

Appendix A:

Notice of Preparation (NOP) and Community Plan Exemption Checklist

TO THE

Draft Environmental Impact Report

901 16th Street and 1200 17th Street Project

PLANNING DEPARTMENT
CASE NO. 2011.1300E

STATE CLEARINGHOUSE NO. 2015022048



**SAN FRANCISCO
PLANNING
DEPARTMENT**

Written comments should be sent to:

Sarah B. Jones Environmental Review Officer | 1650 Mission Street, Suite 400 | San Francisco, CA 94103
or Sarah.B.Jones@sfgov.org



SAN FRANCISCO PLANNING DEPARTMENT

Notice of Preparation of an Environmental Impact Report, Public Scoping Meeting and Community Plan Exemption Checklist

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Case No.: 2011.1300E
Project Address: 901 16th Street and 1200 17th Street
Zoning: UMU (Urban Mixed Use) Use District
48-X (southern portion of project site) and 68-X (northern portion of project site) Height and Bulk District
Block/Lot: 3949/001, 001A, 002, and 3950/001
Lot Size: 152,460 square feet (combined for four lots)
Plan Area: Showplace Square/Potrero Subarea of the Eastern Neighborhoods Rezoning and Area Plan
Project Sponsor: Josh Smith for Potrero Partners, LLC – (650) 348-3232
jsmith@waldenddevelopment.com
Staff Contact: Wade Wietgreffe – (415) 575-9050
Wade.Wietgreffe@sfgov.org

PROJECT SUMMARY

The project site consists of four adjacent lots in the lower Potrero Hill neighborhood. The approximately 3.5-acre project site is bounded by 16th Street to the north, Mississippi Street to the east, 17th Street to the south, and residential and industrial buildings to the west. The project site currently contains two steel shed industrial warehouse buildings, a brick office building, a modular office structure, and surface parking lots.

The proposed project would merge the four lots into two lots, demolish the two warehouses and the modular office structure, preserve the brick office building, and retain some materials from one of the steel sheds for reuse within the project. The project sponsor proposes to construct two new buildings on-site: a new six-story, 68-foot tall (excluding rooftop projections of up to 82 feet), approximately 402,943 gross square foot (gsf) residential mixed use building (the “16th Street building”) consisting of 260 dwelling units and 20,318 gsf of retail on the northern lot and a new four-story 48-foot tall (excluding rooftop projections of up to 52 feet), approximately 213,509 gsf residential mixed use building (the “17th Street building”) consisting of 135 dwelling units and 4,650 gsf of retail on the southern lot. In addition, the proposed project would construct a new publicly accessible pedestrian alley along the entirety of its western property line. Combined, the two new buildings would also contain 388 vehicular parking spaces and 455 off-street bicycle parking spaces.

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 proposed project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the proposed 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 proposed 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. Section 15183(b) specifies that in approving a project meeting the requirements of Section 15183, a public agency shall limit its examination of environmental effects to those which the agency determines in an initial study or other analysis (here, the attached Community Plan Exemption Checklist) were not analyzed as significant effects in the prior EIR prepared for the general plan, community plan, or zoning action.

This document evaluates the potential project-specific environmental effects peculiar to the 901 16th Street and 1200 17th Street Project ("proposed project"), and incorporates by reference information contained within the *Eastern Neighborhoods Rezoning and Area Plans EIR (Eastern Neighborhoods PEIR)* (Case No. 2004.0160E; State Clearinghouse No. 2005032048), which is the underlying EIR for the proposed project. Project-specific studies summarized in this determination were prepared for the proposed project to determine if there would be any additional potentially significant impacts attributable to (i.e., "peculiar" to) the proposed project. The Community Plan Exemption Checklist contained in this document identifies the potential environmental impacts of the proposed project and indicates whether such impacts were addressed in the *Eastern Neighborhoods PEIR* or if particular topics are to be further evaluated in an Environmental Impact Report (EIR) to be prepared for the proposed project per Section 15183(b).

The following Community Plan Exemption Checklist assesses the proposed project's potential to cause environmental impacts and concludes that the proposed project would not result in new, project-specific environmental impacts, or impacts of greater severity than were already analyzed and disclosed in the *Eastern Neighborhoods PEIR* for the following issue topics: land use and land use planning; aesthetics; population and housing; paleontological and archeological resources; noise; air quality; greenhouse gas emissions; wind and shadow; recreation; utilities and service systems; public services; biological resources; geology and soils; hydrology and water quality; hazards and hazardous materials; mineral and energy resources; and agriculture and forest resources. A focused EIR will be prepared to address the following topics: historic architectural resources and transportation and circulation. 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 of the proposed project. In addition, this determination identifies mitigation measures contained in the *Eastern Neighborhoods PEIR* that would be applicable to the proposed project. Relevant information pertaining to prior environmental review conducted for the *Eastern Neighborhoods PEIR* as well as an evaluation of the potential impacts of the proposed project are provided in the Community Plan Exemption (CPE) Checklist prepared for the proposed project.

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 an amendment to the San Francisco General Plan, 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 business uses.

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 Rezoning and Area Plan EIR (Eastern Neighborhoods PEIR)* by Motion 17659¹ and adopted the Preferred Project for final recommendation to the Board of Supervisors.²

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods rezoning and Planning Code amendments and new Area Plans for Central Waterfront, East SoMa, Mission, and Showplace Square/Potrero. 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 PEIR* was a comprehensive programmatic document that presented an analysis of the environmental effects of implementation of the *Eastern Neighborhoods Plan*, as well as the potential impacts under several proposed alternative scenarios. The *Eastern Neighborhoods PEIR* evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a “No Project” alternative. After fully considering the environmental effects of and the various alternative scenarios discussed in the *Eastern Neighborhoods PEIR*, the alternative adopted by the Planning Commission was a combination of Options B and C.

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 PEIR* 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.

The project site is in the Showplace Square/Potrero Area of the Eastern Neighborhoods Area Plan, which contains objectives and policies guiding development of the project site. The project site falls within the 16th-17th Street Corridor area plan designation (refer to Map 2 – Generalized Zoning Districts), which encourages increased residential density mixed with existing PDR uses along 16th Street in acknowledgement of good transit service. The plan also encourages limited-scale, neighborhood serving retail uses. Pursuant to the Eastern Neighborhoods Rezoning and Area Plans as approved on January 19, 2009, the project site was re-zoned to Urban Mixed Use (UMU) that allows maximum building heights of 68 feet along 16th Street and 48 feet on 17th Street.^{3, 4}

¹ San Francisco Planning Department, Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (PEIR), Planning Department Case No. 2004.0160E, State Clearinghouse No. 2005032048, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>.

² San Francisco Planning Commission Motion 17659, August 7, 2008. This document is available online at <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>.

³ The following zoning and height district maps were included at the PEIR Certification hearing: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1260>.

The UMU District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed in Section 1, Land Use and Planning in the attached Community Plan Exemption checklist.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans 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 is required. This determination concludes that the proposed project is generally consistent with and was encompassed within the analysis in the *Eastern Neighborhoods PEIR*. This determination also finds that the *Eastern Neighborhoods PEIR* adequately anticipated and described the majority of the impacts of the proposed project, and identified the mitigation measures applicable to the proposed project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{5, 6}

ENVIRONMENTAL REVIEW TOPICS

The Planning Department has determined that the proposed project is in conformance with the height, use, and density for the site described in the *Eastern Neighborhoods PEIR*. However, the proposed project could result in potentially significant environmental effects not covered in the *Eastern Neighborhoods PEIR* per Section 15183(b). As required by CEQA, an EIR will be prepared to examine these effects, identify mitigation measures for potentially significant impacts, and analyze whether proposed mitigation measures would reduce the significant environmental impacts to less-than-significant levels. The EIR will also analyze alternatives to the proposed project that could substantially reduce or eliminate one or more significant impacts of the proposed project but could still feasibly attain most of the basic project objectives.

The EIR will be focused to address the following topics:

- Historic Architectural Resources; and
- Transportation and Circulation.

The Community Plan Exemption Checklist for the proposed project included in this document covers the following topics, which are not anticipated to be addressed in the EIR: land use and land use planning; aesthetics; population and housing; paleontological and archeological resources; noise; air quality; greenhouse gas emissions; wind and shadow; recreation; utilities and service systems; public services; biological resources; geology and soils; hydrology and water quality; hazards and hazardous materials; mineral and energy resources; and agriculture and forest resources. These topics may however be covered in the EIR if it is later determined

⁴ On July 21, 2011 the Planning Commission took further action to amend the Zoning Map and make numerous technical corrections, including rezoning the 47 square foot parcel (Block 3949 Lot 001A) within the project site from MUR to UMU and increasing the height limit of that parcel from 40 feet to 68 feet, consistent with the zoning and height limit of surrounding properties. This document is available at: <http://commissions.sfplanning.org/cpcpackets/2011.0559TZ.pdf>.

⁵ Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 901 16th Street and 1200 17th Street, September 3, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.1300E.

⁶ Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 901 16th Street and 1200 17th Street, January 22, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.1300E.

that the proposed project could result in potentially significant environmental effects not covered by the *Eastern Neighborhoods PEIR* per Section 15183.

FINDING

This project may have a significant effect on the environment and an Environmental Impact Report is required. This determination is based upon the criteria of the State CEQA Guidelines, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning), Section 15064 (Determining Significant Effect), and Section 15065 (Mandatory Findings of Significance).

PUBLIC SCOPING PROCESS

Pursuant to the State of California Public Resources Code Section 21083.9 and California Environmental Quality Act Guidelines Section 15206, a public scoping meeting will be held to receive oral comments concerning the scope of the EIR. The meeting will be held on Wednesday, March 4, 2015, 6:00 pm at Potrero Hill Neighborhood House, 953 De Haro Street, San Francisco, CA. To request a language interpreter or to accommodate persons with disabilities at the scoping meeting, please contact the staff contact listed above at least 72 hours in advance of the meeting. Written comments will also be accepted at this meeting and until 5:00 p.m. on March 13, 2015. Written comments should be sent to Sarah B. Jones, Environmental Review Officer, San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103.

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

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.


SARAH B. JONES
Environmental Review Officer

February 11, 2015
Date



SAN FRANCISCO PLANNING DEPARTMENT

Community Plan Exemption Checklist

Case No.: **2011.1300E**
Project Address: 901 16th Street and 1200 17th Street
Zoning: UMU (Urban Mixed Use) Use District
48-X (southern portion of project site) and 68-X (northern portion of project site) Height and Bulk District
Block/Lot: 3949/001, 001A, 002, and 3950/001
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PROJECT DESCRIPTION

The project site consists of four adjacent lots in the lower Potrero Hill neighborhood. The approximately 3.5-acre project site is bounded by 16th Street to the north, Mississippi Street to the east, 17th Street to the south, and residential and industrial buildings to the west. The project site currently contains two steel shed industrial warehouse buildings, a brick office building, a modular office structure, and surface parking lots.

