



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2010.0726E  
 Project Title: 2051 – 2065 Third Street/650 Illinois Street  
 Zoning/Plan Area: UMU (Urban Mixed Use) District;  
 68-X Height and Bulk District  
 Central Waterfront subarea of the Eastern Neighborhoods Area Plan  
 Block/Lot: 3994/001B, 001C, 006  
 Lot Size: 19,620 square feet  
 Project Sponsor: Jason Check, Raintree Partners  
 949-606-3099  
 Staff Contact: Chelsea Fordham – (415) 575-9071  
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### PROJECT DESCRIPTION:

The proposed project would involve demolition of two existing industrial buildings built in 1927 and 1926, and construction of two new six-story residential buildings with a total of 94 residential units and a 77 off-street parking garage. The proposed new residential buildings would total approximately 106,962 gross square-feet and would have a height of 68 feet (see Figures 1-7 below).

[continued on next page]

### EXEMPT STATUS:

Exempt per Section 15183 of the California Environmental Quality Act (CEQA)

### DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

  
 Sarah B. Jones  
 Environmental Review Officer

December 3, 2013  
 Date

cc: Jason Check, Project Sponsor  
 Ben Fu, Current Planning Division

Supervisor Malia Cohen, District 10  
 Virna Byrd, M.D.F.  
 Historic Preservation Distribution List

**PROJECT DESCRIPTION (CONTINUED):**

The 94 residential units for the proposed project would include a dwelling unit mix of 35 studio units, 19 one-bedroom units, 37 two-bedroom units, one three-bedroom unit, and two loft flex units.<sup>1</sup> The proposed parking garage area would be accessed from a 16-foot wide curb cut off of Illinois Street and would include 77 off-street parking spaces and 76 bicycle parking spaces. The 77 off-street parking spaces would include 69 spaces which would be provided via hydraulic stacking lifts, three Americans with Disabilities Act (ADA) accessible spaces, three car share spaces, and two electric car charging stations. The project is also proposing common spaces including open space and a community room. The 19,620 square-foot (sf) project site is located on a through lot that fronts on both Third and Illinois Streets. The project site is on the east side of Third Street and the west side of Illinois Street between Mariposa Street to the north and 18<sup>th</sup> Street to the south in San Francisco's Potrero Hill neighborhood. The project site consists of three lots (3994/001B, 001C, and 006) that front on Third and Illinois Streets and would be merged as part of the proposed project. The two existing industrial buildings at 2051 and 2065 Third Street were constructed in 1927 and 1926, respectively, and total 15,041 square feet and range in height from 25 feet to 12 feet. The site is located within the Central Waterfront Subarea of the Eastern Neighborhoods Plan. The project would require a Section 329 Large Project Authorization.

**REMARKS:**

California Environmental Quality Act (CEQA) State Guidelines Section 15183 provides an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR; and d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects peculiar to the 2051 – 2065 Third Street/650 Illinois Street project described above, and incorporates by reference information contained within the Eastern Neighborhoods Rezoning and Area Plans Final EIR (Eastern Neighborhoods EIR) (Case No. 2004.0160E; State Clearinghouse No. 2005032048).

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<sup>1</sup> The two ground floor units along Third Street and Illinois Street are flex/ loft units with high volume (20') front rooms on the lower level overlooked by upper level lofts and private rooms above. These flex loft are proposed to be used residents as office and/or studio spaces along Third Street and Illinois Street.



CITY AND COUNTY OF SAN FRANCISCO  
 PLANNING DEPARTMENT

2051-2065 Third Street/650 Illinois Street



Figure 1 – Project Location Map



Site Plan/ Roof Plan  
1/16"=1'-0" A2  
10/31/13  
2051 Third Street/ San Francisco  
Eastern Neighborhoods/ Large Project Authorisation Submittal

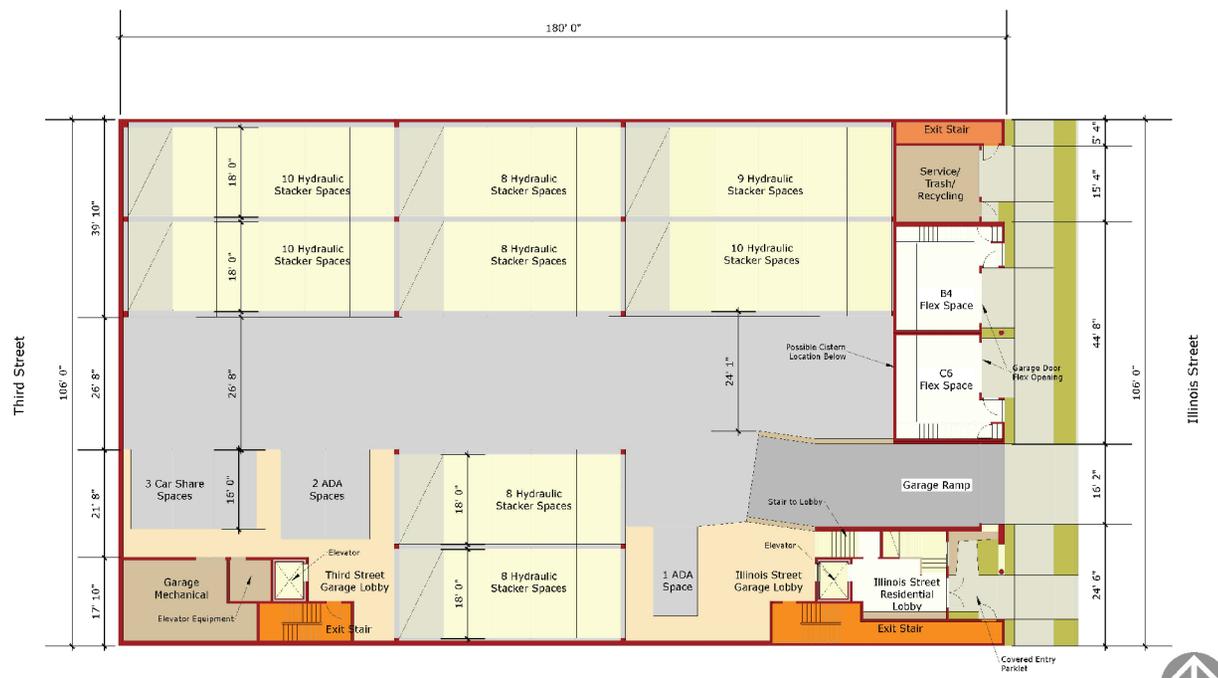


Figure 2 - Site Plan  
Source: Jon Worden Architects



Context Elevations  
1/16"=1'-0" A3  
10/31/13  
2051 Third Street/ San Francisco  
Cover: Neighborhood Lease Project Application Submittal

Figure 3 - Third Street and Illionis Street Elavations  
Source: Jon Worden Architects



North



Garage Level/ Illinois Level Plan  
1/8"=1'-0" A4  
2051 Third Street/ San Francisco  
10/31/13  
Eastern Neighborhoods/ Large Project Authorization Substantial

Figure 4 -Garage Floor Plan  
Source: Jon Worden Architects

Exemption from Environmental Review

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Figure 5 - Podium Level Floor Plan  
Source: Jon Worden Architects



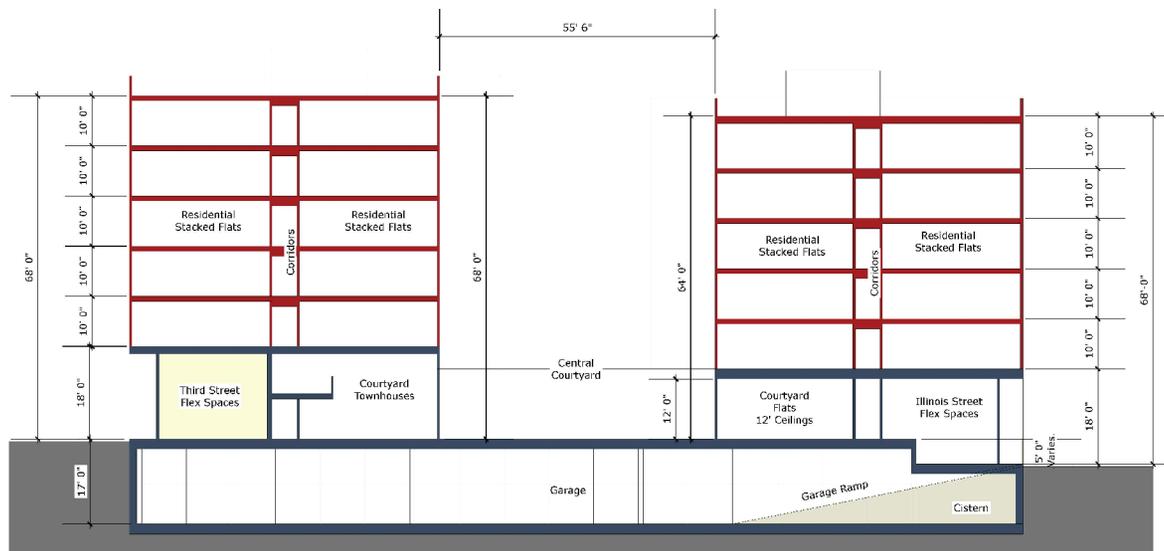
2051 Third Street/ San Francisco  
Eastern Neighborhoods/ Large Project Authorization Subvital

Upper Levels/ 3-7 Plans  
1/8"=1'-0" A7



North

Figure 6 - Floors 3-7 Floor Plan  
Source: Jon Worden Architects



Building Section Looking North  
1/8"=1'-0" A8  
18/14/13  
2051 Third Street/ San Francisco  
Eastern Neighborhoods/ Large Project Authorization Submittal

Figure - Sections

Source: Jon Worden Architects

Project-specific studies summarized in this determination were prepared for the proposed project at 2051 – 2065 Third Street/650 Illinois Street to determine if there would be significant impacts attributable to the proposed project. These studies examined that project’s potential environmental effects on historic architectural resources, archeological resources, noise, shadow, and hazardous materials. The Community Plan Exemption Checklist (Attachment A) identifies the potential environmental impacts of the proposed project and indicates whether such impacts were addressed in the Eastern Neighborhoods EIR.

This Certificate of Determination (determination) assesses the proposed project’s potential to cause environmental impacts and concludes that the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods EIR. This determination does not identify new or additional information that would alter the conclusions of the Eastern Neighborhoods EIR. This determination also identifies mitigation measures contained in the Eastern Neighborhoods EIR that would be applicable to the proposed project at 2051 – 2065 Third Street/650 Illinois Street. Relevant information pertaining to prior environmental review conducted for the Eastern Neighborhoods Plan is included below, as well as an evaluation of potential environmental effects.

## **Background**

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods Rezoning and Area Plan (Eastern Neighborhoods Plan) was adopted in December 2008. The Eastern Neighborhoods Plan was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods Plan also included changes to existing height and bulk districts in some areas, including the project site at 2051 – 2065 Third Street/650 Illinois Street.

During the Eastern Neighborhoods Plan adoption phase, the Planning Commission held public hearings to consider the various aspects of the proposed area plans, and Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods EIR by Motion 17659<sup>2</sup> and adopted the Preferred Project for final recommendation to the Board of Supervisors.<sup>3</sup>

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<sup>2</sup> Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report, Planning Department Case No. 2004.0160E, certified August 7, 2008. The FEIR is on file for public review at the Planning Department, 1650 Mission Street Suite 400 as part of Case No. 2004.0160E, or at: [http://www.sfgov.org/site/planning\\_index.asp?id=67762](http://www.sfgov.org/site/planning_index.asp?id=67762).

<sup>3</sup> San Francisco Planning Commission Motion 17659, August 7, 2008. [http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Eastern\\_Neighborhoods/Draft\\_Resolution\\_Public%20Parcels\\_FINAL.pdf](http://www.sfgov.org/site/uploadedfiles/planning/Citywide/Eastern_Neighborhoods/Draft_Resolution_Public%20Parcels_FINAL.pdf)

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

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

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

As a result of the Eastern Neighborhoods Plan, the project site has been rezoned to Urban Mixed Use (UMU). The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further on page 4, Land Use. The 2051 – 2065 Third Street/650 Illinois Street project site, which is located in the Central Waterfront Area of the Eastern Neighborhoods, was designated and envisioned as a site with a building up to 68 feet in height and containing a mix of uses.

Individual projects that could occur in the future under the Eastern Neighborhoods Plan would undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed residential project at 2051 – 2065 Third Street/650 Illinois Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods Final EIR. Further, this determination finds that the Eastern Neighborhoods Final EIR adequately anticipated and described the impacts of the proposed 2051 – 2065 Third Street/650 Illinois Street, and identified the mitigation measures applicable to the proposed project. The proposed project is also consistent with the zoning controls for the project site. Therefore, no further CEQA evaluation for the 2051-2065 Third Street/650 Illinois Street project is necessary.

### **Environmental Effects**

The Eastern Neighborhoods Final EIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Plan. The proposed 2051 – 2065 Third Street/650 Illinois Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods Plan and would represent a small part of the growth that was forecast for the Eastern Neighborhoods Plan. Thus, the project analyzed in the Eastern Neighborhoods EIR considered the incremental impacts of the proposed 2051 – 2065 Third Street/650 Illinois Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods EIR. The following discussion demonstrates that the 2051 – 2065 Third Street/650 Illinois Street project would not result in significant impacts beyond those analyzed and disclosed in the Eastern Neighborhoods EIR, including project-specific impacts related to land use, aesthetics, air quality, archeological resources, historic architectural resources, shadow, transportation, and noise.

