be familiar with and abide by the strict rules and regulations regarding the removal, packaging and disposal of asbestos containing materials. Before commencement of disturbance to onsite building materials through demolition and/or renovation activities, identified/presumed ACMs will be abated and properly disposed offsite in accordance with local, state and federal laws. Additional Nuisances and Hazards: Partner did not observe high pressure natural gas or petroleum pipelines or pipeline easements on or adjacent to the subject property. According to online information, there are no natural gas or petroleum high pressure pipelines or easements located on or adjacent to the subject property. The subject property is not located within the fall distance of a high voltage power transmission tower, or other tower. No additional known natural hazards will likely affect the subject property.

**Supporting documentation**[Radon Map.pdf](#)[Pipeline Map.pdf](#)[Oil and Gas Wells Map.pdf](#)[7113 1123SutterStreetSanFranciscoHazMatReport.pdf](#)[7113 1101SutterStreetParkingGarageSanFranciscoHazMatReport.pdf](#)**Are formal compliance steps or mitigation required?**☒ Yes☐ No

**Environmental Justice**

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

**HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.**

**1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?**

Yes

✓ No

Based on the response, the review is in compliance with this section.

**Screen Summary****Compliance Determination**

No adverse environmental impacts were identified in the project's total environmental review. The project will bring 201 units of market rate housing and 101 units of affordable housing to the area (not counting the manager's unit) plus 6,409 SF of commercial space. The adjoining properties include Sutter Street beyond which is Modern Eden Gallery, a vacant commercial unit, and Harcourt Hotel (1100-1104 Sutter Street and 1105 Larkin Street); two vacant commercial units and Yerba Buena Apartments (1114-1116 Sutter Street); The Blue Buddha, a vacant commercial unit, and Bina Apartments (1122-1128 Sutter Street); Croissanteria, Sutter Market, and Clenarm apartments (1136-1144 Sutter Street); and Hit Fit SF and multi-family residential (1150-1156 Sutter Street) to the north; Intersection of Sutter Street and Larkin Street beyond which is Dastarkhan restaurant (1098 Sutter Street) and multi-family residential (1112 Larkin Street) to the northeast; Larkin Street beyond which is Dacha Restaurant, Brani Piano Art Atelium, Hotel Sutter Larkin, The French Spot, and a vacant commercial unit (1085-1089 Sutter Street and 1038-1098 Larkin Street) to the



east; Larkin Street beyond which is multi-family residential (1030 Larkin Street) to the southeast; Hemlock Street beyond which is S&B Grocery & Liquor Store and multi-family residential (1029 Larkin Street and 1010-1012 Post Street); Haroldon Apartments (1020 Post Street); multi-family residential (1030 Post Street); Community Youth Center (1038-1044 Post Street); and multi-family residential (1050 Post Street) to the south; Hemlock Street beyond which is multi-family residential (1070 Post Street) to the southwest; Fika Flowers and multi-family residential (1151 Sutter Street) to the west and Sutter Street beyond which is a vacant commercial unit and multi-family residential (1158 Sutter Street) to the northwest. These land uses are not expected to have a detrimental environmental impact to the subject property. Partners Phase I ESA, there are no adjacent facilities identified as sites of environmental concern, which include Brownfields, Superfund, Hazardous Waste, Air Emission, Water Discharge, and Toxic Release sites. No potential for exposure to significant hazards from surrounding properties or activities was found to exist for the project site. There are no indications that environmental indicators are disproportionately high in the regional area, when compared to state and National indicators. The proposed activities have no potential to create discrimination or isolation of minority or low-income individuals based on the location of the subject property. Additionally, this project does not create an adverse health or environmental effect that disproportionately impacts minorities of low-income populations. In addition, the subject property is not located within an opportunity zone. The project is in compliance with Executive Order 12898.

**Supporting documentation**[Opportunity Zones Map.pdf](#)[Low Income Population Map.pdf](#)[EJScreen Community Report.pdf](#)[EJ Lead Paint Indicator Map.pdf](#)**Are formal compliance steps or mitigation required?**

Yes

☒ No