The proposed project would merge the four lots into two lots, demolish the two warehouses and the modular office structure, preserve the brick office building, and retain some materials from one of the steel sheds for reuse within the proposed project. The project sponsor proposes to construct two new buildings on-site: a new six-story, 68-foot tall, approximately 402,943 gross square foot (gfs) residential mixed use building (the “16th Street building”) consisting of 260 dwelling units and 20,318 gsf of retail on the northern lot and a new four-story 48-foot tall, approximately 213,509 gsf residential mixed use building (the “17th Street building”) consisting of 135 dwelling units and 4,650 gsf of retail on the southern lot. In addition the proposed project would construct a new publicly accessible pedestrian alley along the entirety of its western property line. Combined, the two new buildings would also contain 388 vehicular parking spaces and 455 off-street bicycle parking spaces. Proposed project details are summarized in **Table 1**.

Table 1: Proposed Project Details

Description	16 th Street Building	17 th Street Building	Project Total
Site Area	90,060 sf	61,940 sf	152,000 sf
Total Building Area	402,943 gsf	213,509 gsf	616,452 gsf
Commercial Use Area	20,318 gsf	4,650 gsf	24,968 gsf
Open Space – Public*	9,966 sf	4,703 sf	14,669 sf
Open Space – Common*	24,184 sf	8,965 sf	33,149 sf
Open Space – Private*	1,390 sf	1,724 sf	3,114 sf
Number of Dwelling Units	260 units	135 units	395 units (53 studios, 182 one-bedrooms, 146 two-bedrooms, and 14 three-bedrooms)
Number of Parking Spaces	263	125	388 (336 residential, 47 commercial, 5 car share)
Number of Bicycle Parking Spaces	264 Class 1, 40 Class 2	191 Class 1, 12 Class 2	455 Class 1 (secure indoor) and 52 Class 2 (sidewalk bike racks)
Number of Loading Spaces	1 off-street and 1 on-street	1 on-street	3 (1 off-street and 2 on-street)
Number of Buildings	1	1	2 (16 th Street building and 17 th Street building)
Height of Buildings	68 feet**	48 feet**	See building specific columns
Number of Stories	1 sub-surface, 6 above grade	1 sub-surface, 4 above grade	See building specific columns

Source: Proponent plans

gsf = gross square feet

* Public open space includes the publicly accessible pedestrian alley and plaza areas. Common open space includes the residential mews area, courtyards and roof decks that are not publicly accessible but shared by residents. Private open space includes private decks and patios.

** Height measurement excludes elements exempt from height measurement pursuant to the Planning Code Section 260(b).

Existing Site and Surroundings

Project Site

As shown on **Figure 1**, the project site is located in the lower Potrero Hill neighborhood on a 3.5-acre portion of the block bounded by 16th Street to the north, Mississippi Street to the east, 17th Street to the south and Missouri Street to the west. The westerly portion of the block is not part of the project site and contains existing residential (live/work), retail and industrial buildings. The project site (see **Figure 2**) currently contains a total of four existing buildings; two interconnected warehouse buildings and a modern modular office structure occupied by Cor-O-Van Moving and Storage Company, and a vacant brick office building that fronts onto 17th Street.

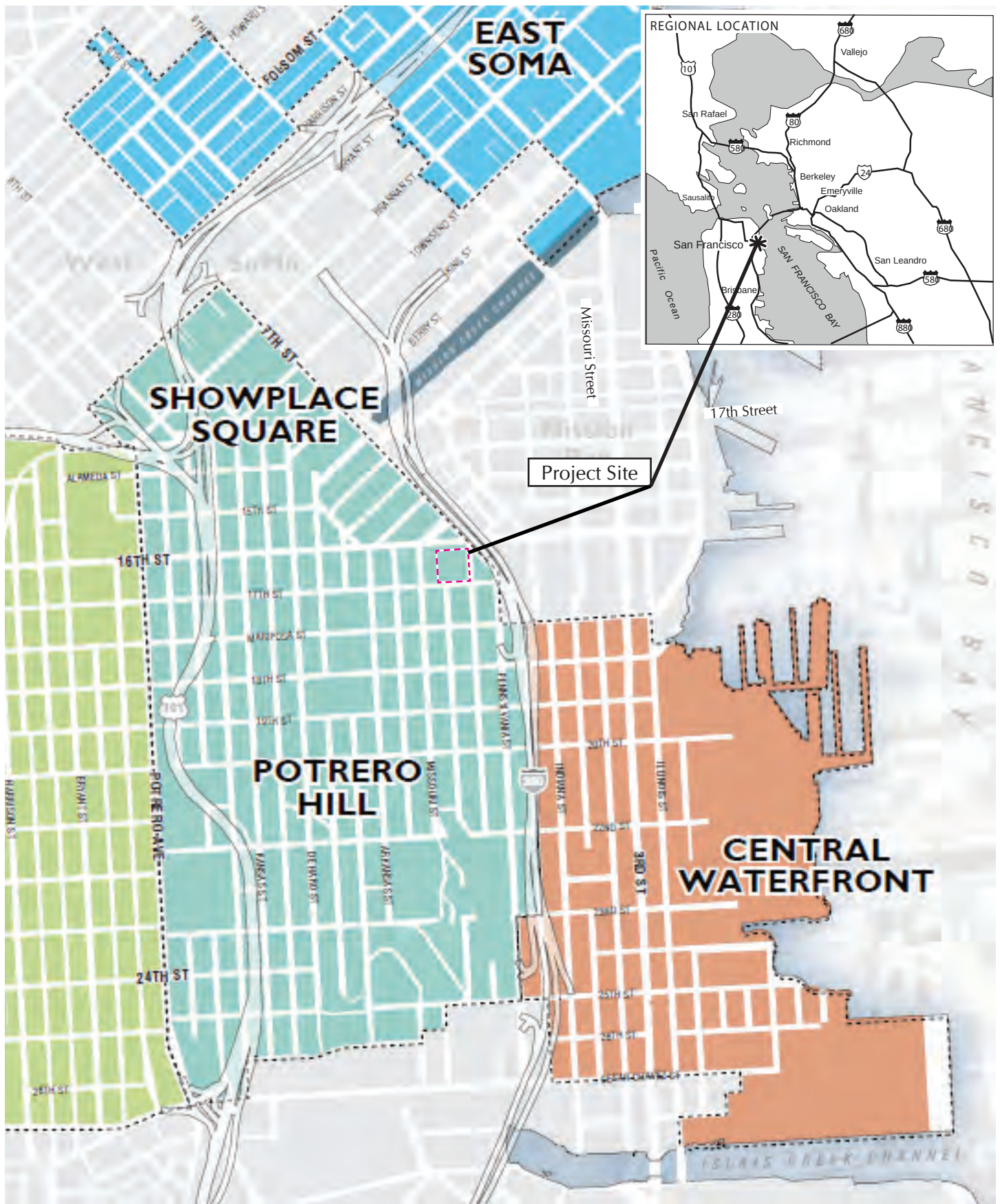
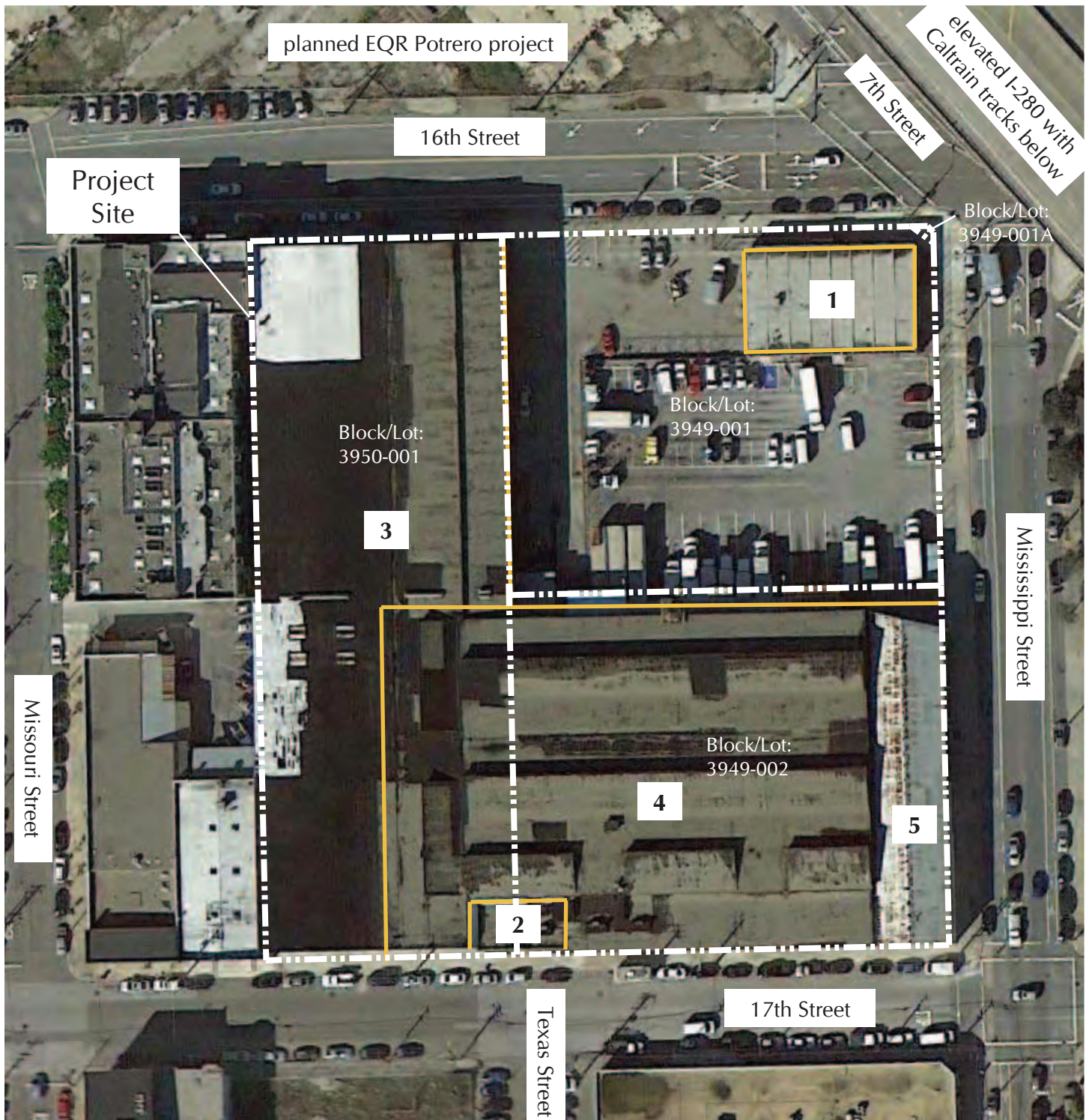


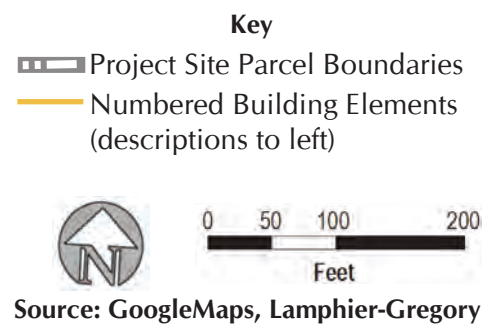
Figure 1
Project Location





1. Cor-o-van modular office building, 901 16th Street
2. Pacific Rolling Mill Co. brick office building, 1200 17th Street
3. Warehouse, 1210 17th Street / 975 16th Street
4. Integrated warehouse building at 1200 17th Street
5. Steel Shed portion of integrated warehouse building

Figure 2
Project Site - Existing Conditions



The modern modular office structure is located at 901 16th Street, at the corner of 16th Street and Mississippi Street. The Cor-O-Van Moving and Storage Company occupies this modern modular office structure as part of its commercial moving and storage operations, employing approximately 50 people. The easterly warehouse building at 1200 17th Street/975 16th Street was originally constructed as an open air shed and is a one-story steel and wood-frame, multiple-wing, industrial building clad in corrugated metal siding. The westerly warehouse building at 1210 17th Street was originally constructed as an open air shed, and is also a steel-frame industrial stock shed building clad in corrugated metal siding. The westerly warehouse building located along 17th Street is the tallest of the existing buildings on the project site, measuring 46-feet, nine-inches in height at its highest point. Both warehouse buildings are currently used by Cor-O-Van Moving and Storage Company and a portion of the westerly warehouse building is leased to the University of California, San Francisco for storage.