### **Land Use**

The proposed project would replace two existing industrial buildings and a surface parking area totaling 15,041 square feet with two residential buildings totaling 106,962 square foot containing 94 residential units and 77 parking spaces. Planning Department staff has determined that the proposed project is consistent with the Eastern Neighborhoods Plan and satisfies the requirements of the General Plan and the Planning Code.<sup>4,5</sup> The project would intensify uses on the project site by constructing a larger building than the existing structures. However, the new land uses would not have an effect on the character of the vicinity beyond what was identified in the Eastern Neighborhoods FEIR. The proposed building is consistent with the height and bulk controls and the proposed uses are consistent with the UMU zoning controls of the site, all of which were analyzed in the Eastern Neighborhoods EIR. Further, because the proposed building would be located within the boundaries of three existing parcels, the project would not physically divide an established community.

The Eastern Neighborhoods Plan rezoned much of the city's industrially zoned land. The goals of the Area Plan were to reflect local values, increase housing, maintain some industrial land supply, and

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4 Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 2051 – 2065 Third Street/650 Illinois Street. This document is on file and available for review as part of Case File No. 2010.0726E at the San Francisco Planning Department, 1650 Mission Street, Suite 400

5 Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Neighborhood Analysis, 2051-2065 Third Street/659 Illinois Street. This document is on file and available for review as part of Case File No. 2010.0726E at the San Francisco Planning Department, 1650 Mission Street, Suite 400

improve the quality of all existing areas with future development. A major focus in the Area Plan process was the degree to which existing industrially zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for PDR (Production, Distribution, and Repair) employment and businesses.

The Eastern Neighborhoods FEIR evaluated three land use alternatives. Option A retained the largest amount of existing land that accommodated PDR uses and converted the least amount of industrially zoned land to residential use. Option C converted the most existing land accommodating PDR uses to residential and mixed uses. Option B fell between Options A and C.

While all three options were determined to result in a decline in PDR employment, the loss of PDR jobs was determined to be greatest under Option C. The alternative ultimately selected – the ‘Preferred Project’ – represented a combination of Options B and C. Because the amount of PDR space to be lost with future development under all three options could not be precisely gauged, the FEIR determined that the Preferred Project would result in a significant and unavoidable impact on land use due to the cumulative loss of PDR use in the Area Plan. This impact was addressed in a Statement of Overriding Considerations with CEQA Findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

The Eastern Neighborhoods FEIR included one mitigation measure, Mitigation Measure A-1, for land use controls in Western SoMa that could incorporate, at a minimum, no net loss of land currently designated for PDR uses, restrict non-PDR uses on industrial (or other PDR-designated) land, and incorporate restrictions on potentially incompatible land uses proximate to PDR zones. The measure was judged to be infeasible, because the outcome of the community-based Western SoMa planning process could not be known at the time, and the measure was seen to conflict with other City policy goals, including the provision of affordable housing. The project site is not located in Western SoMa; therefore this mitigation measure is not applicable.

The project site is in the Central Waterfront Area Plan of the San Francisco General Plan and is in the Urban Mixed Use (UMU) District, which is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially zoned area. The UMU District is also intended to serve as a buffer between residential districts and PDR Districts in the Eastern Neighborhoods. Allowed uses within the UMU District include PDR uses such as light manufacturing, home and business services, arts activities, warehouses, and wholesaling. Additional permitted uses include retail, educational facilities, nighttime entertainment, and motor vehicle services (e.g., automobile sale or rental). Housing is also permitted, but is subject to higher affordability requirements. Family-sized dwelling units are encouraged. The proposed project’s residential use is consistent with uses permitted within the UMU District.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to land use and planning.

## **Cultural Resources**

### **Archeological Resources**

The Eastern Neighborhoods EIR identified a significant impact to archeological resources and determined that *Mitigation Measures J-1: Properties with Previous Studies*, *J-2: Properties with No Previous Studies*, and *J-3: Mission Dolores Archeological District* would reduce the effects to a less-than-significant level. Since the proposed site is located outside Archeological Mitigation Zone A and B, and since no previous studies have been conducted on the project site, Mitigation Measure J-2 applies to the proposed project.

Pursuant to *Mitigation Measure J-2*, a Preliminary Archeological Sensitivity Study memorandum was prepared for the proposed project.<sup>6</sup> The Planning Department conducted an archeological assessment review<sup>7</sup> of the project site and found that there is a possibility that archeological features associated with ship building/repair operations (1867-1900) could be present within the project site fill matrix. If features and/or deposits associated with the 19<sup>th</sup> Century ship building facilities have research integrity and would be adversely affected by project activities, the project may have a potential adverse effect to an historical resource under CEQA. Therefore, implementation of *Mitigation Measure 3 Archeological Resources - Archeological Testing* would reduce potential effects of the proposed project to archeological resources to a less-than-significant level.

### **Historic Architectural Resources**

The Eastern Neighborhoods FEIR anticipated that program implementation may result in demolition of buildings identified as historical resources, and found this impact to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

Eastern Neighborhoods FEIR *Mitigation Measure K-1, Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area*, required certain projects to be presented to the Landmarks Preservation Advisory Board (now the Historic Preservation Commission). This mitigation measure is no longer relevant, because the Central Waterfront Historical Resource Survey was completed and adopted by the Historic Preservation Commission on June 15, 2011. Mitigation Measures K-2 and K-3, which amended Article 10 of the Planning Code to reduce potential adverse effects to contributory structures within the South End Historic District (East SoMa) and the Dogpatch Historic District (Central Waterfront), do not apply because the proposed project it is not located within the South End or Dogpatch Historic Districts.

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<sup>6</sup> Allison Vanderslice, EP archeologist, memorandum to Chelsea Fordham, EP planner, April 5, 2013. This memorandum is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2010.0726E.

As discussed in the Eastern Neighborhoods Area Plans EIR, “[Central Waterfront] rezoning proposals expand residential-permitting zoning along Minnesota, Tennessee, Third and Illinois streets between Mariposa and 25th streets, as well as along 280 between Mariposa and 20th. The vast majority of this land is currently zoned Heavy Industrial (M-2). The rezoning proposals would expand residential-permitting zoning to 43 parcels containing known or potential historical resources, including 34 structures that are known historical resources.” Adoption of the Eastern Neighborhoods rezoning proposals resulted in the zoning reclassification of the subject property from M-2 to UMU. The Eastern Neighborhoods Rezoning Plan height limit increases for the Central Waterfront area were proposed along Third and Illinois streets, and in the southern portion of the plan area, between 22nd and 25th streets.

The project site is currently two buildings and a vacant surface lot. The project site characteristics for each parcel are summarized below.

- **2051 3rd Street (Block 3994, Lot 001C):** The project site at 2051 3rd Street was constructed in 1927 as a warehouse and office, and was originally occupied by the Martin Ship Service, who were involved in the cleaning of large ships. 2051 Third Street is a one-story, wood-frame commercial building with vertical wood siding and a pent roof.
- **2051 3rd Street (Block 3994, Lot 001B):** The project site at 2065 3rd Street was constructed in 1926 as an office and garage, and was originally associated with the Crescent Oil Company (later known as the Crescent Pacific Oil Company), who were wholesale dealers of oil and lubricant. 2065 Third contains a two-story, concrete commercial building with double-hung vinyl-sash windows, multi-pane glass block windows, and steel roll-up doors.
- **2051 3rd Street (Block 3994, Lot 006):** The project site at 650 Illinois Street is a vacant lot measuring 37 ft by 107 ft with frontage on Illinois Street.

The two existing properties at 2051 and 2065 Third Street were surveyed by the City of San Francisco as part of the adopted Central Waterfront Historic Resources Survey in 2001, and subsequently amended in 2008. In 2001, 2051 3rd Street was assigned a National Register Status Code (NRSC) of “5S3,” which designated the property as “Not Eligible for Local Listing-Is Eligible for Special Consideration in Local Planning.” In August 2003, the State of California Office of Historic Preservation adopted the California Historic Resource Status Codes (CHRSC) system and converted NRSC into CHRSC. Therefore, 2051 3rd Street was converted from a NRSC of “5S3” to a CHRSC of “6L,” which designates the property as “Determined ineligible for local listing or designation through local government review process; may warrant special consideration in local planning.”<sup>8</sup> In 2001, 2065 3rd Street was assigned a NRSC of “6Z1,”

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<sup>8</sup> California State Office of Historic Preservation, *Technical Assistance Bulletin #8: User's Guide to California Historical Resource Status Codes & Historic Resources Inventory Directory* (November 2004).

which designated the subject property as “Found ineligible for NR [National Register] with no potential for any listing.” In August 2003, the Office of Historic Preservation adopted the CHRSC system, and converted NRSC into CHRSC. Therefore, 2065 3<sup>rd</sup> Street was converted from a NRSC of “6Z1” to a CHRSC of “6Z,” which designates the property as “Found ineligible for NR, CR or Local designation through survey evaluation.” The findings of the survey were endorsed by the Planning Commission on June 13, 2002 by Motion No. 16431.

Therefore, for the purposes of the Planning Department’s California Environmental Quality Act (CEQA) review procedures, the three subject parcels are classified as follows:

- 2051 3rd Street = Category C (Properties Determined Not To Be Historical Resources or Properties For Which The City Has No Information Indicating That The Property Is An Historical Resource) because of its CHRSC of “6L” classification.
- 2065 3rd Street = Category C (Properties Determined Not To Be Historical Resources or Properties For Which The City Has No Information Indicating That The Property Is An Historical Resource) because of its CHRSC of “6Z” classification.
- 650 Illinois Street = Category C (Properties Determined Not To Be Historical Resources or Properties For Which The City Has No Information Indicating That The Property Is An Historical Resource) because the subject parcel is vacant with no built resources.

The subject properties at 2051 and 2065 Third Street or 650 Illinois Street do not appear to have associations with any early developers, nor have they contributed to the pattern of development for the surrounding neighborhood. Based upon the Central Waterfront Historic Resource Survey and the consultant reports, 2051 3rd Street, 2065 3rd Street and 650 Illinois Street are not eligible for inclusion in the California Register individually or as a contributor to a historic district under Criterion 1 (Events).<sup>9,10,11</sup> To date, no information has become available to suggest that the subject buildings have contributed to significant events within local or regional history or the cultural heritage of California and the United States. To be eligible under this criterion, a building cannot merely be associated with historic

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<sup>9</sup> Tim Kelley Consulting, Historical Resource Evaluation: 2051 3rd Street, San Francisco, California, January 2012. This document is on file and is available for review as part of Case File No. 2010.0726E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

<sup>10</sup> ICF International, Historical Resource Evaluation: 2051 3rd Street, San Francisco, California, July 2012. This document is on file and is available for review as part of Case File No. 2010.0726E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

<sup>11</sup> ICF International, Addendum to Historical Resource Evaluation for 2051 3rd Street, San Francisco, Addressing A Property at 2065 3rd Street, September 2012. This document is on file and is available for review as part of Case File No. 2010.0726E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

events or trends but must have a specific association to be considered significant. Additionally, based upon the Central Waterfront Historic Resource Survey and the consultant reports, it was found that no persons of known historical significance appear to have been associated with the subject buildings; therefore, 2051 Third Street, 2065 Third Street and 650 Illinois Street are not eligible for listing in California Register under Criterion 2 (Persons) either individually or as part of a historic district.

Lastly, it was found that 2051 3rd Street, 2065 3rd Street, or 650 Illinois Street are not eligible for listing in the California Register under Criterion 3 (Architecture) either individually or as part of a historic district. These two former industrial properties (2051 and 2065 3rd Street) are not architecturally significant nor do they possess high artistic value or embody the distinctive characteristics of a type, period, region, or method of construction. The subject properties do not embody any notable characteristics which distinguish the buildings as historically significant and were therefore determined to not meet any of the aforementioned California Register significance criteria. Consequently, it was determined that the subject buildings are not considered historical resources for the purpose of CEQA, either as an individual resource or as a contributor to a potential historic district or district boundary extension. Therefore, the demolition of these buildings as part of the proposed project would not have an adverse impact on historical resources as defined by CEQA and this impact would be less-than-significant.

The subject property is located in the Central Waterfront neighborhood off of the Third Street corridor, which is a former industrial area that has been recently converted into a mixed-use neighborhood. Much of the recent new construction along Third Street is four- to five-stories in height and is primarily composed of apartment units. To the east of the subject parcels along Illinois Street, the surrounding neighborhood still retains much of its early industrial character. The subject parcels are located within the vicinity of the Potrero Point Historic District, which includes three historic districts including the Dogpatch Historic District, Pier 70 Historic District, and the Third Street Industrial Historic District.

The Dogpatch Historic District is designated in Article 10 of the San Francisco Planning Code. The Pier 70 Historic District has been determined eligible for listing in the National Register of Historic Places. The Third Street Industrial Historic District has been determined eligible for the California Register of Historical Resources as part of the Central Waterfront Historic Resources Survey. This eligible district extends along Third Street from the northeast corner of 18th Street to 24th Street, inclusive of PG&E's Potrero Station A and the remnants of the Western Sugar Refinery. The project site is not located within the boundaries of any of these historic districts.

In light of the above historical resources discussion, the proposed demolition of the two existing buildings facility would not contribute to the significant historical resource impact identified in the Eastern Neighborhoods EIR

## **Transportation**

The proposed project is not located within an airport land use plan area or in the vicinity of a private airstrip. Therefore, significance criterion 5c would not apply to the proposed project.