The currently vacant brick office building that fronts onto 17th Street also has an address at 1200 17th Street. It was originally constructed by the Pacific Rolling Mill Co. in 1926 to house the office functions of the company's steel fabricating operation at the site.

In total, the four existing buildings on the project site amount to approximately 109,500 gsf of building space. Surrounding the modular office structure is an open surface parking lot which is also used for access to the University of California, San Francisco (UCSF) storage and for fleet storage of the Cor-O-Van trucks and moving vans. The Cor-O-Van and/or UCSF vehicles (employee vehicles and moving trucks) can access the project site from two curb cuts on 16th Street, three curb cuts on Mississippi Street, and three curb cuts on 17th Street, although some curb cuts are currently unused.

Surrounding Land Uses

Present land uses in the project site vicinity are varied and include educational facilities, light industry, office space, life science laboratories, a public park, residences and live/work units, retail, a nightclub, storage, warehouses and wholesale interior-design-related establishments. An elevated segment of Interstate 280 runs northeast of the project site. The Caltrain railroad tracks run parallel to and northeast of 7th Street and Pennsylvania Street beneath Interstate 280.

Sharing the same block but to the west of the project site are two buildings consisting of live/work lofts (one at 999 16th Street and the other at 49 Missouri Street), and two vacant buildings formerly occupied by Arch Art Supplies at 99 Missouri Street (retail) and All Auto Collision Repair at 1240 17th Street (light industrial).

Immediately to the north and across 16th Street is the currently under-construction EQR Potrero project, previously called Daggett Place, and also known as the 1000 16th Street project (Planning Department Case No. 2003.0527). As approved, the EQR Potrero project will include two six-story, 68-foot tall buildings consisting of 468 dwelling units, approximately 15,000 gsf of ground-floor retail, approximately 7,000 gsf of Production, Distribution and Repair (PDR/Small Enterprise Workspace) spaces, and 307 parking spaces. The existing Daggett Street right-of-way between the two buildings is planned for development of a public non-Recreation and Parks Department park, to be known as Daggett Park.

Uses to the west of the project site along 16th Street include Wo Chong Company, Inc. (light industrial food production), Bay Medical Center (medical offices), and Creativity Explored (non-profit art studios open to the public). These structures are generally two-to-three stories tall. The three blocks west of Arkansas Street along 16th Street include restaurant, retail, light industrial, office and warehouse

distribution uses. One former restaurant (Axis Café) was recently demolished and is the site of the approved but as yet un-built 1150 16th Street project (also known as 1201 8th Street, Planning Department Case No. 2004.1004). As approved, the 1150 16th Street project will construct two mixed-use buildings (one 58-feet tall, one 68-feet tall), consisting of 15 dwelling units, approximately 6,000 gsf of ground-floor retail, and approximately 13,000 gsf of PDR space. The blocks south of the project site become progressively more residential, but areas south of 17th Street also include the two-block Jackson Playground, Anchor Brewing (light industrial), fleet parking for Coach 21 buses (transportation storage), Rainbeau (fabrication/light industrial), San Francisco Fabrics and R&J Auto (medium industrial), and other retail and office uses. Further to the south along Mariposa Street, from Arkansas Street to Pennsylvania Street, land use is entirely residential with the exception of a design-oriented office and Direct Mail Center (light industrial) on the two southern corners of the intersection of Mariposa Street and Mississippi Street.

East of Interstate 280, on the opposite (northeast) side of the freeway from the project site is Mission Bay South, which includes the J. David Gladstone Institute, an under-construction Kaiser Permanente Medical Office Building, the UCSF Mission Bay campus (including the UCSF Hospital opening February 2015), other biotechnology labs and offices, multi-family residential buildings, parking structures, and the site of a new arena proposed by the Golden State Warriors basketball team.

Proposed Project

The application for the proposed project has been submitted by Potrero Partners for development on two proposed lots, but each respective portion of the proposed project could be developed separately, as described further below.

The project proposes to merge the four existing lots into two lots, demolish all existing on-site buildings and surface pavement on the project site, except for the existing brick office building (discussed under Ground Floor Retail below), and construct two mixed-use buildings with associated infrastructure. The northern portion of the site along 16th Street is proposed to be developed with a mixed-use building that would reach 68 feet at 6 stories. The southern portion of the site along 17th Street is proposed to be developed with a mixed-use building that would reach 48 feet at 4 stories. Some rooftop elements of the 17th Street building are pitched, and the height is measured to the average height of the rise of a pitched roof element, pursuant to Planning Code Section 260(a)(2).

The two proposed buildings would be separated from each other by a 39-foot-wide “residential mews” common open space area, and separated from the existing development along the western edge of the block by a publicly accessible pedestrian alley that would connect 16th and 17th Streets. **Figure 3** shows the overall site plan. **Figure 4** through **Figure 6** show the building elevations. **Figure 7** through **Figure 10** show the plans by floor for the 16th Street building including the roof plan as **Figure 11**, and **Figure 12** through **Figure 14** show plans by floor for the 17th Street building, including the roof plan as **Figure 15**.

As allowed by San Francisco Planning Code Section 260(b), parapets are allowed up to 4 feet above the maximum building height and certain rooftop elements, such as mechanical equipment, open space features, and stair penthouses, are allowed to extend up to 10 feet above the maximum building height and elevator shafts are allowed to extend up to 16 feet above the maximum building height provided they do not together exceed 20 percent of the horizontal area of the roof above which they are situated. For the 16th Street Building, stair penthouses, elevator penthouses and mechanical equipment would cover approximately 12 percent of the horizontal area of the roof and would reach 78 feet (stair and mechanical penthouses) and 82 feet (elevator shafts)– below the additional 16 feet that is allowed (up to 84 feet). For the 17th Street Building, the stair and elevator penthouses together would cover approximately 3.8 percent of the horizontal area of the roof and would reach 51 or 52 feet – below the additional 10 feet and 16 feet that is allowed (up to 74 feet). Heights and locations of rooftop elements are indicated on Figures 4 through 6, 11, and 15.

Residential

A total of 395 dwelling units are proposed as detailed in **Table 2**. Ground floor units with stoops are proposed along 17th Street, the publicly accessible pedestrian alley, and onto the residential mews. The remaining units are on upper floors.

Table 2: New Residential Dwelling Unit Mix

Unit Type	<u>Unit Count by Building</u>		Total Units	Percent Total Units
	16 th Street Building	17 th Street Building		
Studio	53	0	53	13%
1 Bedroom	103	79	182	46%
2 Bedroom	95	51	146	37%
3 Bedroom	9	5	14	4%
Total Units	260	135	395	

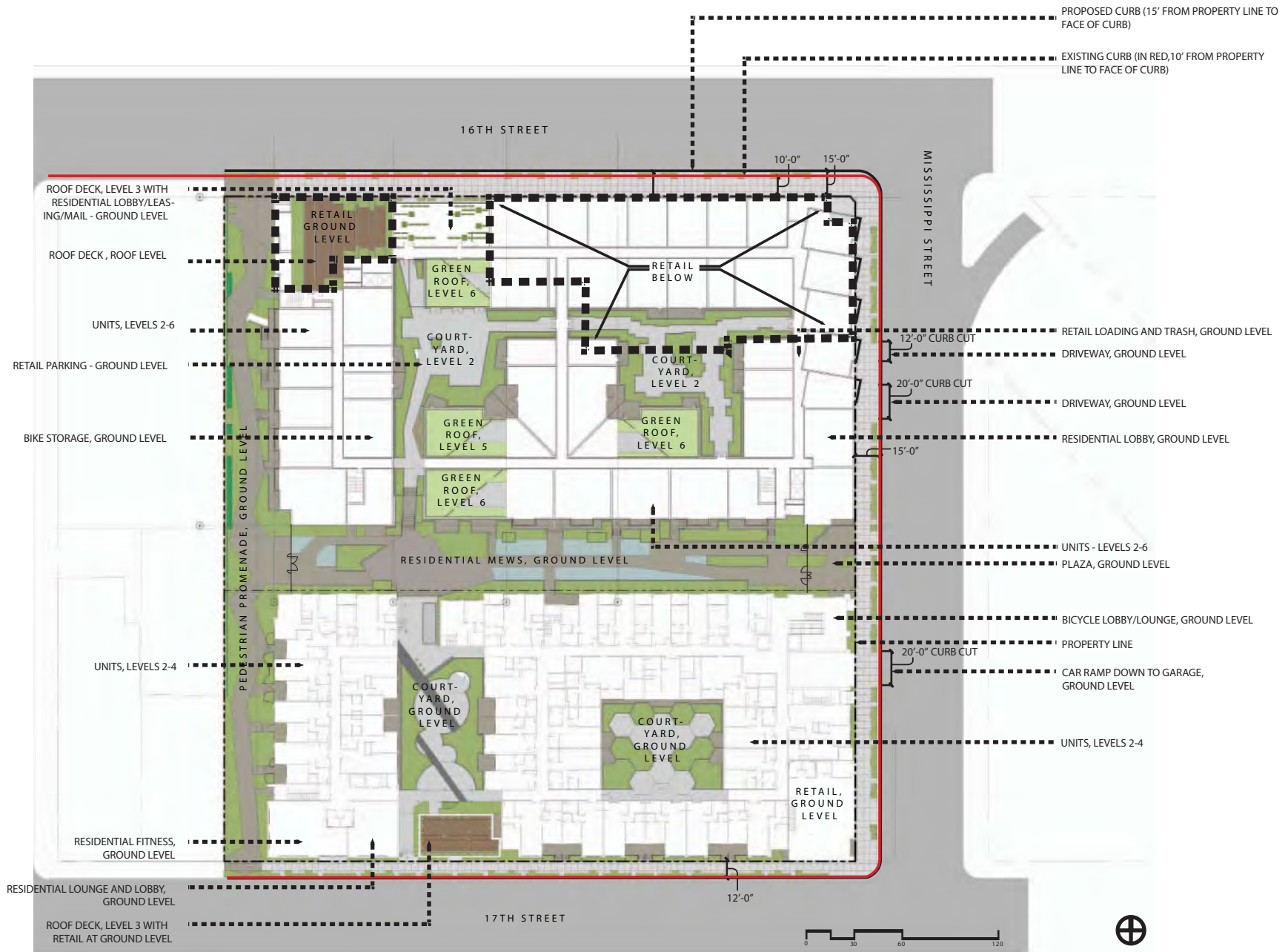
Source: Proponent plans

Ground Floor Retail

The proposed project contains approximately 24,968 gsf of ground floor retail uses along both 16th and 17th Streets, to be divided into several individual retail stores. Specific retail tenants have not yet been identified.