### **Trip Generation**

Proposed Project Trip Generation: Trip generation of the proposed project was calculated using information in the 2002 Transportation Impacts Analysis Guidelines for Environmental Review (SF Guidelines) developed by the San Francisco Planning Department.<sup>12</sup> The proposed project would generate about 800 person trips (inbound and outbound) on a weekday daily basis, consisting of 580 person trips by auto, 129 transit trips, 40 walk trips and 51 by other modes. During the p.m. peak hour, the proposed project would generate an estimated 94 vehicle trips (accounting for vehicle occupancy data for this Census Tract). Due to the project's location near major transit routes, this is likely a conservative estimate of vehicle trips.

The estimated 94 new p.m. peak hour vehicle trips would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco. Given that the proposed project would add approximately 94 new p.m. peak hour vehicle trips to surrounding intersections, it is not anticipated to substantially increase traffic volumes at these or other nearby intersections, nor substantially increases average delay that would cause these intersections to deteriorate to unacceptable levels of service.

The Eastern Neighborhoods Final EIR evaluated three land use options. The proposed project is located in the Central Waterfront Subarea of the Eastern Neighborhoods, which included the analysis (existing and 2025 operating conditions) of intersections in the area based on proposed development plan options of the Eastern Neighborhoods. The Third St./Mariposa St. intersection (half block from project site) would change from LOS B to LOS C under 2025 weekday p.m. peak hour conditions under all Plan options; the Third St./16<sup>th</sup> St. intersection (two blocks away) is anticipated to continue to operate at LOS D under 2025 weekday p.m. peak hour conditions under all Plan options; the Mariposa St./I-280 NB off-ramp intersection (four blocks away) is anticipated to change from LOS C to LOS D under all Plan

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<sup>12</sup> Chelsea Fordham, San Francisco Planning Department, *Transportation Calculations*, July 31, 2013. These calculations are available for review as part of Case File No. 2010.0094E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

options; and the Mariposa St./I-280 SB off-ramp intersection (four blocks away) would change from LOS F to LOS B under all Plan options.<sup>13</sup>

The nearest Central Waterfront Subarea intersection in which the Eastern Neighborhoods Final EIR identified a significant impact under 2025 weekday p.m. peak hour was at 25<sup>th</sup> St/Indiana St. intersection (approximately 13 blocks to the south of the project site) which operated at LOS B under existing (baseline) conditions and would deteriorate to LOS F under 2025 weekday p.m. peak hour operating conditions under all Plan options. The other nearby Subarea intersection in which the Eastern Neighborhoods Final EIR identified a significant impact under 2025 weekday p.m. peak hour was at Third/César Chávez Street (approximately 12 blocks to the south of the project site) which operated at LOS C under existing (baseline) conditions and would deteriorate to LOS F under 2025 weekday p.m. peak hour operating conditions under Plan options A and B. It is likely these conditions would occur with or without the project, and the proposed project's contribution of 94 p.m. peak hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by Eastern Neighborhoods' projects, should they be approved. Under the Eastern Neighborhoods Final EIR, a specific mitigation measure to add a new traffic signal was identified for the 25<sup>th</sup> St./Indiana St. intersection. Under the Eastern Neighborhoods Final EIR, a specific mitigation measure was not proposed for the Third/César Chávez intersection and a Statement of Overriding Considerations related to the significant and unavoidable cumulative (2025) traffic impacts was adopted as part of the EIR Certification and project approval on January 19, 2009. As a result, the proposed project would have the potential to contribute to a significant impact to 2025 Cumulative conditions identified in the Eastern Neighborhoods EIR. However, the proposed project would not result in a project-specific traffic impact, therefore, requiring no further project specific analysis.

### Transit

As indicated above, the proposed project is estimated to add 129 daily transit person trips, of which 22 would occur in the p.m. peak hour. The project site is served by several local and regional transit lines including Muni lines T-Third, 22-Filmore, and 48-Quintara, and therefore, the additional 22 P.M. peak hour trips which would be spread among these transit lines and likely be accommodated on existing routes, and would result in a less-than-significant effect to transit services.

The Eastern Neighborhoods Final EIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership due to the change from 2025 No-Project operating conditions for Muni lines 9, 10, 12, 14, 14L, 22, 27, 47, 49 and 67 under all Eastern Neighborhoods rezoning options. Mitigation measures proposed to address these impacts related to pursuing enhanced transit funding; conducting transit corridor and service improvements; and increasing transit accessibility, service information, and storage/maintenance capabilities for Muni lines in Eastern Neighborhoods. Even with mitigation,

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<sup>13</sup> San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, certified January 19, 2009. File No. 2004.0160E.

however, cumulative impacts on the above lines were found to be significant and unavoidable and a Statement of Overriding Considerations with findings was adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009. The proposed project would not conflict with the implementation of these mitigation measures, and it is likely the significant and unavoidable cumulative transit conditions would occur with or without the proposed project. The proposed project's contribution of 22 p.m. peak hour transit trips would not be a substantial proportion of the overall transit volume generated by Eastern Neighborhood projects. The proposed project would have the potential to contribute to a significant impact to 2025 Cumulative transit conditions identified in the Eastern Neighborhoods EIR. However, the proposed project would not result in a project-specific transit impact.

### Parking

Under Planning Code Section 843.08, the proposed project would not be required to provide off-street parking spaces. Pursuant to *Planning Code* Sections 151.1, residential units are permitted up to 0.75 parking spaces per dwelling unit. Additionally, *Planning Code* Sections 151.1 permits residential units in UMU District with at least 2 bedrooms and at least 1,000 square feet of occupied floor area to have up to 1 parking space per dwelling unit. The proposed would be permitted to provide up to 80 off-street parking spaces because the proposed project would construct 55 studios and one-bedrooms, and 39 two and three bedrooms units that are over 1,000 sf. The project is proposing 77 off-street parking spaces (69 spaces which would be provided via hydraulic stacking lifts, three Americans with Disabilities Act (ADA) accessible spaces, three car share spaces, and two electric car charging stations), and would therefore comply with *Planning Code* Sections 151.1

Based on the methodology presented in the 2002 *Transportation Guidelines*, on an average weekday, the demand for parking would be 119 spaces for the proposed project. Thus, the project would have an unmet parking demand of 42 spaces. The resulting parking deficit is considered to be a less-than-significant impact, regardless of the availability of on-street parking under existing conditions. Parking conditions are static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel. While parking conditions change over time, a substantial deficit in parking caused by a project that creates hazardous conditions or significant delays to traffic, transit, bicycles or pedestrians could adversely affect the physical environment. Whether a deficit in parking creates such conditions will depend on the magnitude of the shortfall and the ability of drivers to change travel patterns or switch to other travel modes. If a substantial deficit in parking caused by a project creates hazardous conditions or significant delays in travel, such a condition could also result in secondary physical environmental impacts (e.g., air quality or noise impacts cause by congestion), depending on the project and its setting.

The absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development,

induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service or other modes (walking and biking), would be in keeping with the City's "Transit First" policy and numerous San Francisco General Plan Policies, including those in the Transportation Element. The City's Transit First Policy, established in the City's Charter Article 8A, Section 8A.115, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

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

The parking demand for the new uses associated with the proposed project was determined based on the methodology presented in the *Transportation Guidelines*. On an average weekday, the estimated demand for parking would be 119 spaces. The proposed project would provide 77 off-street spaces. Thus, the project would have an unmet parking demand of an estimated 42 spaces. While the proposed off-street parking spaces would be less than the anticipated parking demand, the resulting parking deficit would not result in a significant impact in this case. At this location, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces within a reasonable distance of the project vicinity. Additionally, the project site is well served by public transit and bicycle facilities. Any unmet parking demand associated with the project would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays are created.

Further, the project site is located in a UMU Use District where under Section 151.1 of the *Planning Code*, the proposed project would not be required to provide any off-street parking spaces. In summary, the proposed project would not result in a substantial parking deficit or create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians. Therefore, parking impacts would be less than significant.

In summary, the proposed project would not result in a substantial parking deficit with or without the off-street parking currently proposed that would create hazardous conditions or significant delays

affecting traffic, transit, bicycles or pedestrians. Therefore, impacts related to parking would be less than significant.

### **Loading**

Based on the SF Guidelines, the proposed project would generate an average loading demand of 0.15 truck-trips per hour. Planning Code Section 152.1 requires one off-street loading space for residential developments of 100,001 – 200,000 square feet. The project is proposing one on-street loading space. For projects in the Eastern Neighborhoods Mixed Use Districts that are subject to Section 329, Large Project Authorization, the Planning Commission may waive these requirements per the procedures of Section 329 if it finds that the design of the project would be improved and that such loading could be sufficiently accommodated on adjacent streets and alleys. The proposed project would avoid the potential for impacts to adjacent roadways due to loading activities by limiting all long-term and construction loading/staging operations to the existing on-street parking area along Illinois Street. Vehicles performing move in/move out activities would be able to obtain temporary parking permits for loading and unloading operations on Illinois Street.

### **Pedestrian and Bicycle Conditions**

Based on the SF Guidelines, the proposed project would generate approximately seven p.m. peak-hour pedestrian trips. The proposed project would not cause a substantial amount of pedestrian and vehicle conflict, as there are adequate sidewalk and crosswalk widths. Pedestrian activity would increase as a result of the proposed project, but not to a degree that could not be accommodated on local sidewalks or would result in safety concerns.

In the vicinity of the project site, there are four major Citywide Bicycle Routes. Illinois Street, from 16<sup>th</sup> Street to Cesar Chavez includes the entirety of bicycle route #5, Indiana Street comprises a portion of bicycle route #7, Mariposa Street a portion of route #23, and 16<sup>th</sup> Street a portion of route #40. Bicycle route #5 is adjacent to the project site. The proposed project would place its garage entrance and a 16"-foot-wide curb cut along Illinois Street in the vicinity of bicycle route #5. Therefore, vehicles entering and exiting the proposed garage and service entrance could result in potential conflicts with bicycle traffic and vehicles. However, the increase in vehicular trips from the proposed project would not substantially increase bicycle conflicts because the project would generate relatively low levels of traffic and would reduce the size of the existing curb cut, which is 55 feet. Therefore, the proposed project would not substantially increase bicycle conflicts from the existing conditions. Although the proposed project would result in an increase in the number of vehicles in the project vicinity, this increase would not substantially affect bicycle travel in the area.

In summary, the project would not result in a significant effect with regard to transportation.

## Noise

The Eastern Neighborhoods FEIR identified potential conflicts related to residences and other noise sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural, institutional, educational, and office uses. In addition, the Eastern Neighborhoods FEIR noted that projects could incrementally increase traffic-generated noise on some streets in the project area, and could result in construction noise impacts from pile driving and other construction activities. With implementation of six noise mitigation measures cited in the FEIR, Plan-related noise impacts were found to be less than significant.

Ambient noise levels in the vicinity of the project site are typical of noise levels in neighborhoods in San Francisco, which are dominated by vehicular traffic, including trucks, cars, Muni light rail and buses, emergency vehicles, and land use activities, such as industrial uses and periodic temporary construction-related noise from nearby development, or street maintenance. The noise analysis prepared for the project states that the main source of noise that would affect the project site is vehicular traffic on Third Street and to a lesser extent traffic on Illinois Street.<sup>14</sup> Noises generated by residential uses are common and generally accepted in urban areas. The noise generated by the occupants of the proposed project would not be considered a significant impact of the proposed project. An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. The project would not cause a doubling in traffic volumes and therefore would not cause a noticeable increase in the ambient noise level in the project vicinity.

The *San Francisco General Plan* noise guidelines indicate that any new residential development in areas with noise levels above 60 dBA should be undertaken only after a detailed analysis of noise reduction requirements is made and needed noise insulation features are included in the design. In areas where noise levels exceed 65 dBA, a detailed analysis of noise reduction requirements must be done and needed noise insulation features included in the design. According to the Eastern Neighborhoods Final EIR, noise levels on Third and Illinois Streets are both between 65.1 and 70.0 dBA. Title 24 of the California Code of Regulations establishes uniform noise insulation standards for multi-unit residential projects (including hotels, motels, and live/work developments). This state regulation requires meeting an interior standard of 45 dBA in any habitable room. The Department of Building Inspections (DBI) would review the final building plans to ensure that the building wall and floor/ceiling assemblies for the residential development meet State standards regarding sound transmission for residents.

The Eastern Neighborhoods Final EIR identified a significant impact related to new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), where such development is not already subject to the California Noise Insulation Standards in Title 24 of the

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<sup>14</sup> Rosen, Goldberg, Der, & Lewitz, Inc., 2051 Third Street - Environmental Noise Analysis, January 19, 2012. This document is on file and is available for review as part of Case File No. 2010.0726E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

California Code of Regulations. Since the proposed project is subject to Title 24, *Mitigation Measure F-3: Interior Noise Levels* from the Eastern Neighborhoods Final EIR is not applicable.

The Eastern Neighborhoods Final EIR identified a significant impact related to potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses. Since the proposed project includes noise-sensitive uses with sensitive receptors, *Mitigation Measure F-4: Siting of Noise-Sensitive Uses* applies to the proposed project. Pursuant to this measure, Rosen, Goldberg, Der, & Lewitz, Inc conducted a noise study that included a 24-hour noise measurement and site survey of noise-generating uses within two blocks of the project site.<sup>15</sup> The 24-hour noise measurement recorded a day-night noise average of 74 dBA (Ldn) on Third Street and 66 dBA (Ldn) on Illinois Street. These measurements are slightly higher than forecasted by noise modeling undertaken by the Department of Public Health, which predicts a traffic noise level of between 65.1 dBA and 70 dBA (Ldn) for the project block of Illinois and Third Streets (and surrounding blocks). The noise analysis site survey did identify existing noise sources within 900 feet of the site. The noise survey identified that there were cement trucks that drive along Illinois Street which are associated with a ready-mix plant to the south of the project site. Other existing nearby noise sources within 900 feet of the site include various commercial uses and a dry dock shipyard to the east across from Illinois Street, construction of the UCSF Medical Center at Mission Bay at the northwest corner of Third Street and Mariposa. There is also a Cemex ready-mix concrete plant to the north of the project site along Illinois Street.

Given the noise environment at the project site, the noise analysis concluded that it would appear that conventional residential construction, which would include double-paned windows and wall assemblies (which should provide a noise reduction of up to 31 dBA noise reduction), would be sufficient to ensure an interior noise environment in habitable rooms of 45 dBA (Ldn) as required by the San Francisco Building Code. The noise analysis for the project site recommends that the project sponsor use sound rated windows and possibly special exterior wall construction along Third and Illinois Street elevations. Additionally, windows that would face along Third and Illinois Street should have a source of ventilation or air conditioning system to not compromise the sound attenuation of the exterior façade and to meet the indoor noise standards. The noise analysis has demonstrated that acceptable interior noise levels consistent with those in the Title 24 standards can be attained by the proposed project; therefore, no further acoustical analysis or engineering is required.

The Eastern Neighborhoods Final EIR identified a significant impact related to potential conflicts between existing sensitive receptors and new noise-generating uses and determined that *Mitigation Measures F-5: Siting of Noise-Generating Uses* would reduce effects to a less-than-significant level. Since the proposed development proposes residential uses that would not be expected to generate noise levels in excess of ambient noise in the vicinity of the project site, *Mitigation Measure F-5* is not applicable.

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<sup>15</sup> Rosen, Goldberg, Der, & Lewitz, Inc., Ibid

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). The Noise Ordinance requires that construction work be conducted in the following manner: 1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); 2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) to best accomplish maximum noise reduction; and 3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m., unless the Director of DPW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the approximately 14-month construction period for the proposed project, occupants of nearby properties could be disturbed by construction noise and possibly vibration. There may be times when noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be obliged to comply with the City's Noise Ordinance.

The Eastern Neighborhoods EIR identified a significant impact related to construction noise that would include pile driving and determined that *Mitigation Measure F-1: Construction Noise* and *F-2: Construction Noise* would reduce effects to a less-than-significant level. The proposed project would involve driving approximately 150 displacement piles to support the proposed foundation. Displacement piles are typically screwed in and do not require pile driving, and therefore would not generate the noise and vibration impacts typically caused by pile driving. Therefore, Mitigation Measure F-1, which requires projects that include pile-driving and are within proximity to noise-sensitive uses to ensure that piles be pre-drilled, would not apply to the proposed project.

Mitigation Measure F-2 requires individual projects that include particularly noisy construction procedures in proximity to sensitive land uses to submit a site-specific noise attenuation measures under the supervision of a qualified acoustical consultant to the Department of Building Inspection prior to commencing construction. The project would not create noise levels that could substantially affect any nearby residents.

In addition, all construction activities for the proposed project (approximately nine months) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco

Police Code) (Noise Ordinance) as outlined below. In summary, the project would not result in a significant effect with regard to noise.

### Air Quality

The Eastern Neighborhoods FEIR identified potentially significant air quality impacts related to construction activities that may cause wind-blown dust and pollutant emissions; roadway-related air quality impacts on sensitive land uses; and the siting of uses that emit diesel particulate matter (DPM) and toxic air contaminants (TACs) as part of everyday operations. The Eastern Neighborhoods FEIR identified four mitigation measures that would reduce air quality impacts to less-than-significant levels.

Project-related demolition, excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. The Eastern Neighborhoods FEIR identified potentially significant air quality impacts related to construction activities that may cause wind-blown dust and pollutant emissions; roadway-related air quality impacts on sensitive land uses; and the siting of uses that emit diesel particulate matter (DPM) and toxic air contaminants (TACs) as part of everyday operations. The Eastern Neighborhoods FEIR identified four mitigation measures that would reduce air quality impacts to less-than-significant levels.

Subsequently, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). These regulations and procedures set forth by the San Francisco Building Code ensure that potential dust-related air quality impacts would be reduced to less than significant. Since the project is required to comply with the Construction Dust Control Ordinance, the project would not result in a significant impact related to construction air quality and Mitigation Measure G-1 is not applicable.

Also subsequent to publication of the FEIR, the Bay Area Air Quality Management District (BAAQMD), the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), provided updated 2011 BAAQMD *CEQA Air Quality Guidelines* (Air Quality Guidelines),<sup>16</sup> which provided new methodologies for analyzing air quality impacts, including construction activities. The Air Quality Guidelines provide screening criteria for determining whether a project's criteria air pollutant emissions may violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. If a project meets the screening criteria, then the lead agency or applicant would not need to perform a detailed air quality

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<sup>16</sup> Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, updated May 2011.

assessment of their proposed project's air pollutant emissions and construction or operation of the proposed project would result in a less-than-significant air quality impact. The proposed project meets the screening criteria provided in the BAAQMD Air Quality Guidelines for construction-related criteria air pollutants.

For determining potential health risk impacts, San Francisco has partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco and identify portions of the City that result in additional health risks for affected populations ("hot spots"). Air pollution hot spots were identified based on two health based criteria:

- (1) Excess cancer risk from all sources > 100; and
- (2) PM<sub>2.5</sub> concentrations from all sources including ambient >10µg/m<sup>3</sup>.

Sensitive receptors<sup>17</sup> within these hot spots are more at risk for adverse health effects from exposure to substantial air pollutant concentrations than sensitive receptors located outside these hot spots. These locations (i.e., within hot spots) require additional consideration when projects or activities have the potential to emit toxic air contaminants (TACs), including diesel particulate matter (DPM) emissions from temporary and variable construction activities. The project site is not located within an identified hot spot, therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial.

Construction activities from the proposed project would result in DPM and other TACs from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. The proposed project's construction activities would be temporary and variable in nature. Construction would be expected to last approximately 14 months. Furthermore, the proposed project would be subject to California regulations limiting idling times to five minutes, which would further reduce sensitive receptors exposure to temporary and variable DPM emissions.<sup>18</sup> Therefore, the construction of the proposed project would not expose sensitive receptors to substantial pollutant concentrations. Therefore, the remainder of Mitigation Measure G-1 that deals with maintenance and operation of construction equipment is not applicable to the proposed project.

Mitigation Measure G-2 requires new sensitive receptors near sources of TACs, including DPM, to include an analysis of air pollutant concentrations (PM<sub>2.5</sub>) to determine whether those concentrations would result in a substantial health risk to new sensitive receptors. The proposed project would include new sensitive receptors. However, the project site is not located within an identified air pollution hot

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<sup>17</sup> The BAAQMD considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) Residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. Bay Area Air Quality Management District (BAAQMD), *Recommended Methods for Screening and Modeling Local Risks and Hazards*, May 2011, page 12.

<sup>18</sup> California Code of Regulations, Title 13, Division 3, § 2485.

spot, therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial. Therefore, Mitigation Measure G-2 is not applicable to the proposed project.

Mitigation Measure G-3 minimizes potential exposure of sensitive receptors to DPM by requiring uses that would be served by at least 100 trucks per day or 40 refrigerated trucks per day be located no less than 1,000 feet from residential units and other sensitive receptors. The proposed project would construct a 94 unit residential building and thus would not be expected to be served by 100 trucks per day or 40 refrigerator trucks per day. Furthermore, the project site is not located within an identified hot spot, therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial. Therefore, Mitigation Measure G-3 is not applicable to the proposed project.

Measure G-4 involves the siting of commercial, industrial, or other uses that emit TACs as part of everyday operations. The proposed project would construct a 94 unit residential building and would not generate more than 10,000 vehicle trips per day or 1,000 truck trips per day or include a new stationary source, items that would emit TACs as part of everyday operations. Therefore, Mitigation Measure G-4 is not applicable to the proposed project.

The proposed project would result in an increase in operational-related criteria air pollutants including from the generation of daily vehicle trips and energy demand. The proposed project meets the screening criteria provided in the BAAQMD CEQA Air Quality Guidelines (May 2011) for operational-related criteria air pollutants.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to air quality.

### **Shadow**

Planning Code Section 295 generally prohibits new buildings that would cast new shadow on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. To determine whether the proposed project would conform to Section 295, a shadow fan analysis was prepared by Planning Department staff. This analysis concluded that the proposed project would not have the potential to cast new shadow on any property under the jurisdiction of the Recreation and Park Department.<sup>19</sup> The proposed project would shade portions of nearby streets and sidewalks at times within the project block. These new shadows would not exceed levels commonly expected in urban areas, and would be considered a less-than-significant effect under CEQA.

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<sup>19</sup> San Francisco Planning Department, letter dated April 1, 2013 (Case No. 2010.0726K), Shadow Analysis for 2051 Third St. A copy of this document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, California, as a part of Case File No. 2010.0726E.

In light of the above, the project would not result in a significant effect with regard to shadow, nor would the project contribute to any potential cumulative shading impacts.

## **Hazardous Materials**

### **Soil Contamination**

The project site currently consists of two existing industrial building and a surface parking area. The buildings on the site have been used historically for various industrial purposes including a rail line and spur connecting to an ore car and truck assembly facility at 650 Illinois Street; a ship maintenance equipment facility at 2051 Third Street; and Crescent Pacific Oil Company at 2065 3<sup>rd</sup> Street. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

A Phase I Environmental Site Assessment (ESA) was prepared for the project site.<sup>20</sup> An ESA describes current and prior uses of the property, reviews environmental agency databases and records, reports site reconnaissance observations, and summarizes potential soil and groundwater contamination issues. The following is a summary from the Phase I ESA for the proposed project.

The Phase 1 ESAs found several recognized environmental conditions (REC's) related to the prior uses of the properties. The property was historically used for solvent storage, a paint factory, and oil company, which all represent RECs. Additionally, the ESA found that the San Francisco Fire Department records include three underground storage tanks (UST's) installed at 2065 Third Street in 1979, including one which became a leaking underground storage tank (LUST) case with the Department of Public Health (DPH) <sup>21</sup>. A case closure from the DPH was issued for the LUST on July 22, 2005. Additionally, according to the case closure form, two 3,000 gallon gasoline tanks and one 2,000 gallon diesel tank were removed in July, 1996. The soil samples taken after the closure of the LUST found non-detectable results for Total Petroleum Hydrocarbons (TPH) as gasoline and diesel and benzene, toluene, ethylbenzene, and xylenes (BTEX). The only detectable analyte was MTBE, at a concentration of 0.018 parts per million. Additionally, the water sample results from the case closure report found non-detectable amounts of MTBE analytes.

The project site is also located within the area of the City regulated by Article 22A of the San Francisco Health Code, also known as the "The Maher Ordinance" which is administered and overseen by the Department of Public Health (DPH). The ordinance requires that soils must be analyzed for hazardous

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<sup>20</sup> Piers Environmental Service, Inc, Phase I Environmental Site Assessment, 2051 and 2065 3<sup>rd</sup> Street & 650 Illinois Street, San Francisco, December, 2010. A copy of this document is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2010.0726E.

<sup>21</sup> Piers Environmental Service, Inc, Phase I Environmental Site Assessment, Ibid

wastes if more than 50 cubic yards of soil are to be disturbed. The project site is underlain by fill and is located within the Maher area, which are both considered to be REC's. In accordance with the Maher Ordinance, the project sponsor conducted subsurface investigations of the soils on the project site.<sup>22</sup> The Phase I report concluded that based upon the REC's at the project site and the fact that the site is within the Maher area and would disturb over 50 cubic yards of soil, the report recommended that a soil and groundwater investigation be completed for the property. Based upon those recommendations, a work plan was developed to a conduct subsurface investigation of the project site.

The work plan developed for the site installed five borings. The boring samples taken were located in the area of the former oil storage tank, the former paint factory area, and in the center and south areas of the property. Samples were not taken in the location of the former UST because previous testing when the UST's were removed determined that there were non-detectable amounts of petroleum related compounds. The subsurface soil was determined to be fill consisting of silty sandy to sandy silt with concrete fragments, and lower fill encountered at 3 to 5 feet below ground surface (bgs) consisted of brick and other debris. Additionally, weathered serpentine bedrock was encountered at 4 to 14 feet bgs. The analytical results for groundwater showed elevated levels of TPH as diesel (TPHd) and motor oil (TPHmo). Additionally, groundwater concentrations for nickel and lead exceeded the groundwater Environmental Screening Levels (ESL's) issued by the California Regional Water Quality Control Board (RWQB) in at least one groundwater sample. Soil analytical results for organic compounds showed elevated TPHd and TPHmo in two of the five soil samples.

Metal concentrations in soils exceeded residential ESL's for all five soil samples, including elevated levels of chromium (Cr), cobalt (Co), and nickel (Ni) concentrations which appear to be associated with the bedrock of the project site. Elevated metal values of lead (Pb), antimony (Sb), and arsenic (As) exceed the residential ESL in multiple fill soil samples. Additionally, copper (Cu) and zinc (Zn) exceed ESL's in two soil samples. Vanadium (V) was also found to exceed the residential ESL in all soil samples. These elevated metal values are associated with the underlying fill material at the project site. The bedrock soil samples also detected asbestos at 70 to 80% in five soil samples.