The majority of the retail space, 20,318 gsf, is proposed along the 16th Street frontage in the northern building, including an active frontage along the proposed publicly accessible pedestrian alley. While tenants have not yet been finalized, for purposes of this analysis, it is conservatively estimated this retail space would be split between the following uses: 15,218 gsf for a community market, 2,500 gsf of restaurant, and two general retail spaces of 1,763 and 837 gsf.

The 17th Street building includes a total of 4,650 gsf of retail/restaurant space. The existing brick office building at 17th Street and Texas Street would be preserved and adaptively repurposed as 1,550 gsf of retail/restaurant space, with a partial mezzanine replacing the existing second floor. A portion of the existing wood-framed steel shed at the corner of 17th and Mississippi Street would be demolished, but certain elements such as the heavy timber posts, timber trusses, and corrugated metal sheathing may be

**Figure 3: Site Plan**

Source: PGA Design dated 11/14/2014



Figure 4: Building Elevations, 16th Street (North)
Source: BARarchitects, dated 12/17/2014

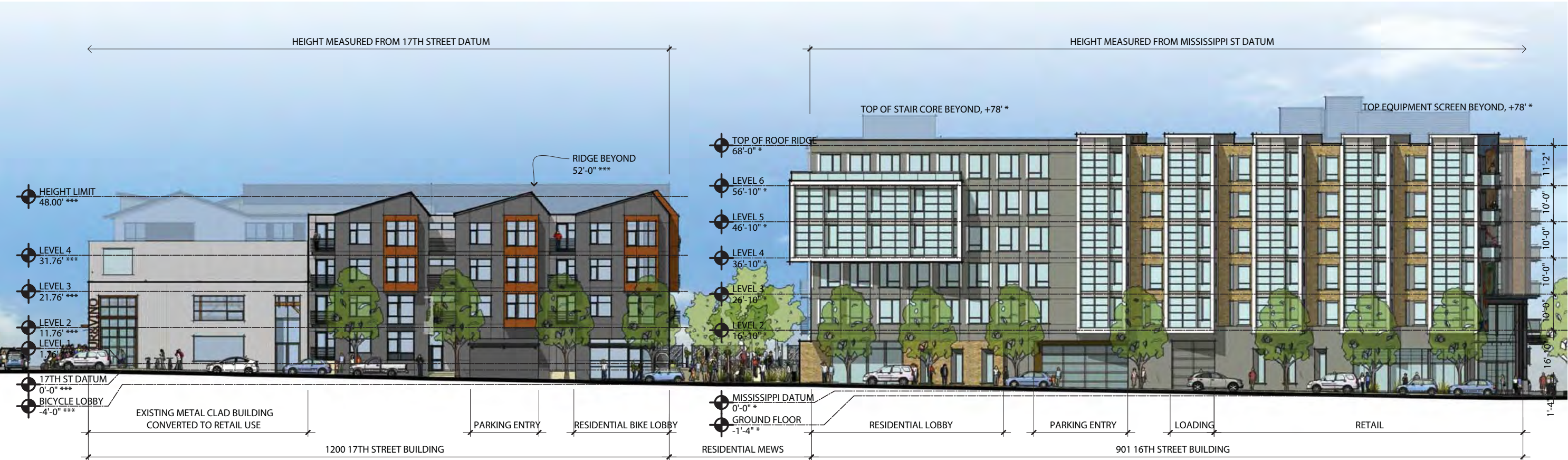


Figure 5: Building Elevations, Mississippi Street (East)
Source: BARarchitects, dated 12/17/2014



Figure 6: Building Elevations, 17th Street (South)
Source: Christiani Johnson Architects, dated 12/17/2014

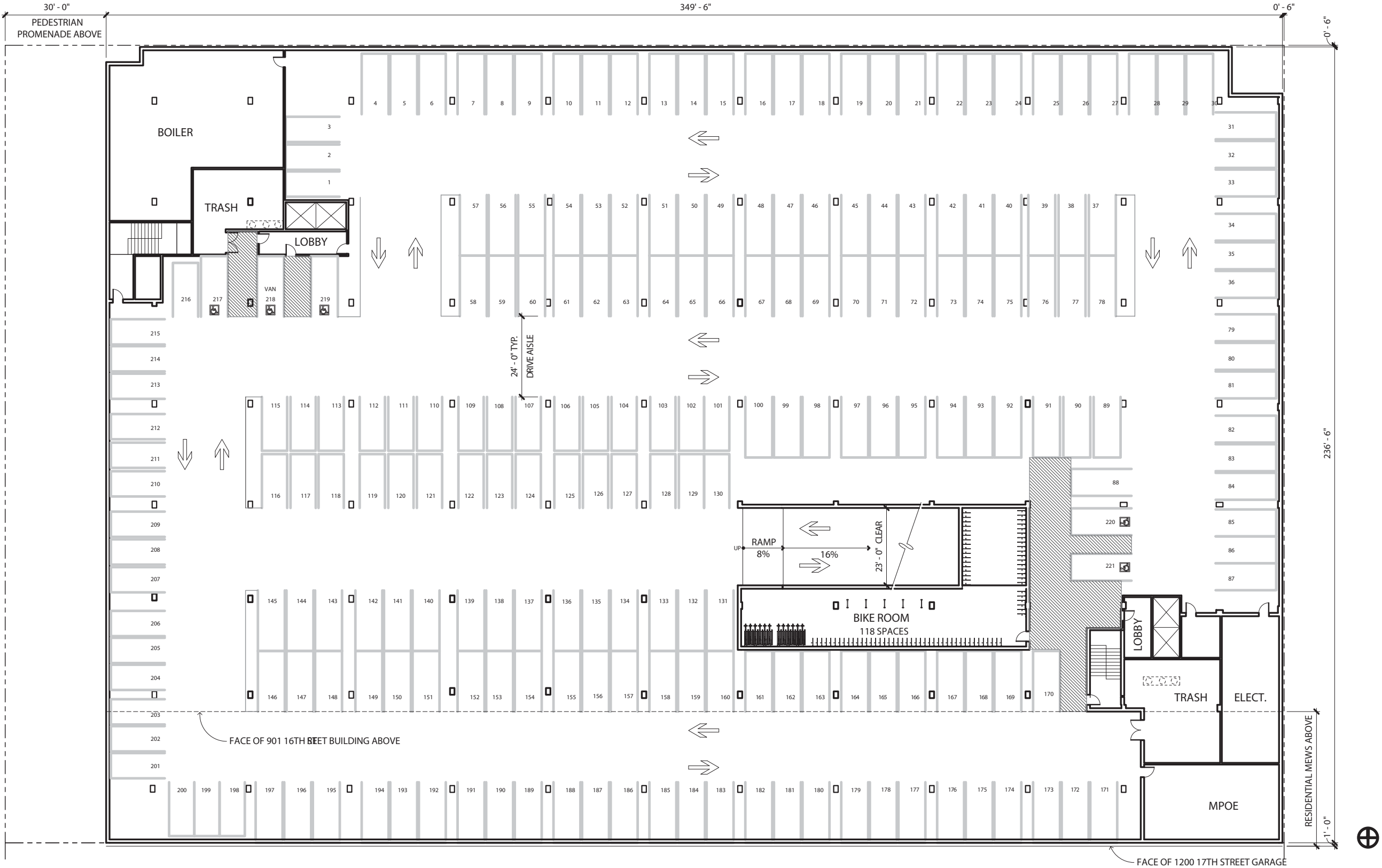


Figure 7: Floor Plan, 90116th Street, Basement
Source: BARarchitects, dated 6/19/2014

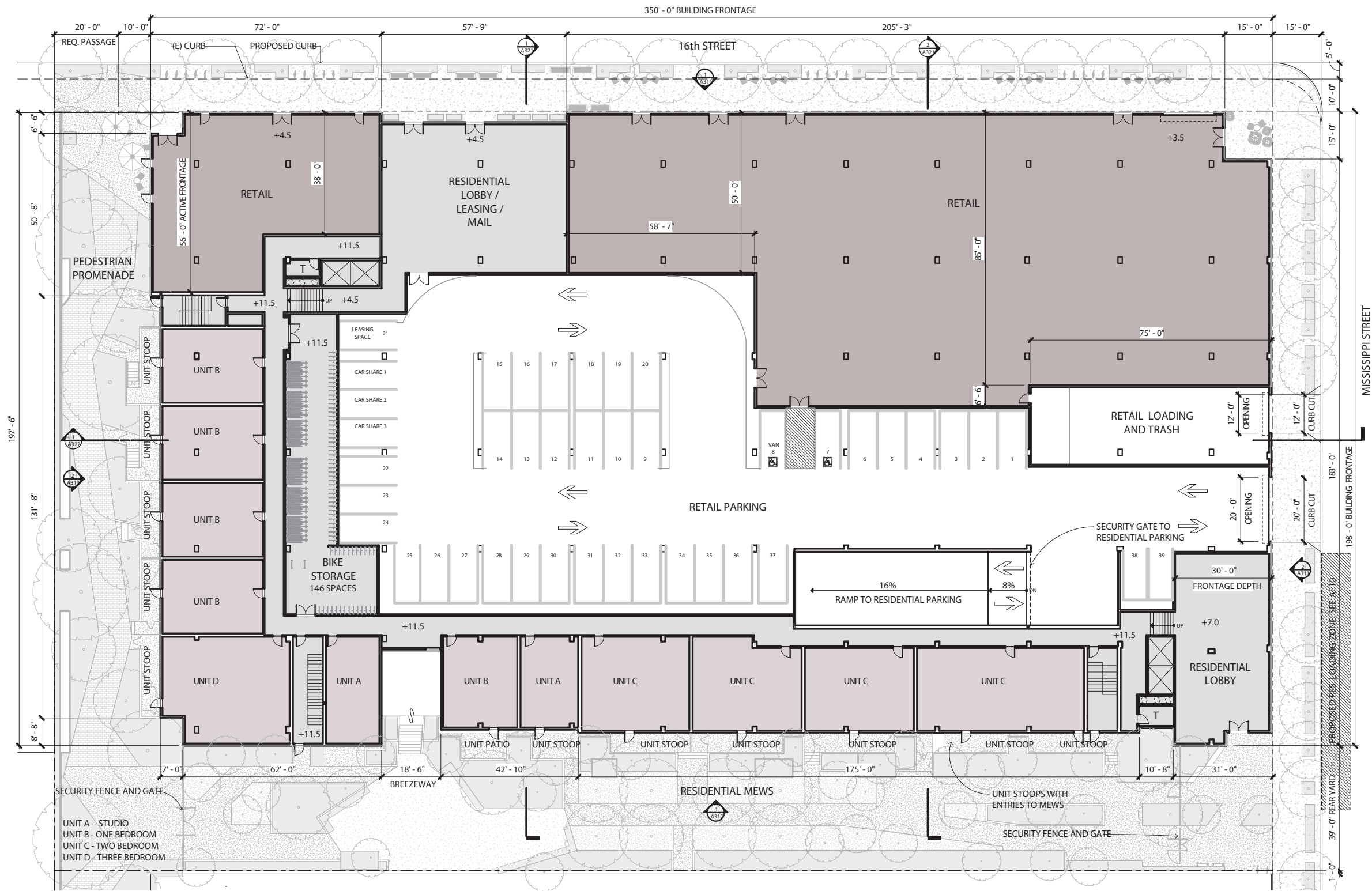


Figure 8: Floor Plan, 90116th Street, Ground Floor
Source: BARarchitects, dated 6/19/2014





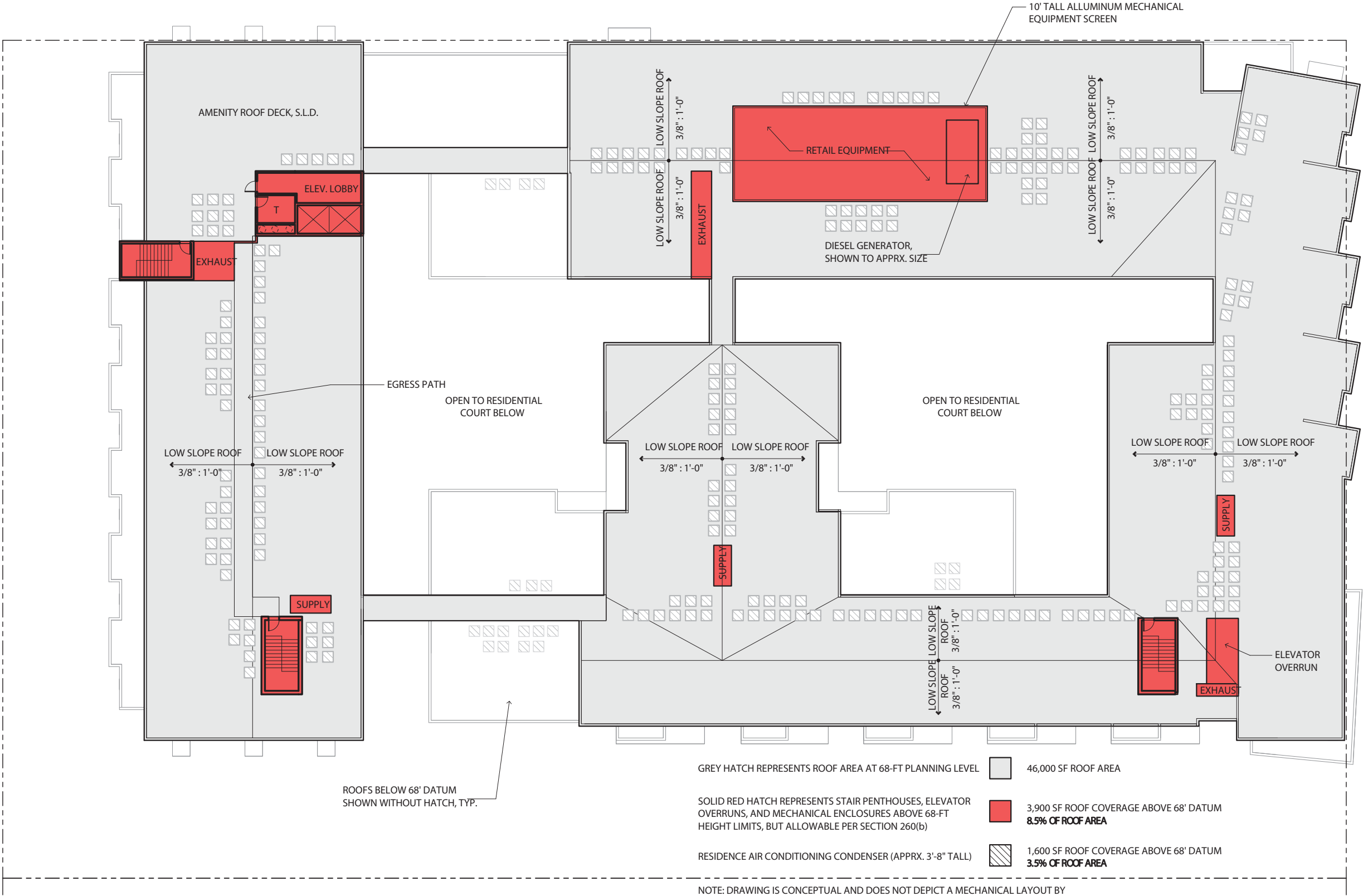


Figure 11: Roof Plan, 901 16th Street
Source: BARarchitects, dated 1/7/2015





Source: Christiani Johnson Architects, dated 6/19/2014

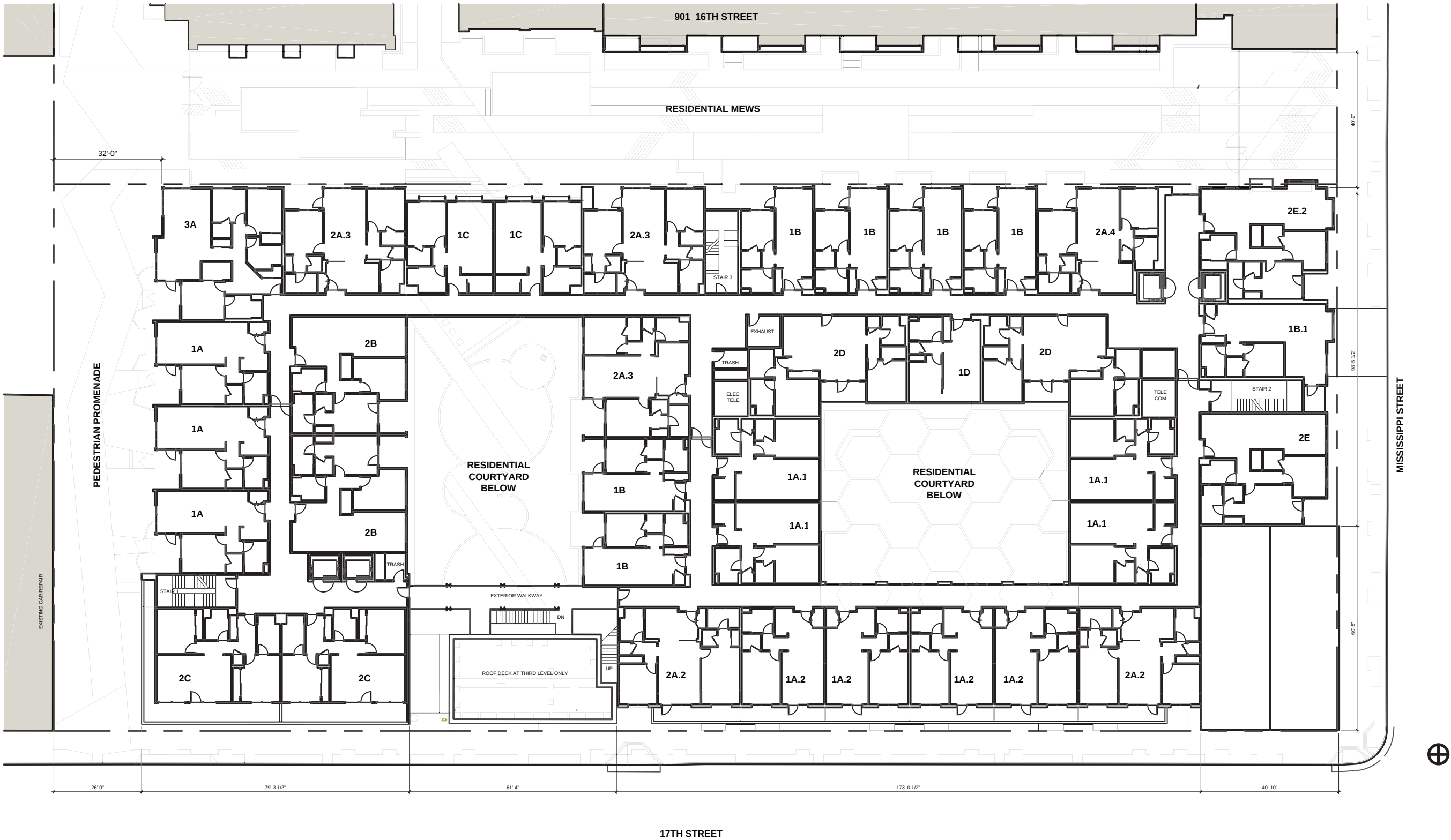


Figure 14: Floor Plan, 1200 17th Street, Example Upper Floors (2, 3, and 4)

Source: Christiani Johnson Architects, dated 6/19/2014



salvaged and repurposed in a rebuilt structure at the same location to be developed as a 3,100 gsf retail/restaurant space.

Vehicle, Commercial, Bicycle, and Pedestrian Access

The proposed project includes approximately 388 vehicular parking spaces (336 residential, 47 commercial, and five car share), divided between a two-level garage in the 16th Street building and a one-level garage in the 17th Street building, both with access from Mississippi Street. One off-street commercial loading space accessed from Mississippi Street and two on-street loading spaces along Mississippi Street are proposed. A total of 455 Class 1 and 52 Class 2 bicycle parking spaces are also proposed with access from the aforementioned garages, as well as internal lobbies within both proposed buildings.

Pedestrians would be able to access the buildings at various points. For the 16th Street building, entrances for the residential uses are proposed along 16th and Mississippi streets (lobbies) and along the publicly accessible pedestrian alley (individual unit stoops); and entrances for the retail uses are proposed along 16th Street. For the 17th Street building, entrances for the residential uses are proposed along 17th and Mississippi streets (lobbies), along 17th Street, and the publicly accessible pedestrian alley (individual unit stoops); and entrances for the retail uses are proposed along 17th Street.