The proposed project would require excavation to 17 feet below ground surface (bgs) on the project site. The excavation could result in removal of contaminated soils.<sup>23</sup> These excavated soils would need to be profiled and properly disposed of in an appropriate class landfill. Additionally, the Department of Public Health, Site Assessment and Management (DPH - SAM) would require that these materials must be

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<sup>22</sup> Piers Environmental Service, Inc, Report of Subsurface Investigation, 2051 and 2065 3rs Street & 650 Illinois Street, San Francisco, August, 2011. A copy of this document is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2010.0726E.

<sup>23</sup> Piers Environmental Service, Inc, Phase I Environmental Site Assessment, 2051 and 2065 3rs Street & 650 Illinois Street, *ibid*

removed and disposed of at a Class I landfill. Any remaining material should be sampled and characterized and fill soils containing contaminants above the ESL should be removed. Alternatively, the materials can remain in place if a deed restriction is recorded for the property and the project would place and maintain a cap over the remaining contaminated material with annual inspections to verify the cap integrity for the DPH SAM. The deed restriction may also include restrictions on groundwater use.

The Phase 1 report found that the groundwater contaminated by petroleum hydrocarbons was generally undefined laterally, and the report recommended reducing groundwater contamination as much as feasible by over excavating and pumping. Additionally, DPH will further require that groundwater will require treatment by removal or chemical/biological treatment to achieve clean up levels of 1,000 ug/L of TPHd and TPHmo and to meet the SFPUC discharge criteria.

The project sponsor proposes to support the residential building with a concrete foundation system. This project design feature would encapsulate the soil and groundwater underneath the project site. Therefore, implementation of the proposed project would further reduce any health risk through dermal contact, inhalation, and ingestion as the proposed building's concrete foundation would provide a physical barrier between any contaminations and site users.

A site mitigation plan (SMP) has been prepared and presents measures recommended in mitigating risks to the environment and risks to workers' and project site users' health and safety from the presence of metal and petroleum related contamination in the soil. The SMP has been prepared in accordance with the request of the San Francisco Department of Public Health – Site Assessment and Mitigation (DPH-SAM).

Based on these results, DPH- SAM<sup>24</sup> concluded that a SMP shall be prepared for the site and must include the items listed below:

- Sampling and profiling of the excavated soil.
- Soil sampling and profiling of any over-excavated materials.
- Confirmation soil sampling in the excavation followed planned material removal. If the cleanup guideline concentrations are not met, then additional over-excavation to bedrock and/or deed restriction will be necessary.
- If materials are over excavated, another set of confirmation soil samples will be collected following over excavation.
- Soil sample analyses should include TPH, metals, asbestos, and other criteria as required by disposal facilities.

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<sup>24</sup> San Francisco Department of Public Health, *2051 Third Street Development. Investigation Report Review and Site Mitigation Plan Request, 2051 and 2065 Third Street and 650 Illinois Street, San Francisco, CA, DPH SAM SMED 833*. October 7, 2010. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2010.0726E.

- A report describing soil sample locations and frequency, the analyses performed, and the criteria for retention versus off-site disposal analytical results, and a map showing sample locations must be submitted to and approved by DPH SAM prior to beginning construction.
- Groundwater will be sampled and analyzed as above.
- Areas of groundwater contamination will be over excavated and accumulated water pumped out to reduce contaminant concentrations. The effects of pumping and groundwater removal will be confirmed by sampling and analysis for TPH and metals. DPH SAM will be notified as least two days prior to performing the excavation and pumping. The results of this operation will be promptly reported to DPH SAM.
- If groundwater concentrations following pumping exceed 1000 ug/L for any petroleum component, a groundwater treatment plan will be developed and submitted to DPH SAM for review and approval. Once approved, the treatment plan will be implemented.
- Implement a Dust Control Plan including dust and asbestos control measures per SF Health Code Article 22B, the San Francisco Planning Department, San Francisco Building Department, BAAQMD, and any other involved agency.
- Prepare a contingency Plan that describes the procedures for controlling, containing, remediating, testing, and disposing of any unexpected contaminated soil, water, or other materials.
- Prepare a site specific worker Health and Safety Plan.
- Conduct asbestos clearance testing within the completed building following construction.
- Statement that the owner agrees to prepare a cap design, Cap Management Plan and develop a Deed Restriction with the DPH SAM and to record deed restrictions with the City and County of San Francisco Assessor's Office, if the materials above the ESL's will be left in place.

Additionally, should an underground tank be encountered, it shall be removed under permit with the DPH-SAM and the San Francisco Fire Department. The proposed project would be required to remediate potential soil and groundwater contamination described above in accordance with Article 22A of the Health Code. Therefore, the proposed project would not result in any peculiar impacts that were not identified in the Eastern Neighborhoods EIR related to hazards and hazardous materials.

### **Hazardous Building Materials**

The Eastern Neighborhoods EIR identified a significant impact related to Hazardous Building Materials and determined that *Mitigation Measure L-1: Hazardous Building Materials* would reduce effects to a less-

than-significant level. Since there are two existing building at the project site, *Mitigation Measure L-1* would apply to the project.

Implementation of Mitigation Measure L-1 would reduce effects related to hazardous building materials to a less-than-significant level.

### **Naturally Occurring Asbestos**

Results of subsurface investigation indicate that the site is underlain by weathered serpentine bedrock, which was encountered at 4 to 14 feet below ground surface (bgs) and fill consisting of heterogeneous mixture of serpentine rock fragments, clay, and sand.<sup>25</sup> The proposed project would involve construction throughout the project site, potentially releasing serpentinite into the atmosphere.

### **Health Effects of Serpentinite**

Serpentinite commonly contains naturally occurring chrysotile asbestos (NOA) or tremolite-actinolite, a fibrous mineral that can be hazardous to human health if airborne emissions are inhaled. In the absence of proper controls, NOA could become airborne during excavation and handling of excavated materials. On-site workers and the public could be exposed to airborne asbestos unless appropriate control measures are implemented. Exposure to asbestos can result in health ailments such as lung cancer, mesothelioma (cancer of the lungs and abdomen), and asbestosis (scarring of lung tissues that results in constricted breathing).<sup>26</sup> The risk of disease depends upon the intensity and duration of exposure;<sup>27</sup> health risk from NOA exposure is proportional to the cumulative inhaled dose (quantity of fibers) and increases with the time since first exposure. A number of factors influence the disease-causing potency of any given asbestos (such as fiber length and width, fiber type, and fiber chemistry); however all forms are carcinogens. Although the California Air Resources Board (ARB) has not identified a safe exposure level for asbestos in residential areas, exposure to low levels of asbestos for short periods of time poses minimal risk.<sup>28</sup>

### **Regulation Applicable to Serpentinite**

To address health concerns from exposure to NOA, ARB enacted an Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations in July 2001,

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<sup>25</sup> Earth Mechanics Consulting Engineers, "Geotechnical Investigation, Planned Development at 2051 Third Street and 650 Illinois Street, San Francisco, California," November 18, 2011. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400.

<sup>26</sup> California Air Resources Board, Fact Sheet #1 Health Information on Asbestos, 2002. Available online at: <http://www.arb.ca.gov/toxics/Asbestos/1health.pdf>. Accessed April 15, 2013.

<sup>27</sup> California Air Resources Board, Naturally Occurring Asbestos, General Information, 2002. Available online at: <http://www.arb.ca.gov/toxics/Asbestos/general.htm>. Accessed April 15, 2013.

<sup>28</sup> California Air Resources Board, Fact Sheet #1 Health Information on Asbestos, 2002. Available online at: <http://www.arb.ca.gov/toxics/Asbestos/1health.pdf>. Accessed April 15, 2013.

which became effective for projects located within the San Francisco Bay Area Air Basin (SFBAAB) on November 19, 2002. The requirements established by the Asbestos ATCM are contained in California Code of Regulations (CCR) Title 17, Section 93105,<sup>29</sup> and are enforced by the Bay Area Air Quality Management District (BAAQMD).

The Asbestos ATCM requires construction activities in areas where NOA is likely to be found to employ best available dust control measures. Additionally, as discussed in the Air Quality Section, the San Francisco Board of Supervisors approved the Construction Dust Control Ordinance in 2008 to reduce fugitive dust generated during construction activities. Dust suppression activities required by the Construction Dust Control Ordinance include: watering all active construction areas sufficiently to prevent dust from becoming airborne; increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water must be used if required by Article 21, Section 1100 et seq. of the San Francisco Public Works Code. If not required, reclaimed water should be used whenever possible. Contractors shall provide as much water as necessary to control dust (without creating run-off in any area of land clearing, and/or earth movement). During excavation and dirt-moving activities, contractors shall wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the end of the workday. Inactive stockpiles (where no disturbance occurs for more than seven days) greater than 10 cubic yards or 500 square feet of excavated materials, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10 mil (0.01 inch) polyethylene plastic (or equivalent) tarp which would need to be braced down, or other equivalent soil stabilization techniques could be used to stabilize stockpiles.

The requirements for dust control as identified in the Construction Dust Control Ordinance are as effective as the dust control measures identified in the Asbestos ATCM. Thus, the measures required in compliance with the Construction Dust Control Ordinance would protect the workers themselves as well as the public from fugitive dust that may also contain asbestos. The project sponsor would be required to comply with the Construction Dust Control Ordinance, which would ensure that significant exposure to NOA would not occur. Therefore, the proposed project would not result in a significant hazard to the public or environment from exposure to NOA and the proposed project would result in a *less than significant* impact.

### **Mitigation Measures**

The project sponsor has agreed to implement the following mitigation measures.

#### **Project Mitigation Measure 1 – Archeological Resources (Archeological Testing)**

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the

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<sup>29</sup> California Air Resources Board, Regulatory Advisory, Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations, July 29, 2002.

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

*Consultation with Descendant Communities:* On discovery of an archeological site<sup>30</sup> associated with descendant Native Americans or the Overseas Chinese an appropriate representative<sup>31</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

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

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<sup>30</sup> By the term "archeological site" is intended here to minimally included any archeological deposit, feature, burial, or evidence of burial.

<sup>31</sup> An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America.

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

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

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

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

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

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

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

The scope of the ADRP shall include the following elements:

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

*Human Remains and Associated or Unassociated Funerary Objects.* The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

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

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

**Project Mitigation Measure 2 – Noise (Mitigation Measure F-4: Siting of Noise-Sensitive Uses in the Eastern Neighborhoods Area Plans EIR)**

New development with noise-sensitive uses require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within two blocks of the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity.

The survey of the project vicinity did not identify any land uses that generate unusual noise within two blocks of the project site. Among the more prominent noise-generating uses in the vicinity are street traffic on Third and Illinois Streets, the Muni T-Third Street rail line operations, and nearby industrial uses.

Given the noise environment at the project site, it would appear that conventional construction practices, which would likely include double-paned windows (which typically offer 25 to 30 dBA noise reduction), would be sufficient to ensure an interior noise environment in habitable rooms of 45 dBA, Ldn, as required by the San Francisco Building Code. Therefore, the noise study conducted at the project site has demonstrated that acceptable interior noise levels consistent with those in the Title 24 standards can be attained by the proposed project and no further acoustical analysis or engineering is required.

**Project Mitigation Measure 3 – Hazardous Materials (Mitigation Measure L-1- Hazardous Building Materials in the Eastern Neighborhoods Rezoning and Area Plans Final EIR)**

The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.

**Public Notice and Comment**

A “Notification of Project Receiving Environmental Review” was mailed on February 6, 2013 to adjacent occupants and owners of properties within 300 feet of the project site. One member of the public expressed concerns related to impacts to private views and access to sunlight. The reduction in the accessibility to light on a private parcel resulting from a development which complies with all applicable zoning and building codes is not considered a physical environment impact under CEQA. Comments that do not pertain to physical environmental issues and comments on the merits of the proposed project will be considered in the context of project approval or disapproval, independent of the environmental review process. While these concerns or other planning considerations may be grounds for modifying or denying the proposal, in the independent judgment of the Planning Department, there is no substantial evidence that the proposed project could have a significant effect on the environment beyond the impacts identified, and mitigated as feasible, in the FEIR. No significant, adverse environmental impacts from issues of concern have been identified.

**Conclusion**

The Eastern Neighborhoods EIR incorporated and adequately addressed all potential impacts of the proposed 2051 – 2065 Third Street/650 Illinois Street project. As described above, the 2051 – 2065 Third Street/650 Illinois Street project would not have any additional or peculiar significant adverse effects not

examined in the Eastern Neighborhoods EIR, nor has any new or additional information come to light that would alter the conclusions of the Eastern Neighborhoods EIR. Thus, the proposed 2051 – 2065 Third Street/650 Illinois Street project would not have any new significant or peculiar effects on the environment not previously identified in the Final EIR for the Eastern Neighborhoods Rezoning and Area Plans, nor would any environmental impacts be substantially greater than described in the Eastern Neighborhoods EIR. No mitigation measures previously found infeasible have been determined to be feasible, nor have any new mitigation measures or alternatives been identified but rejected by the project sponsor. Therefore, the proposed project is exempt from environmental review under Section 15183 and Section 21083.3 of the California Public Resources Code.