Open Space

Along the westerly property line between 16th and 17th streets, the proposed project would include a 30- to 40-foot wide pedestrian alley totaling 13,194 square feet, which would be publicly accessible 24 hours a day. Additional publicly accessible open space would be provided as plaza areas at the corner of 16th and Mississippi streets (210 square feet) and where the residential mews area meets Mississippi Street (1,265 square feet).

In addition, approximately 36,263 square feet of common and private open space for use by residents would be provided in the residential mews, internal courtyards, roof decks, and private patios and decks.

Work within the Public Right-of-Way

The proposed project would include several changes around the perimeter of the project site and within the public right of way. All eight existing curb cuts at the site (two along 16th Street, three along Mississippi Street, and three on 17th Street) would be removed and filled with sidewalk and curb. Two new curb cuts would be provided on Mississippi Street for vehicle ingress and egress from the parking garages of the two proposed buildings, both 20 linear feet in width.

An additional 12-linear-foot curb cut is proposed for one off-street retail loading dock on Mississippi Street. Additionally, two on-street loading zones are proposed along Mississippi Street.

All sidewalks are located in the public right-of-way and do not cross the property line. To comply with the Better Streets Plan recommendations, the sidewalk along 16th Street would be widened to 15 feet (from 10 feet existing) by extending the existing curb into the public right-of-way by approximately five feet. The sidewalk along Mississippi Street would also be widened to 15 feet (from 14 feet, 4 inches existing) by extending the curb 8 inches into the public right-of-way. The existing 10-foot width of the sidewalk along 17th Street would be widened to 12 feet by extending the existing curb into the public right-of-way by approximately two feet. All sidewalks adjacent to the project site would be freshly paved and include landscaping per City requirements.

Construction

On-site construction work for the two lots is expected to occur concurrently and would span approximately 2 years, though construction plans have been designed such that they could be independently implemented. The first month would consist of building demolition followed by one month of site preparation. Grading and excavation for the underground garage would span approximately 2 months. The remainder of the two-year period would consist of building construction. Preliminary estimates indicate that a total of 68,500 cubic yards of soil materials would be exported off the project site and 6,850 cubic yards would be imported to the project site. Garage and building construction would occur over the final 22 months.

Excavation for the below-grade parking would remove at least 12 feet of fill from the site (and up to 20 feet of excavation below ground surface (bgs) in certain locations). Excavation would require shoring to retain the sides of excavation and protect existing surrounding improvements. A soldier-pile-and-lagging system including tiebacks extending laterally is proposed. During shoring and excavation, the groundwater would need to be lowered to a depth of at least three feet below the bottom of the planned excavation by an experienced dewatering contractor. To account for soils with inadequate support at that depth, deep foundation systems consisting of piles that extend to bedrock are proposed. It is possible spread footings could be used in the southern portion of the site, where bedrock may be encountered at or near excavation depth.

Required Approvals

At this time, it is anticipated that the proposed project would require the following City approvals and subsequent review processes:

Actions by the Planning Commission or Department

- Certification of the Final EIR and adoption of CEQA findings.
- Large Project Authorization with modifications to rear yard configuration, off-street loading, horizontal mass reduction, parking/loading entrance width and projecting bay dimension. The Large Project Authorization is identified as the Approval Action for the whole of the proposed project.
- General Plan Referral for sidewalk changes.

Actions by Other City Departments

- **Public Works.** Lot line adjustment merging and resubdividing the four lots to create two separate legal lots for the two new buildings;
- **Public Works.** Condominium map approvals;
- **Public Works.** Sidewalk widening;
- **Department of Public Health (DPH).** Maher Ordinance approval of a Site Mitigation Plan, an Article 38 Enhanced Ventilation Plan, and for construction-period activities: a Soil Management Plan, an Air Monitoring Plan, and a Dust Control Plan;
- **Municipal Transportation Agency (SFMTA).** Approval of all proposed changes in curb cuts and parking and loading zones pursuant to the SFMTA Color Curb Program. Coordination with the SFMTA Interdepartmental Staff Committee on Traffic and Transportation to coordinate temporary construction-related changes to the transportation network, including potential traffic,

street and parking changes and lane closures. As part of this process, the SFMTA Transportation Advisory Committee (TASC) may review the proposed project's construction Transportation Management Plan (TMP) to resolve internal differences between different transportation modes;

- **San Francisco Public Utilities Commission (SFPUC).** Approval of an erosion and sediment control plan prior to commencing construction, and compliance with post-construction stormwater design guidelines, including a stormwater control plan; and
- **San Francisco Department of Building Inspection (DBI).** Grading, demolition, building and occupancy permits.

Actions by Other Agencies

- **Bay Area Air Quality Management District (BAAQMD).** Issuance of permits for installation and operation of the emergency generator.

EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption (CPE) Checklist evaluates whether the environmental impacts of the proposed project are addressed in the Programmatic Environmental Impact Report for the *Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods PEIR)*.⁷ The CPE Checklist indicates whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the *PEIR*; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the *Eastern Neighborhoods PEIR* was certified, are determined to have a more severe adverse impact than discussed in the *PEIR*. Such impacts, if any, will be evaluated in a project-specific Mitigated Negative Declaration or Environmental Impact Report. If no such topics are identified, the proposed project is exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

Mitigation measures identified in the *PEIR* are discussed under each topic area, and measures that are applicable to the proposed project are provided under the Mitigation Measures Section at the end of this checklist.

The *Eastern Neighborhoods PEIR* identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Additionally, the *PEIR* identified significant cumulative impacts related to land use, transportation, and cultural resources. Mitigation measures were identified for the above impacts and reduced all impacts to less-than-significant except for those related to land use (cumulative impacts on PDR use), transportation (program-level and cumulative traffic impacts at nine intersections; program-level and cumulative transit impacts on seven Muni lines), cultural resources (cumulative impacts from demolition of historical architectural resources), and shadow (program-level impacts on parks).

The proposed project would include construction of 395 residential units and 24,968 gsf of retail space along with publicly accessible and private open spaces and subterranean parking. As discussed below in this checklist, the proposed project may result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the *Eastern Neighborhoods PEIR*.

⁷ San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (PEIR)*, Planning Department Case No. 2004.0160E, State Clearinghouse No. 2005032048, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>.

AESTHETICS AND PARKING IMPACTS FOR TRANSIT PRIORITY INFILL DEVELOPMENT

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, “aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.” Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

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

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.⁸ For informational purposes, project elevations are included in the project description and additional visual modeling will be included with the EIR, and an assessment of parking demand will be included in the Transportation Impact Study and discussed in the EIR.

⁸ San Francisco Planning Department. Transit-Oriented Infill Project Eligibility Checklist for 901 16th Street and 1200 17th Street, November 10, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2011.1300E.

Topics:	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
1. LAND USE AND LAND USE PLANNING—				
Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Have a substantial impact upon the existing character of the vicinity?	☐	☐	☐	☒

The division of an established community typically involves the construction of a physical barrier to neighborhood access, such as a new freeway, or the removal of means of access, such as a bridge or a roadway. The proposed project would not create any new physical barriers in the Eastern Neighborhoods or remove an existing means of access. The proposed project would occupy portions of the site that already contain existing development. The proposed project would not permanently close any streets or sidewalks. Conversely, the proposed project would include a new 30- to 40-foot-wide publicly accessible pedestrian alley along the property's western boundary with existing development that would provide a new pedestrian connection between 16th Street and 17th Street. Although portions of the sidewalk adjacent to the project site and beyond could be closed for periods of time during construction of the proposed project, these closures would be short-term and temporary in nature. As a result, the proposed project would not physically divide an established community.

The Eastern Neighborhoods rezoning process in 2008 rezoned the project site to the UMU (Urban Mixed Use) District with height and bulk district designations of 68-X along 16th Street and 48-X along 17th Street. The 68-X height and bulk district permits buildings up to 68 feet in height, with no bulk restrictions, and the 48-X height and bulk district permits buildings up to 48 feet in height, with no bulk restrictions. The UMU District permits residential dwelling units with density limited by the height and bulk controls and requires that at least 40% of the units be 2-bedroom or larger. The UMU District also permits retail, personal services, and restaurant uses of up to 25,000 gsf per lot.

The Citywide Planning and Current Planning Divisions of the Planning Department have determined that the proposed project is permitted in the UMU District and is consistent with the development density as envisioned in the Showplace Square / Potrero Area Plan.^{9, 10} Specifically, the proposed project contains 395 dwelling units (approximately 41 percent of which would be two- and three-bedroom units) and approximately 24,468 gsf of retail, personal service and restaurant space, and would not exceed the

⁹ Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 901 16th Street and 1200 17th Street, September 3, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.1300E.

¹⁰ Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 901 16th Street and 1200 17th Street, January 22, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.1300E.

applicable 68-foot and 48-foot height limits, except for certain rooftop features such as open space features, mechanical screens, and stair and elevator penthouses, as allowable by the Planning Code.

The *Eastern Neighborhoods PEIR* determined that adoption of the Area Plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR (Production, Distribution, and Repair). 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 PEIR* included one mitigation measure, Mitigation Measure A-1, for land use controls in Western SoMa to preserve that area for PDR retention and development. 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.

Development of the proposed project would result in the net loss of approximately 109,500 square feet of PDR building space that would contribute considerably to the significant cumulative land use impact related to loss of PDR uses that was identified in the *Eastern Neighborhoods PEIR*. The project site is in the UMU district, in which residential development mixed with remaining PDR uses is encouraged and expected to serve as a buffer between PDR districts and residential districts and development is within the development density as envisioned for the site under the *Eastern Neighborhoods PEIR*. The proposed loss of 109,500 square feet of existing PDR uses represents a considerable contribution to the loss of PDR space analyzed in the *Eastern Neighborhoods PEIR*, but would not result in significant impacts that were not identified or a more severe impact than analyzed in the *PEIR*.

The proposed project would intensify uses on the project site by increasing the gross square footage of development and increasing the height of buildings on the site. However, the new residential and ground floor commercial land uses would not have an impact on the character of the vicinity beyond what was identified in the *Eastern Neighborhoods PEIR* and the proposed uses are consistent with the type and intensity of development that surrounds the site (e.g., residential, commercial, and institutional uses) or have been planned as a buffer between industrial and residential uses.

For these reasons, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to land use and land use planning, and no mitigation measures are necessary.

Topics:	<u>Significant Impact Peculiar to Project or Project Site</u>	<u>Significant Impact not Identified in PEIR</u>	<u>Significant Impact due to Substantial New Information</u>	<u>No Significant Impact not Previously Identified in PEIR</u>
2. POPULATION AND HOUSING—				
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

One of the objectives of the *Eastern Neighborhoods Area Plans* is to identify appropriate locations for housing in the City's previously industrially zoned land to meet the citywide demand for additional housing. The *PEIR* concluded that an increase in population in the Plan Areas is expected to occur as a secondary effect of the proposed rezoning and that any population increase would not, in itself, result in adverse physical effects, but would serve to advance key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City's Transit First policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the Area Plan neighborhoods. The *Eastern Neighborhoods PEIR* 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 *PEIR*.