## Attachment A Community Plan Exemption Checklist

*Case No.:* 2010.0726E  
*Project Title:* 2051 – 2065 Third Street/650 Illinois Street  
*Zoning:* UMU (Urban Mixed Use) District;  
68-X Height and Bulk District  
*Block/Lot:* 3994/001B, 001C, 006  
*Lot Size:* 19,620 square feet  
*Plan Area:* Central Waterfront subarea of the Eastern Neighborhoods  
*Staff Contact:* Chelsea Fordham – (415) 575-9071  
Chelsea.Fordham@sfgov.org

### A. PROJECT DESCRIPTION

The proposed project would involve demolition of two existing industrial buildings built in 1927 and 1926, and construction of two new six-story residential buildings with 94 residential units and a 77 off-street parking garage. The proposed new residential buildings would total approximately 106,962 gross square-feet and would have a height of 68 feet.

The 94 residential units for the proposed project would include a dwelling unit mix of 35 studio units, 19 one-bedroom units, 37 two-bedroom units, one three-bedroom unit, and two loft flex units.<sup>1</sup> The proposed parking garage area would be accessed from a 16-foot wide curb cut off of Illinois Street and would include 77 off-street parking spaces and 76 bicycle parking spaces. The 77 off-street parking spaces would include 69 spaces which would be provided via hydraulic stacking lifts, three Americans with Disabilities Act (ADA) accessible spaces, three car share spaces, and two electric car charging stations. The project is also proposing common spaces including open space and a community room. The 19,620 square-foot (sf) project site is located on a through lot that fronts on both Third and Illinois Streets. The project site is on the east side of Third Street and the west side of Illinois Street between Mariposa Street to the north and 18th Street to the south in San Francisco's Potrero Hill neighborhood. The project site consists of three lots (3994/001B, 001C, and 006) that front on Third and Illinois Streets and would be merged as part of the proposed project. The two existing industrial buildings at 2051 and 2065 Third Street were constructed in 1927 and 1926, respectively, and total 15,041 square feet and range in height from 25 feet to 12 feet. The site is located within the Central Waterfront Subarea of the Eastern Neighborhoods Plan. The project would require a Section 329 Large Project Authorization.

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<sup>1</sup> The two ground floor units along Third Street and Illinois Street are flex/ loft units with high volume (20') front rooms on the lower level overlooked by upper level lofts and private rooms above. These flex loft are proposed to be used residents as office and/or studio spaces along Third Street and Illinois Street.

## B. EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether any such impacts are addressed in the applicable final Programmatic EIR (FEIR) for the plan area.<sup>2</sup> Items checked "Sig. Impact Identified in FEIR" identify topics for which a significant impact is identified in the FEIR. In such cases, the analysis considers whether the proposed project would result in impacts that would contribute to the impact identified in the FEIR. If the analysis concludes that the proposed project would contribute to a significant impact identified in the FEIR, the item is checked "Proj. Contributes to Sig. Impact Identified in FEIR." Mitigation measures identified in the FEIR applicable to the proposed project are identified in the text of the Certificate of Determination under each topic area.

Items checked "Project Has Sig. Peculiar Impact" identify topics for which the proposed project would result in a significant impact that is peculiar to the proposed project, i.e., the impact is not identified as significant in the FEIR. If any item is checked as this in a topic, these topics will be addressed in a separate Focused Initial Study or EIR.

Any item that was not addressed in the FEIR is discussed in the Checklist. For any topic that was found in the FEIR and for the proposed project to be less than significant (LTS) or would have no impacts, the topic is marked LTS/No Impact and is discussed in the Checklist below.

<u>Topics:</u>	<u>Sig. Impact Identified in FEIR</u>	<u>Project Contributes to Sig. Impact Identified in FEIR</u>	<u>Project Has Sig. Peculiar Impact</u>	<u>LTS/ No Impact</u>
<b>1. LAND USE AND LAND USE PLANNING— Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

For a discussion of Topic 1c, please see the Certificate of Determination.

### ***FEIR***

The Eastern Neighborhoods FEIR determined that the rezoning and community plans is a regulatory program, not a physical development project; therefore, the rezoning and community

<sup>2</sup> The FEIR also refers to any Initial Study that may have been conducted for the FEIR.

plans would not create any new physical barriers in the Eastern Neighborhoods. Furthermore, the Eastern Neighborhoods FEIR determined that the rezoning would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

***No Peculiar Impacts***

The proposed project would not create any new physical barriers in the Eastern Neighborhoods. The project site contains two existing industrial buildings and one surface parking lot. The proposed project would construct two new residential buildings totaling 68-feet-tall, six-stories, and approximately 106,962 square-feet on the entirety of the existing site. Consequently, the proposed project would not physically disrupt or divide the project area or individual neighborhoods or subareas.

The project site is in the Central Waterfront Plan of the San Francisco General Plan. The project site is in the Urban Mixed Use (UMU) District, which is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially zoned area. Allowed uses within the UMU District include PDR uses such as light manufacturing, home and business services, arts activities, warehouses, and wholesaling. Additional permitted uses include retail, educational facilities, nighttime entertainment, and motor vehicle services. Housing is also permitted, but is subject to higher affordability requirements. Family-sized dwelling units are encouraged. The proposed project’s residential use is consistent with uses permitted within the UMU District.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to land use.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>2. AESTHETICS—Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and other features of the built or natural environment which contribute to a scenic public setting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### ***No Significant Impacts Identified in FEIR***

The Eastern Neighborhoods FEIR determined that implementation of the design policies and the height and bulk limits of the area plans would not substantially degrade the visual character or quality of the area, have a substantial adverse effect on a scenic vista, substantially damage scenic resources that contribute to a scenic public setting, or create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties. No mitigation measures were identified in the FEIR.

### ***No Peculiar Impacts***

The existing character of the project site and surroundings is dominated by uses typical in an urban setting, mostly one-to-three-story commercial and industrial uses and four-story mixed-use commercial/residential uses. Directly north of the project site is the proposed Mission Bay UCSF hospital campus. Additionally, southeast of the project site is Pier 70, which is an industrial ship repair facility. Public viewpoints in the project vicinity are dominated by these existing nearby buildings. There are limited views of the San Francisco Bay from some portions of the project site and the surrounding buildings. A project would have a significant effect on scenic vistas if it would substantially degrade important public view corridors and obstruct scenic views from public areas viewable by a substantial number of people. The proposed project would demolish the two existing industrial buildings that range in height from 12' – 24' and would construct two new residential building with a height of 68'. Therefore, the proposed project could limit private views of the San Francisco Bay from some nearby buildings, including adjacent residential buildings; however, the project would not degrade important public view corridors or obstruct scenic views from public areas viewable by a substantial number of people. Although some reduced private views could be an unavoidable consequence of the proposed project, any change in views would not exceed that commonly accepted in an urban setting. While this loss or change of views might be of concern to those property owners or tenants, it would not affect a substantial number of people and would not rise to a level considered to be a significant impact on the environment.

Although the new building would change the visual appearance of the project site and surroundings, it would not substantially degrade its visual character or quality. In addition, the new building would not be substantially taller than the existing development in the project vicinity such as the 5-story, 50-foot-tall building at 2011 Third Street immediately north of the project site; a 5-story, 50-foot-tall building immediately south of the project site at 2071 Third Street; and a two-story union hall building at 2085 Third Street directly south of the site. Additionally, directly across from the project site along Third Street, the existing buildings are four-story, 40-foot-tall residential buildings. The proposed building envelope and design meets Planning Code requirements for Urban Mixed Use zoning district. Therefore, the proposed

project would be visually compatible in terms of the types, heights, and massing of the buildings found in the immediate project vicinity.

The new building would introduce a new source of light and glare. However, the proposed project would comply with Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass. Therefore, the new lighting would not adversely affect day or nighttime views in the area or substantially impact other people or properties because the lighting would not extend beyond the project site.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to aesthetics.

The new building would be visible from some residential and commercial buildings within the project site vicinity, which could reduce private views. Reduced private views on private property would be an unavoidable consequence of the proposed project and may be an undesirable change for those individuals affected. Nonetheless, the change in private views would not exceed those commonly expected in an urban setting and would not constitute a significant impact under CEQA.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>3. POPULATION AND HOUSING— Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***No Significant Impacts Identified in FEIR***

The Eastern Neighborhoods FEIR determined that the anticipated increase in population and density would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the FEIR.

***No Peculiar Impacts***

One of the objectives of the Eastern Neighborhoods Rezoning and Area Plans Final EIR (FEIR) was to identify appropriate locations for housing in the City’s industrially zoned land to meet a citywide need for more housing. According to the FEIR, the rezoning would not create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply. The proposed project would increase the population on site by constructing a 106,962 square foot residential building containing 94 residential units and 77 off-street parking spaces. This increase in population would not be expected to have an adverse physical environmental impact.

The proposed project is not anticipated to create a substantial demand for increased housing because it would not provide retail /commercial space on the project site. Additionally, the proposed project would not displace substantial numbers of people because the project site is currently occupied by two vacant industrial buildings. Thus, no displacement would occur as a result of project implementation.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>4. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco <i>Planning Code</i> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please see the Certificate of Determination for discussion of this topic.

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

Please see the Certificate of Determination for discussion of this topic.

<u>Topics:</u>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>6. NOISE—Would the project:</b>				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please see the Certificate of Determination for discussion of this topic.

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<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>7. AIR QUALITY</b>				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. <b>Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please see the Certificate of Determination for discussion of this topic.

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<u>Topics:</u>	<u>Sig. Impact Identified in FEIR</u>	<u>Project Contributes to Sig. Impact Identified in FEIR</u>	<u>Project Has Sig. Peculiar Impact</u>	<u>LTS/ No Impact</u>
<b>8. GREENHOUSE GAS EMISSIONS—Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### **Greenhouse Gas Emissions**

The project proposes to construct a new residential building which would contribute to the cumulative effects of climate change by emitting greenhouse gases (GHGs) during construction and operational phases. Construction of the proposed project is estimated at approximately 14 months. Project operations would generate both direct and indirect GHG emissions. Direct operational emissions include GHG emissions from vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations.

As discussed above, the BAAQMD studies provide methodologies for analyzing GHGs, one of which is a determination of whether the proposed project is consistent with a Qualified GHG Reduction Strategy, as defined in the BAAQMD’s studies. On August 12, 2010, the San Francisco Planning Department submitted a draft of San Francisco’s *Strategies to Address Greenhouse Gas Emissions* to the BAAQMD.<sup>3</sup> This document presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco’s Qualified GHG Reduction Strategy in compliance with the BAAQMD’s studies.

The BAAQMD reviewed San Francisco’s *Strategies to Address Greenhouse Gas Emissions* and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in BAAQMD’s studies and stated that San Francisco’s “aggressive GHG reduction targets and comprehensive strategies help the Bay Area move toward reaching the State’s AB 32 goals, and also serve as a model from which other communities can learn.”<sup>4</sup>

Based on the BAAQMD’s studies, projects that are consistent with San Francisco’s *Strategies to Address Greenhouse Gas Emissions* would result in a less-than-significant impact with respect to GHG emissions. Furthermore, because San Francisco’s strategy is consistent with AB 32 goals,

<sup>3</sup> San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2010. The final document is available online at: <http://www.sfplanning.org/index.aspx?page=1570>.

<sup>4</sup> Letter from Jean Roggenkamp, BAAQMD, to Bill Wycko, San Francisco Planning Department. October 28, 2010. This letter is available online at: <http://www.sfplanning.org/index.aspx?page=1570>. Accessed November 12, 2010.

projects that are consistent with San Francisco’s strategy would also not conflict with the State’s plan for reducing GHG emissions. As discussed in San Francisco’s *Strategies to Address Greenhouse Gas Emissions*, new development and renovations/alterations for private projects and municipal projects are required to comply with San Francisco’s ordinances that reduce GHG emissions. Applicable requirements for the proposed project are shown below in Table 1.

**Table 1  
Greenhouse Gas Regulations Applicable to 2051 – 2065 Third Street/650 Illinois Street**

<b>Regulation</b>	<b>Requirements</b>	<b>Project Compliance</b>	<b>Discussion</b>
<b>Transportation Sector</b>			
Emergency Ride Home Program	All persons employed in San Francisco are eligible for the emergency ride home program.	X Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	Project related employees would be limited to leasing staff, maintenance staff and potential employees of flex unit tenants who would be eligible for the emergency ride home program.
Bicycle parking in Residential Buildings (San Francisco Planning Code, Section 155.5)	(A) For projects up to 50 dwelling units, one Class 1 space for every 2 dwelling units.  (B) For projects over 50 dwelling units, 25 Class 1 spaces plus one Class 1 space for every 4 dwelling units over 50.	X Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project proposes two class 1 bicycle storage areas. The project proposes 94 dwelling units would provide 42 Class 1 bicycle spaces and 34 additional stacking bicycle spaces totaling 76 spaces. The project as proposed meets the requirements of Planning Code, Section 155.5.
Car Sharing Requirements (San Francisco Planning Code, Section 166)	New residential projects or renovation of buildings being converted to residential uses within most of the City’s mixed-use and transit-oriented residential districts are required to provide car share parking spaces.	X Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project as proposed will provide the required amount of car share space by the provision of three car share spaces.
Parking requirements for San Francisco’s Mixed-Use zoning districts (San Francisco	The Planning Code has established parking maximums for many of San Francisco’s Mixed-Use districts.	X Project Complies <input type="checkbox"/> Not Applicable	The project would be allowed 80 maximum residential parking spaces per Section 151.1 of the planning code. The project proposes 77 parking spaces with the inclusion of a mechanical

Regulation	Requirements	Project Compliance	Discussion
Planning Code Section 151.1)		<input type="checkbox"/> Project Does Not Comply	parking system, which would comply with Section 151.1.
<b>Energy Efficiency Sector</b>			
San Francisco Green Building Requirements for Energy Efficiency (San Francisco Building Code, Chapter 13C)	Under the Green Point Rated system and in compliance with the Green Building Ordinance, all new residential buildings will be required to be at a minimum 15% more energy efficient than Title 24 energy efficiency requirements.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project will provide energy efficiency at a minimum of 15% above Title 24 energy efficiency requirements.
San Francisco Green Building Requirements for Stormwater Management (San Francisco Building Code, Chapter 13C) Or San Francisco Stormwater Management Ordinance (Public Works Code Article 4.2)	Requires all new development or redevelopment disturbing more than 5,000 square feet of ground surface to manage stormwater on-site using low impact design. Projects subject to the Green Building Ordinance Requirements must comply with either LEED® Sustainable Sites Credits 6.1 and 6.2, or with the City’s Stormwater Management Ordinance and stormwater design guidelines.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The proposed project would disturb over 5,000 square feet, which subjects the project to the SFPUC’s stormwater design guidelines, which emphasize low impact development using a variety of Best Management Practices for managing stormwater runoff. The project would comply with these requirements.
San Francisco Water Efficient Irrigation Ordinance	Projects that include 1,000 square feet (sf) or more of new or modified landscape are subject to this ordinance, which requires that landscape projects be installed, constructed, operated, and maintained in accordance with rules adopted by the SFPUC that establish a water budget for outdoor water consumption.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project will have hardscape podium top and roof deck open space landscape area in excess of 5,000sf. The project will comply with the provisions of the San Francisco Water Efficient Irrigation Ordinance.

Regulation	Requirements	Project Compliance	Discussion
	<p>Tier 1: 1,000 sf &lt;= project landscape &lt; 2,500 sf</p> <p>Tier 2: Project landscape area is greater than or equal to 2,500 sf. Note; Tier 2 compliance requires the services of landscape professionals.</p> <p>See the SFPUC Web site for information regarding exemptions to this requirement. www.sfwater.org/landscape</p>		
<p>Residential Water Conservation Ordinance (San Francisco Building Code, Housing Code, Chapter 12A)</p>	<p>Requires all residential properties (existing and new), prior to sale, to upgrade to the following minimum standards:</p> <ol style="list-style-type: none"> <li>1. All showerheads have a maximum flow of 2.5 gallons per minute (gpm)</li> <li>2. All showers have no more than one showerhead per valve</li> <li>3. All faucets and faucet aerators have a maximum flow rate of 2.2 gpm</li> <li>4. All Water Closets (toilets) have a maximum rated water consumption of 1.6 gallons per flush (gpf)</li> <li>5. All urinals have a maximum flow rate of 1.0 gpf</li> <li>6. All water leaks have been repaired.</li> </ol> <p>Although these requirements apply to existing buildings, compliance must be completed through the Department of Building Inspection, for which a discretionary permit (subject to CEQA) would be issued.</p>	<p>X Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The project would be required to comply with the Residential Water Conservation Ordinance.</p>

Regulation	Requirements	Project Compliance	Discussion
<b>Waste Reduction Sector</b>			
<p>Mandatory Recycling and Composting Ordinance (San Francisco Environment Code, Chapter 19) and San Francisco Green Building Requirements for solid waste (San Francisco Building Code, Chapter 13C)</p>	<p>All persons in San Francisco are required to separate their refuse into recyclables, compostables and trash, and place each type of refuse in a separate container designated for disposal of that type of refuse.</p> <p>Pursuant to Section 1304C.0.4 of the Green Building Ordinance, all new construction, renovation and alterations subject to the ordinance are required to provide recycling, composting and trash storage, collection, and loading that is convenient for all users of the building.</p>	<p><input checked="" type="checkbox"/> Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project is the construction of a residential building which would be required to comply with the Mandatory Recycling and Composting Ordinance. There are two sets of trash chutes, one set per building and two dumpster rooms one off each street frontage.</p>
<p>San Francisco Green Building Requirements for construction and demolition debris recycling (San Francisco Building Code, Chapter 13C)</p>	<p>Projects proposing demolition are required to divert at least 75% of the project's construction and demolition debris to recycling.</p>	<p><input checked="" type="checkbox"/> Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project would require the demolition of two existing buildings prior to construction and would comply with the San Francisco Green Building Requirements for construction and demolition debris recycling (San Francisco Building Code, Chapter 13C)</p>
<p>San Francisco Construction and Demolition Debris Recovery Ordinance (San Francisco Environment Code, Chapter 14)</p>	<p>Requires that a person conducting full demolition of an existing structure to submit a waste diversion plan to the Director of the Environment which provides for a minimum of 65% diversion from landfill of construction and demolition debris, including materials source separated for reuse or recycling.</p>	<p><input checked="" type="checkbox"/> Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project would be require the full demolition of two existing buildings prior to construction and would comply with the San Francisco Construction and Demolition Debris Recovery Ordinance (San Francisco Environment Code, Chapter 14)</p>

Regulation	Requirements	Project Compliance	Discussion
<b>Environment/Conservation Sector</b>			
Street Tree Planting Requirements for New Construction (San Francisco Planning Code Section 138.1)	Planning Code Section 138.1 requires new construction, significant alterations or relocation of buildings within many of San Francisco's zoning districts to plant on 24-inch box tree for every 20 feet along the property street frontage.	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project has 106 feet of frontage on both Third Street and Illinois Street and would therefore require five street trees on each frontage. There are currently five street trees on Third Street that would be removed and the project proposes to plant six additional street trees along Illinois Street.
Construction Site Runoff Pollution Prevention for New Construction (San Francisco Building Code, Chapter 13C)	<p>Construction Site Runoff Pollution Prevention requirements depend upon project size, occupancy, and the location in areas served by combined or separate sewer systems.</p> <p>Projects meeting a LEED® standard must prepare an erosion and sediment control plan (LEED® prerequisite SSP1).</p> <p>Other local requirements may apply regardless of whether or not LEED® is applied such as a stormwater soil loss prevention plan or a Stormwater Pollution Prevention Plan (SWPPP).</p> <p>See the SFPUC Web site for more information:  <a href="http://www.sfwater.org/CleanWater">www.sfwater.org/CleanWater</a></p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	The project would develop and implement construction activity pollution prevention and site run-off controls adopted by the San Francisco Public Utilities Commission, as applicable.
Low-emitting Adhesives, Sealants, and Caulks (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2,	<p><b>If meeting a LEED Standard:</b></p> <p>Adhesives and sealants (VOCs) must meet SCAQMD Rule 1168 and aerosol adhesives must meet Green Seal standard GS-36.</p> <p>(Not applicable for New High Rise</p>	<input checked="" type="checkbox"/> Project Complies <input type="checkbox"/> Not Applicable <input type="checkbox"/> Project Does Not Comply	Any VOCs used by the project will meet SCAQMD Rule 1168.

Regulation	Requirements	Project Compliance	Discussion
13C.5.103.3.2, 13C.5.103.2.2, 13C.504.2.1)	residential)  <b>If meeting a GreenPoint Rated Standard:</b>  Adhesives and sealants (VOCs) must meet SCAQMD Rule 1168.		
Low-emitting materials (San Francisco Building Code, Chapters 13C.4. 103.2.2,	For Small and Medium-sized Residential Buildings - Effective January 1, 2011 meet GreenPoint Rated designation with a minimum of 75 points.  For New High-Rise Residential Buildings - Effective January 1, 2011 meet LEED Silver Rating or GreenPoint Rated designation with a minimum of 75 points.  For Alterations to residential buildings submit documentation regarding the use of low-emitting materials.  <b>If meeting a LEED Standard:</b>  For adhesives and sealants (LEED credit EQ4.1), paints and coatings (LEED credit EQ4.2), and carpet systems (LEED credit EQ4.3), where applicable.  <b>If meeting a GreenPoint Rated Standard:</b>  Meet the GreenPoint Rated Multifamily New Home Measures for low-emitting adhesives and sealants, paints and coatings, and carpet systems,	X Project Complies  <input type="checkbox"/> Not Applicable  <input type="checkbox"/> Project Does Not Comply	The project will meet a GreenPoint Rated designation in excess of 75 points.

Regulation	Requirements	Project Compliance	Discussion
<p>Low-emitting Paints and Coatings (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2 13C.504.2.2 through 2.4)</p>	<p><b>If meeting a LEED Standard:</b></p> <p>Architectural paints and coatings must meet Green Seal standard GS-11, anti-corrosive paints meet GC-03, and other coatings meet SCAQMD Rule 1113.</p> <p>(Not applicable for New High Rise residential)</p> <p><b>If meeting a GreenPoint Rated Standard:</b></p> <p>Interior wall and ceiling paints must meet &lt;50 grams per liter VOCs regardless of sheen. VOC Coatings must meet SCAQMD Rule 1113.</p>	<p>X Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project would be subject to and would comply with this regulation.</p>
<p>Low-emitting Flooring, including carpet (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2, 13C.504.3 and 13C.4.504.4)</p>	<p><b>If meeting a LEED Standard:</b></p> <p>Hard surface flooring (vinyl, linoleum, laminate, wood, ceramic, and/or rubber) must be Resilient Floor Covering Institute FloorScore certified; carpet must meet the Carpet and Rug Institute (CRI) Green Label Plus; Carpet cushion must meet CRI Green Label; carpet adhesive must meet LEED EQc4.1.</p> <p>(Not applicable for New High Rise residential)</p> <p><b>If meeting a GreenPoint Rated Standard:</b></p> <p>All carpet systems, carpet cushions, carpet adhesives, and at least 50% of resilient flooring must be low-emitting.</p>	<p>X Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project would be subject to and would comply with this regulation.</p>

Regulation	Requirements	Project Compliance	Discussion
Low-emitting Composite Wood (San Francisco Building Code, Chapters 13C.5.103.1.9, 13C.5.103.4.2, 13C.5.103.3.2, 13C.5.103.2.2 and 13C.4.504.5)	<p><b>If meeting a LEED Standard:</b></p> <p>Composite wood and agrifiber must not contain added urea-formaldehyde resins and must meet applicable CARB Air Toxics Control Measure.</p> <p><b>If meeting a GreenPoint Rated Standard:</b></p> <p>Must meet applicable CARB Air Toxics Control Measure formaldehyde limits for composite wood.</p>	<p>X Project Complies</p> <p><input type="checkbox"/> Not Applicable</p> <p><input type="checkbox"/> Project Does Not Comply</p>	<p>The proposed project would be subject to and would comply with this regulation.</p>

Depending on a proposed project’s size, use, and location, a variety of controls are in place to ensure that a proposed project would not impair the State’s ability to meet statewide GHG reduction targets outlined in AB 32, nor impact the City’s ability to meet San Francisco’s local GHG reduction targets. Given that: (1) San Francisco has implemented regulations to reduce GHG emissions specific to new construction and renovations of private developments and municipal projects; (2) San Francisco’s sustainable policies have resulted in the measured success of reduced GHG emissions levels; (3) San Francisco has met and exceeded AB 32 GHG reduction goals for the year 2020; (4) current and probable future state and local GHG reduction measures will continue to reduce a project’s contribution to climate change; and (5) San Francisco’s *Strategies to Address Greenhouse Gas Emissions* meet BAAQMD’s requirements for a Qualified GHG Reduction Strategy, projects that are consistent with San Francisco’s regulations would not contribute significantly to global climate change. The proposed project would be subject to and would comply with these requirements. In addition, the proposed project was determined to be consistent with San Francisco’s *Strategies to Address Greenhouse Gas Emissions*.<sup>5</sup>

For the above reasons, the proposed project would not result in any peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to GHG emissions.

<sup>5</sup> San Francisco Planning Department, Greenhouse Gas Analysis: Compliance Checklist, August 5, 2013 . This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400 as part of Case No. 2010.0726E.

<u>Topics:</u>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>9. WIND AND SHADOW—Would the project:</b>				
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

For a discussion on Topic 9b, please see the Certificate of Determination.

***FEIR***

Wind impacts are directly related to building design and articulation and the surrounding site conditions. The Eastern Neighborhoods FEIR determined the rezoning and community plans would not result in a significant impact to wind because the Planning Department, in review of specific future projects, would continue to require analysis of wind impacts, where deemed necessary, to ensure that project-level wind impacts would be mitigated to a less-than-significant level. No mitigation measures were identified in the FEIR.

***No Peculiar Impacts***

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. The proposed 68-foot-tall building would be similar in height to existing buildings in the area. For the above reasons, the proposed project is not anticipated to cause peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to wind.

<u>Topics:</u>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>10. RECREATION—Would the project:</b>				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***No Significant Impacts Identified in FEIR***

The Eastern Neighborhoods FEIR determined that the anticipated increase in population would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have a significant adverse effect on the environment. No mitigation measures were identified in the FEIR.

***No Peculiar Impacts***

The proposed project would provide on-site open space for passive recreational use for project residents through a combination of courtyards and common roof decks. The project location is served by the following existing parks: Espirit Park, Port open space, and future Mission Bay open spaces. With the projected addition of 94 residential units, the proposed project would be expected to result in a small increase in demand for recreational facilities. The increase in demand would not be in excess of amounts expected and provided for in the area and the City as a whole. The additional use of the recreational facilities would be relatively minor compared with the existing use and therefore, the proposed project would not result in substantial additional physical deterioration of existing recreational resources. Thus, the proposed project would not result in significant impacts, either individually or cumulatively, in regard to recreation facilities, nor require the construction or expansion of public recreation facilities. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to recreational resources.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>11. UTILITIES AND SERVICE SYSTEMS—Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***No Significant Impacts Identified in FEIR***

The Eastern Neighborhoods FEIR determined that the anticipated increase in population would not result in a significant impact regarding the provision of water, wastewater collection and treatment, and solid waste collection and disposal. No mitigation measures were identified in the FEIR.