The project site currently contains two steel shed industrial warehouse buildings, a brick office building, a modular office structure, and surface parking lots. Therefore, the proposed project would not displace any housing. The proposed project's 395 residential units would be within the amount of housing development anticipated in the *Eastern Neighborhoods PEIR*. Based on the household population growth assumption of 1.76 persons per household,¹¹ the proposed project's 395 units would introduce approximately 695 residents to the project site. Based on the *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002 (*Transportation Guidelines*),¹² retail uses generate employees at approximately one employee for every 350 gsf, which would result in a total of 72 employees. Only Cor-O-Van currently employs workers at the project site, and they have approximately 50 employees. In total, the net daily population (residential population plus retail employees, not including visitors) at the project site would increase by approximately 717 persons. These direct effects of the proposed project on population and housing are within the scope of the population growth anticipated under the *Eastern Neighborhoods Rezoning and Area Plans* and evaluated in the *Eastern Neighborhoods PEIR*.

For the above reasons, the proposed project would not result in either project-level or cumulative significant impacts related to population and housing that were not identified in the *Eastern Neighborhoods PEIR*.

¹¹ Source: *Eastern Neighborhoods PEIR*, Table 35, page 232, Option C in Showplace Square/Potrero Hill.

¹² This document can be found here: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=6753>.

<u>Topics:</u>	<u>Significant Impact Peculiar to Project or Project Site</u>	<u>Significant Impact not Identified in PEIR</u>	<u>Significant Impact due to Substantial New Information</u>	<u>No Significant Impact not Previously Identified in PEIR</u>
3. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	☒	☐	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Historic Architectural Resources

There are historic-age buildings on the site that need to be assessed as potential historic architectural resources. Because of the potential for project-specific significant impacts related to historic architectural resources that were not identified in the *Eastern Neighborhoods PEIR*, this topic area will be further analyzed and included in the EIR.

Archeological Resources, Features, and Human Remains

The *Eastern Neighborhoods PEIR* determined that implementation of the Area Plan could result in significant impacts on archeological resources and identified three mitigation measures that would reduce these potential impacts to a less than significant level. *Eastern Neighborhoods PEIR* Mitigation Measure J-1 applies to properties for which a final archeological research design and treatment plan is on file at the Northwest Information Center and the Planning Department. Mitigation Measure J-2 applies to properties for which no archeological assessment report has been prepared or for which the archeological documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological resources under CEQA. Mitigation Measure J-3, which applies to properties in the Mission Dolores Archeological District, requires that a specific archeological testing program be conducted by a qualified archeological consultant with expertise in California prehistoric and urban historic archeology.

Because the project site is not located within the Mission Dolores Archeological District and because no previous studies have been conducted on the project site, only Mitigation Measure J-2 applies to the proposed project. Pursuant to Mitigation Measure J-2, the Planning Department conducted a Preliminary Archeological Review (PAR) of the project site.^{13, 14} The following information and analysis below relies

¹³ Randall Dean, San Francisco Planning Department, Environmental Planning Preliminary Archeological Review (PAR), May 9, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.1300E.

¹⁴ Randall Dean, San Francisco Planning Department, email correspondence, November 10, 2014. This email confirms that the changes to the proposed project since the May 2013 PAR do not create a need to revise the PAR memo. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.1300E.

on the information provided in the PAR, as well as the geotechnical investigations conducted for the proposed project.¹⁵

The northern portion of the project site (approximately the location of the new northern lot) historically laid within the old high tidal marsh encircling Mission Bay or submerged within the bay flat of Mission Bay. Therefore, historically, this portion of the project site was inaccessible for human occupation. However, the southern portion of the project site could have been prehistorically occupied because it was not submerged beneath Mission Bay, but as of yet, very little of human prehistory of the Potrero Point peninsula has been archeologically investigated or otherwise documented. By the end of the 19th century, the project site had been filled, as evidenced by fill encountered in the geotechnical investigations as discussed below. By the early 20th Century, buildings occupied the project site, the history of which will be discussed in more detail in the EIR as it relates to historic architectural resources.

The project site is underlain by fill at depths up to 20 feet bgs. Beneath the fill is either bay mud and/or sand, silty sand, clayey sand, and sandy clay. Beneath this layer, bedrock is encountered at depths ranging from 1 foot to 67 feet bgs, with the surface of the bedrock deepest in the northwest portion of the project site and generally becomes shallower toward the south and western portions of the project site.

No previous archeological documentation exists for the project site and no documented prehistoric archeological sites are in the immediate vicinity of the project site. However, this lack of documentation could be the consequence of minimal archeological field investigations in this portion of Potrero Hill. Potential historic archeological sites are indicated in the Central Waterfront area and localized areas of the southern and western flank of Potrero Hill going back to the late 1700s. Prehistorically sensitive approaches are well argued at the project site because of high density of sites north of Mission Bay in the SoMa area, the optimality of Potrero Point for such sites given the locational characteristics of many Bay Area shellmound sites, and abundant availability of prehistorically-important biotic resources of the location of the project site.

Subsurface construction for the proposed project would include excavation to a depth of approximately 20 feet bgs. In addition, a deep foundation system consisting of piles is proposed to extend to bedrock. The subsurface construction could potentially encounter and result in a change in the significance of an archeological resource, with potential anticipated archeological resources being prehistoric resources within the area between the bottom of the fill and the top of the bedrock at the southern portion of the project site. The PAR concluded that, while there is the potential for undocumented prehistoric and/or historic archeological sites, significant impacts may be avoided by implementation of the Department's archeological mitigation measure for testing.

In compliance with *Eastern Neighborhoods PEIR* Mitigation Measure J-2, implementation of Project Mitigation Measure M-CP-1 would reduce any potentially significant impacts associated with archeological resources (including human remains) to a less-than-significant level by requiring an archeological testing program with follow-up as needed and appropriate handling of human remains. Therefore, the proposed project would not result in any significant individual or cumulative impacts

¹⁵ Langan Treadwell Rollo, Geotechnical Investigation 901 16th Street, August 29, 2014 (2014a). Langan Treadwell Rollo, Geotechnical Investigation 1200 17th Street, August 29, 2014 (2014b). These documents are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.1300E.

specific to the proposed project or project site that were not identified in the *Eastern Neighborhoods PEIR* related to archeological resources, features, and human remains.

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

Because of the potential for project-specific significant impacts related to transportation and circulation that were not identified in the *Eastern Neighborhoods PEIR*, these topics will be further analyzed and included in the EIR.

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *PEIR* related to changes in air traffic patterns.

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

The *Eastern Neighborhoods PEIR* identified potential conflicts related to residences and other noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. In addition, the *Eastern Neighborhoods PEIR* noted that implementation of the Eastern Neighborhoods Area Plans and Rezoning would incrementally increase traffic-generated noise on some streets in the Eastern Neighborhoods plan areas and result in construction noise impacts from pile driving and other construction activities. The *Eastern Neighborhoods PEIR* therefore identified six noise mitigation measures that would reduce noise impacts to less-than-significant levels.

Construction Noise

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile-driving). Consistent with requirements of *PEIR* Mitigation Measure F-1, the project sponsor has agreed to use drilled piles only (no pile-driving). Therefore, *PEIR* Mitigation Measures F-1 has been identified as Project Mitigation Measure M-NO-1. Consistent with *PEIR* Mitigation Measure F-2, because the proposed project includes potentially noisy construction procedures in proximity to sensitive land uses, the project sponsors are required to submit site-specific noise attenuation measures to the Department of Building Inspection prior to commencing construction. As recommended in the Environmental Noise Assessment

prepared for the proposed project,¹⁶ the project sponsor has agreed to site-specific noise-attenuation measures to be implemented during project construction. Therefore, Project Mitigation Measure M-NO-2 has been identified to implement *Eastern Neighborhoods PEIR* Mitigation Measures F-2. Compliance with these mitigation measures would result in less-than-significant construction noise impacts through implementation of noise attenuation measures.

In addition, all construction activities for the proposed project (approximately 2 years) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). Construction noise is regulated by the Noise Ordinance. 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) or the Director of the Department of Building Inspection (DBI) 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 construction period for the proposed project of approximately 2 years, occupants of the nearby properties could be disturbed by construction noise. Times may occur 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 required to comply with the Noise Ordinance.

For these reasons, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to construction noise.

Proposed Noise-Sensitive Uses and Open Space

Eastern Neighborhoods PEIR Mitigation Measure F-3 requires detailed analysis of noise levels when noise-sensitive uses that are not subject to Title 24 noise insulation standards are proposed along noisy roadways. The proposed retail spaces in both buildings are not considered a noise-sensitive use and the proposed multi-family housing is already subject to Title 24, so Measure F-3 would not apply.

Eastern Neighborhoods PEIR Mitigation Measure F-4 requires that projects proposing new noise-sensitive uses prepare an analysis that includes, at minimum, a site survey to identify potential noise-generating uses within 900 feet of and that have a direct line of sight to the project site, and at least one 24-hour noise measurement (with maximum noise levels taken every 15 minutes) to demonstrate that acceptable interior noise levels consistent with Title 24 standards can be met. Consistent with Mitigation Measure F-4, the Environmental Noise Assessment prepared for the proposed project measured ambient noise levels

¹⁶ Charles M. Salter Associates, *Eastern Neighborhoods Plan Environmental Noise Assessment*, 901 16th Street and 1200 17th Street Mixed-Use Project, October 20, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.1300E.

in the vicinity produced by traffic, including Highway I-280, and by neighboring land uses, including Bottom of the Hill nightclub, and recommended site-specific measures to feasibly attain acceptable interior noise levels.¹⁷ The noise analysis recommendations include, but are not limited to, applying the Sound Transmission Class (STC) requirements listed in Table 5 below for full windows and exterior doors. The proposed project would be subject to and would comply with these recommendations to ensure that Title 24 requirements could be met.¹⁸

	Table 5: Operational Noise Requirements				
Floor • New Building	STC Rating for Full Window and Exterior Doors by Proposed Buildings' Elevation ^a				
	16 th Street	Mississippi Street	17 th Street	Rear Yard	Pedestrian Alley
Ground Floor • 16 th Street • 17 th Street	• n/a • n/a	• n/a • 39 – 42	• n/a • 36	• 36 • 33 – 42	• 28 • 28
Second Floor • 16 th Street • 17 th Street	• 39 – 45 • n/a	• 42 – 45 • 39 – 42	• n/a • 36	• 36 – 45 • 33 – 42	• 28 – 39 • 28
Third and Fourth Floors • 16 th Street • 17 th Street	• 39 – 45 • n/a	• 42 – 45 • 39 – 42	• n/a • 33 – 36	• 36 – 45 • 33 – 42	• 28 – 39 • 28 – 36
Fifth and Sixth Floors • 16 th Street • 17 th Street	• 39 – 45 • n/a	• 42 – 45 • n/a	• n/a • n/a	• 36 – 45 • n/a	• 28 – 39 • n/a

STC = Sound Transmission Class

n/a = not applicable

- a. Refer to Figures 3 – 6 in Charles M. Salter Associates, *Eastern Neighborhoods Plan Environmental Noise Assessment*, 901 16th Street and 1200 17th Street Mixed-Use Project, October 20, 2014 for the exact locations and specifications, including exterior wall assembly upgrades and ventilation systems, of the STC rating requirements.