***No Peculiar Impacts***

The proposed project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board and would not require the construction of new wastewater/storm water treatment facilities or expansion of existing ones. The proposed project would have sufficient water supply available from existing entitlement, and solid waste generated by project construction and operation would not result in the landfill exceeding its permitted capacity, and the project would not result in a significant solid waste generation impact. Utilities and service systems would not be adversely affected by the project, individually or cumulatively, and no significant impact would ensue.

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<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>12. PUBLIC SERVICES— Would the project:</b>				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***No Significant Impacts Identified in FEIR***

The Eastern Neighborhoods FEIR determined that the anticipated increase in population would not result in a significant impact to public services , including fire protection, police protection, and public schools. No mitigation measures were identified in the FEIR. Impacts on parks and recreation are discussed under Topics 9 and 10.

***No Peculiar Impacts***

The proposed project would not substantially increase demand for police or fire protection services and would not necessitate new school facilities in San Francisco. The proposed project would not result in a significant impact to public services. The proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already disclosed in the Eastern Neighborhoods FEIR, associated with public services.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>13. BIOLOGICAL RESOURCES— Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***No Significant Impacts Identified in FEIR***

The Eastern Neighborhoods project area is almost fully developed with buildings and other improvements such as streets and parking lots. Most of the project area consists of structures that have been in industrial use for many years. As a result, landscaping and other vegetation is sparse, except for a few parks. Because future development projects in the Eastern

Neighborhoods would largely consist of new construction of housing in these heavily built-out former industrial neighborhoods, vegetation loss or disturbance of wildlife other than common urban species would be minimal. Therefore, the Eastern Neighborhoods FEIR concluded that implementation of the Plan would not result in any significant effects related to biological resources. No mitigation measures were identified in the FEIR.

### ***No Peculiar Impacts***

The existing project site is covered entirely by existing buildings and a surface parking area. Similar to the rest of the Eastern Neighborhoods Area Plan area, the project site does not support or provide habitat for any rare or endangered wildlife species, animal, or plant life or habitat.

The San Francisco Planning Department, Department of Building Inspection (DBI), and Department of Public Works (DPW) have established guidelines to ensure that legislation adopted by the Board of Supervisors governing the protection of trees is implemented. Code Section 8.02-8.11 requires disclosure and protection of Landmark, Significant, and Street trees, collectively "protected trees" located on private and public property. A Landmark Tree has the highest level of protection and must meet certain criteria for age, size, shape, species, location, historical association, visual quality, or other contribution to the city's character and have been found worthy of Landmark status after public hearings at both the Urban Forestry Council and the Board of Supervisors. A Significant tree is either on property under the jurisdiction of the DPW, or on privately owned land within 10 feet of the public-right-of-way, that is greater than 20 feet in height or which meets other criteria. A Tree Disclosure Statement prepared for the project site noted that there is one Significant tree and four street trees on the project site. The proposed project would remove the four existing street trees to allow for construction of the proposed project, and would include the planting of six new trees along Illinois Street. The removal of a protected tree would require issuance of a permit from the Director of Public Works, and may be subject to replacement or payment of an in-lieu fee in the form of a contribution to the City's Adopt-a-Tree Fund. Compliance with the requirements set forth in DPW Code Section 8.02-8.11 would ensure that potential impacts to trees protected under the City's Tree Preservation Ordinance would be less than significant. Therefore, the proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Furthermore, in September 2011, the Board of Supervisors approved Planning Code Section 139 amendments to incorporate bird-safe building standards into the code, and adopted the Standards for Bird-Safe Buildings. Planning Code Section 139, Standards for Bird-Safe Buildings, focuses on buildings that create location specific hazards and building feature-related hazards. Location-specific hazards apply to buildings within 300 feet of, and having a direct line of sight to, an urban bird refuge, including open spaces 2 acres and larger dominated by vegetation, wetlands, or open water. Building feature-related hazards include free-standing clear glass walls,

skywalks, greenhouses on rooftops, and balconies that have unbroken glazed segments measuring 24 square feet or larger. The Standards for Bird-Safe Buildings include guidelines for use and types of glass and façade treatments, wind generators and grates, and lighting treatments that would prevent impacts on avian species.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to biological resources.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>14. GEOLOGY AND SOILS—</b>				
<b>Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***No Significant Impacts Identified in FEIR***

The Eastern Neighborhoods FEIR concluded that the project would indirectly increase the population that would be subject to an earthquake, including seismically induced groundshaking, liquefaction, and landslides. The FEIR also noted that new development is generally safer than comparable older development due to improvements in building codes and

construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risk, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Therefore, the FEIR concluded that the project would not result in significant impacts to geology. No mitigation measures were identified in the FEIR.

### ***No Peculiar Impacts***

A geotechnical investigation was prepared for the proposed project.<sup>6</sup> The following discussion relies on the information provided in the geotechnical investigation.

The topography of the project site slopes slightly downward towards the northeast at an average inclination of approximately 30:1. Geotechnical soil borings were excavated to a maximum depth of approximately 71.5 feet below ground surface (bgs). Based on the soil analysis of the borings, the project site is underlain by artificial fill to a depth of 25 feet, marsh deposits between a depth of 25 to 30 feet, and alluvial deposits to the maximum depth explored of 71.5 feet. The artificial fill of heterogeneous mixture of serpentine rock fragments, clay and sand. Groundwater was encountered at depths of 11 to 15 feet bgs. Additionally, groundwater would vary with time and seepage of groundwater may be encountered near the ground surface during rain or irrigation upslope of the project site.

The project site does not lie within an Alquist-Priolo Earthquake Fault Zone as defined by the California Division of Mines and Geology. No known active faults cross the project site. The closest mapped active fault in the vicinity of the project site is the San Andreas Fault, located approximately 7.1 miles southwest from the project site. The proximity would likely result in strong earthquake shaking at the project site.

The project site is located within a liquefaction potential zone as mapped by the California Division of Mines and Geology for the City and County of San Francisco. Based on project site conditions, a quantitative liquefaction analysis was performed. The results of the analysis show that there are isolated sandy pockets within the fill that may be subject to liquefaction during strong to moderate earthquake shaking. These liquefiable soils were observed between the depths of about 11 and 35 feet. Additionally, the geotechnical report states that the impact of liquefaction on the planned improvements would be limited to settlements of improvements supported on or near the ground surface, such as utilities and flatwork, and settlement should be limited to one inch due to post-liquefactions volumetric strain. The geotechnical investigation also found that there is a potential for seismic densification of the fill materials at the subject site during strong earthquake shaking. During earthquake shaking, loose granular soils above the

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<sup>6</sup> Earth Mechanics Consulting Engineers, "Geotechnical Investigation, Planned Development at 2051 Third Street and 650 Illinois Street, San Francisco, California," November 18, 2011. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400.

groundwater may densify resulting in the settlement of the ground surface. Seismic densification from ground shaking may result in less than one half inch of settlement at the project site.

The geotechnical investigation concluded the potential hazard associated with lateral spreading, tsunami inundation, seiches, landsliding, and corrosive soils would not be significant at the project site.

The geotechnical investigation provided recommendations for the proposed project’s site preparation, grading, seismic design, and foundation design and recommends that a deep foundation extending through the fill and marsh deposits and into competent alluvial deposits be used. This would be anticipated to be either drilled piers or driven piles. Additionally, the investigation recommends that during construction activities temporary slopes would be necessary during excavations and underpinning of adjacent structures during construction may be necessary. The deep support system would be intended to reduce potential liquefaction, differential settlement, and compressibility.

Based on the above-noted recommendations, the geotechnical investigation concluded that the project would not cause significant geology and soil impacts. The proposed project would follow the recommendations of the geotechnical investigation by incorporating the recommendations into the final building design, including drilling approximately 150 displacement piles to support the proposed foundation to approximately 30 feet bgs, subject to the building permit review process. The Department of Building Inspection, through this process, reviews the geotechnical investigation to determine the adequacy of necessary engineering and design features to ensure compliance with all Building Code provisions regarding structural safety. Past geological and geotechnical investigations would be available for use by DBI during its review of building permits for the project site. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to geology and soils.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>15. HYDROLOGY AND WATER QUALITY— Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

***No Significant Impacts Identified in FEIR***

The Eastern Neighborhoods FEIR determined that the anticipated increase in population would not result in a significant impact to hydrology and water quality, including the combined sewer system and the potential for combined sewer outflows. No mitigation measures were identified in the FEIR.

***No Peculiar Impacts***

The existing project site is completely covered by two existing buildings and a surface parking area. The proposed project would construct a new building on the entirety of the project site. Groundwater is relatively shallow throughout the project site at approximately 11 to 15 feet

below grade. The proposed project's excavation has the potential to encounter groundwater, which could impact water quality. Any groundwater encountered during construction of the proposed project would be subject to requirements of the City's Sewer Use Ordinance (Ordinance Number 19-92, amended 116-97), as supplemented by Department of Public Works Order No. 158170, requiring a permit from the Wastewater Enterprise Collection System Division of the San Francisco Public Utilities Commission. A permit may be issued only if an effective pretreatment system is maintained and operated. Each permit for such discharge shall contain specified water quality standards and may require the project sponsor to install and maintain meters to measure the volume of the discharge to the combined sewer system. Although dewatering would be required during construction, any effects related to lowering the water table would be temporary and would not be expected to substantially deplete groundwater resources.

The proposed project would not increase the amount of impervious surface area on the project site. In accordance with the Stormwater Management Ordinance (Ordinance No. 83-10), the proposed project would be required to implement Low Impact Design (LID) approaches and stormwater management systems in compliance with the Stormwater Design Guidelines. Therefore, the proposed project would not have significant runoff and drainage impacts. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to hydrology and water quality.

<u>Topics:</u>	<u>Sig. Impact Identified in FEIR</u>	<u>Project Contributes to Sig. Impact Identified in FEIR</u>	<u>Project Has Sig. Peculiar Impact</u>	<u>LTS/ No Impact</u>
<b>16. HAZARDS AND HAZARDOUS MATERIALS</b>				
<b>Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please see the Certificate of Determination for discussion of this topic.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>17. MINERAL AND ENERGY RESOURCES— Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***No Significant Impacts Identified in FEIR***

The Eastern Neighborhoods FEIR determined that the project would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in the use of large amounts of fuel, water, or energy in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by the Department of Building Inspection. The project area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the Eastern Neighborhoods FEIR concluded that implementation of the plan would not result in a significant impact to mineral and energy resources. No mitigation measures were identified in the FEIR.

**No Peculiar Impacts**

No operational mineral resource recovery sites exist in the project area whose operations or accessibility would be affected by the proposed project. The energy demand for the proposed project would be typical for such projects and would meet, or exceed, current state or local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by the Department of Building Inspection. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to mineral and energy resources.

<b>Topics:</b>	<b>Sig. Impact Identified in FEIR</b>	<b>Project Contributes to Sig. Impact Identified in FEIR</b>	<b>Project Has Sig. Peculiar Impact</b>	<b>LTS/ No Impact</b>
<p><b>18. AGRICULTURE AND FOREST RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. – <b>Would the project:</b></p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**No Significant Impacts Identified in FEIR**

The Eastern Neighborhoods FEIR determined that no agricultural resources exist in the Plan Area; therefore implementation of the rezoning and community plans would have no effect on agricultural resources. No mitigation measures were identified in the FEIR.

The Eastern Neighborhoods FEIR did not analyze the effects on forest resources, which do not exist in the area

**No Peculiar Impacts**

The existing project site consists of two existing buildings and a surface parking area and is located within the Central Waterfront area analyzed under the Eastern Neighborhoods FEIR. Therefore, no agricultural uses, forest land, or timberland exist at the project site. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to agricultural resources.

<i>Topics:</i>	<i>Sig. Impact Identified in FEIR</i>	<i>Project Contributes to Sig. Impact Identified in FEIR</i>	<i>Project Has Sig. Peculiar Impact</i>	<i>LTS/ No Impact</i>
<b>19. MANDATORY FINDINGS OF SIGNIFICANCE— Would the project:</b>				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Significant Impacts Identified in FEIR**

The Eastern Neighborhoods FEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Mitigation measures reduced all impacts to less than significant, with the exception of those related to land use (cumulative impacts on PDR use), transportation (traffic impacts at nine intersections and transit impacts on seven Muni lines), cultural (demolition of historical resources), and shadow (impacts on parks).

**No Peculiar Impacts**

The proposed project would include construction of a 94 unit residential building. As discussed in this document, the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already and disclosed in the Eastern Neighborhoods FEIR.

**C. DETERMINATION**

On the basis of this review, it can be determined that:

- The proposed project qualifies for consideration of a Community Plan exemption based on the applicable General Plan and zoning requirements; **AND**
- All potentially significant individual or cumulative impacts of the proposed project were identified in the applicable programmatic EIR (PEIR) for the Plan Area, and all applicable mitigation measures have been or incorporated into the proposed project or will be required in approval of the project.
- The proposed project may have a potentially significant impact not identified in the PEIR for the topic area(s) identified above, but that this impact can be reduced to a less-than-significant level in this case because revisions in the project have been made by or agreed to by the project proponent. A focused Initial Study and MITIGATED NEGATIVE DECLARATION is required, analyzing the effects that remain to be addressed.
- The proposed project may have a potentially significant impact not identified in the PEIR for the topic area(s) identified above. An ENVIRONMENTAL IMPACT REPORT is required, analyzing the effects that remain to be addressed.



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

DATE December 3, 2013