Therefore, Project Mitigation Measure M-NO-3 has been identified to implement *PEIR* Mitigation Measure F-4. Compliance with this mitigation measure would result in less-than-significant impacts to exposure of siting noise-sensitive uses by ensuring compliance with Title 24 noise standards.

Eastern Neighborhoods PEIR Mitigation Measure F-6 addresses impacts from existing ambient noise levels on open space required under the Planning Code for new development that includes noise sensitive uses. Measure F-6 applies to the proposed project, which has been designed with shared internal courtyard and mews areas to shield the on-site open spaces with the proposed buildings. Therefore, the proposed project has been designed to comply with *PEIR* Mitigation Measures F-6.

The project site is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip and there would be no impacts related to airport noise.

¹⁷ Charles M. Salter Associates, 2014.

¹⁸ Note: proposed legislation is currently pending before the San Francisco Board of Supervisors (File No. 141298) that could, if adopted, require the proposed project to meet a number of conditions beyond existing regulatory requirements given its location in proximity to a Place of Entertainment (Bottom of the Hill).

For these reasons, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to siting of proposed noise-sensitive uses and open space.

Operational Noise Generation

Eastern Neighborhoods PEIR Mitigation Measure F-5 addresses impacts related to individual projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise in the proposed project site vicinity. This measure would be applicable to the proposed project because the 901 16th Street portion of the proposed project includes a new backup diesel generator¹⁹ that is considered a noise-generating source. As proposed, the backup diesel generator would be located within a 10-foot tall aluminum mechanical screen on the roof of the 16th Street building as shown on Figure 11.

Operation of this equipment would be subject to the City's Noise Ordinance (Article 29 of the San Francisco Police Code). Section 2909 (a)(1) regulates noise from mechanical equipment and other similar sources on residential property. Mechanical equipment operating on residential property must not produce a noise level more than 5 dBA above the ambient noise level at the property boundary. Section 2909 (d) states that no fixed noise source may cause the noise level measured inside any sleeping or living room in a dwelling unit on residential property to exceed 45 dBA between 10 pm and 7 am or 55 dBA between 7 am and 10 pm with windows open, except where building ventilation is achieved through mechanical systems that allow windows to remain closed. The proposed project would be subject to and required to comply with the Noise Ordinance.

The Environmental Noise Assessment prepared for the proposed project²⁰ identified potential noise-sensitive uses within 900 feet of, and that have a direct line-of-sight-to the project site, included two 24-hour noise measurements, and recommended site-specific measures to feasibly attain the City's Noise Ordinance noise levels. The noise analysis recommendations include, but are not limited to, ensuring that the backup diesel generator would be designed such that it does not produce a noise level above 74 dBA at a distance of 23 feet (unshielded), assuming the ambient noise levels and heights of the backup diesel generator as described in the noise analysis. The proposed project would be subject to and would comply with these recommendations to ensure that the City Noise Ordinance requirements could be met.

Therefore, Project Mitigation Measure M-NO-4 has been identified to implement *Eastern Neighborhoods PEIR* Mitigation Measures F-5. Compliance with this mitigation measure would result in less-than-significant operational noise impacts by ensuring compliance with the City's Noise Ordinance.

An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. Traffic volumes at the four intersections surrounding the project site total approximately 4,500 vehicles during the PM peak hour. The proposed project's daily, as opposed to PM peak hour, vehicle trips are approximately 4,234 and the PM peak hour vehicle trips are 513. The proposed project would not cause a doubling in traffic volumes in the surrounding area. Therefore, the proposed project's vehicle trips would not cause a noticeable increase in the ambient noise level in the project vicinity. The impact related to increases in traffic noise would be less than significant.

¹⁹ Although backup diesel generators are intended only to be used in periods of power outages, monthly testing of the backup diesel generator would be required.

²⁰ Charles M. Salter Associates, 2014.

For the above reasons, the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to operational noise generation.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
6. AIR QUALITY—Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

The *Eastern Neighborhoods PEIR* identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses²¹ as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The *Eastern Neighborhoods PEIR* identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels. All other air quality impacts were found to be less than significant.

Eastern Neighborhoods PEIR Mitigation Measure G-1 addresses air quality impacts during construction, *PEIR* Mitigation Measure G-2 addresses the siting of sensitive land uses near sources of TACs and *PEIR* Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs.

Construction Dust Control

Eastern Neighborhoods PEIR Mitigation Measure G-1 requires individual projects involving construction activities to include dust control measures and to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. The San Francisco Board of Supervisors subsequently approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust

²¹ The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors to exposure from air pollution as: children, adults or seniors occupying or residing in the following sensitive land uses: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12. The City agrees with this definition.

generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities.

For projects over one half-acre, such as the proposed project, the Dust Control Ordinance requires that the project sponsor submit a Dust Control Plan for approval by DPH. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has a site-specific Dust Control Plan, unless the Director waives the requirement. The site-specific Dust Control Plan would require the project sponsor to implement additional dust control measures such as installation of dust curtains and windbreaks and to provide independent third-party inspections and monitoring, provide a public complaint hotline, and suspend construction during high wind conditions.

The regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that construction dust impacts would not be significant. These requirements supersede the dust control provisions of *PEIR* Mitigation Measure G-1. Therefore, the portion of *PEIR* Mitigation Measure G-1 that addresses dust control is no longer applicable to the proposed project.

For the above reasons, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to contribution to violations of air quality standards or substantial increases in non-attainment pollutants from construction dust.

Criteria Air Pollutants

Construction

In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six criteria air pollutants: ozone²², carbon monoxide (CO), particulate matter (PM)²³, nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. In general, the San Francisco Bay Area Air Basin (SFBAAB) experiences low concentrations of most pollutants when compared to federal or state standards. The SFBAAB is designated as either in attainment²⁴ or unclassified for most criteria pollutants with the exception of ozone, PM_{2.5}, and PM₁₀, for which these pollutants are designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's

²² Ozone is produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG) and oxides of nitrogen (NO_x).

²³ Air pollutant standards are established for both PM₁₀ and PM_{2.5}. PM₁₀ is often termed "coarse" particulate matter and is made of particulates that are 10 microns in diameter or smaller. PM_{2.5}, termed "fine" particulate matter, is composed of particles that are 2.5 microns or less in diameter.

²⁴ "Attainment" status refers to those regions that are meeting federal and/or state standards for a specified criteria pollutant. "Non-attainment" refers to regions that do not meet federal and/or state standards for a specified criteria pollutant. "Unclassified" refers to regions where there is not enough data to determine the region's attainment status for a specified criteria air pollutant.

contribution to cumulative air quality impacts is considerable, then the project's impact on air quality would be considered significant.²⁵

While the *Eastern Neighborhoods PEIR* determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the *PEIR* states that "Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the BAAQMD's quantitative thresholds for individual projects."²⁶ The Bay Area Air Quality Management District (BAAQMD) prepared updated *2011 BAAQMD CEQA Air Quality Guidelines (Air Quality Guidelines)*,²⁷ which provided new methodologies for analyzing air quality impacts, including construction activities. The *Air Quality Guidelines* also provide thresholds of significance for those criteria air pollutants that the SFBAAB is in non-attainment. These thresholds of significance are utilized by the City.

Construction activities from the proposed project would result in the emission of criteria air pollutants from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction of the proposed project would occur over an approximately 2-year period (519 working days). Construction-related criteria air pollutants generated by the proposed project were quantified using the California Emissions Estimator Model (CalEEMod) and provided within an Air Quality Impact Analysis memo.²⁸ The model was developed, including default data (e.g., emission factors, meteorology, etc.) in collaboration with California air districts' staff. Default assumptions were used where project-specific information was unknown. Emissions were converted from tons/year to lbs/day using the estimated construction duration of 519 working days. As shown in **Table 3**, unmitigated project construction emissions would be above the threshold of significance for NO_x.

Table 3: Daily Project Construction Emissions

	Pollutant Emissions (Average Pounds per Day)			
	ROG	NO_x	Exhaust PM₁₀	Exhaust PM_{2.5}
Unmitigated Project Emissions	23.0	54.3	2.3	2.1
Mitigated Project Emissions ^a	22.0	49.6	1.9	1.8
Significance Threshold	54.0	54.0	82.0	54.0

Emissions over threshold levels are in **bold**.

- a. Assumes all off-road tractors, loaders, and backhoes greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 3 off-road emission standards.

Source: ENVIRON, Air Quality Analysis 901 16th Street / 1200 17th Street, October 23, 2014.

²⁵ Bay Area Air Quality Management District (BAAQMD), California Environmental Quality Act Air Quality Guidelines, updated May 2011. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.1300E.

²⁶ San Francisco Planning Department, PEIR, 2008. See page 346.

²⁷ BAAQMD, 2011.

²⁸ ENVIRON (ENVIRON) International Corp., Air Quality Analysis 901 16th Street / 1200 17th Street, October 23, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.1300E.

Therefore, Project Mitigation Measure M-AQ-1 has been identified to implement the portions of *Eastern Neighborhoods PEIR* Mitigation Measure G-1 related to emissions exhaust by requiring engines to meet higher emission standards on certain types of construction equipment. As shown in Table 3, Project Mitigation Measure M-AQ-1 would reduce NO_x emissions below the thresholds of significance and thus, impacts would be less than significant.

Operation

The proposed project would generate criteria pollutant emissions associated with vehicle traffic (mobile sources), on-site area sources (i.e., natural gas combustion for space and water heating, and combustion of other fuels by building and grounds maintenance equipment), energy usage, and testing of a backup diesel generator. Operational-related criteria air pollutants generated by the proposed project were also quantified using CalEEMod and provided within an Air Quality Impact Analysis memo.²⁹ Default assumptions were used where project-specific information was unknown.³⁰

The daily and annual emissions associated with operation of the proposed project are shown in **Table 4**. Table 4 also includes the thresholds of significance the City utilizes.

Table 4: Summary of Operational Criteria Air Pollutant Emissions

	ROG	NO _x	PM ₁₀	PM _{2.5}
Project Average Daily Emissions (lbs/day)	28	20	14	3.9
Significance Threshold (lbs/day)	54	54	82	54
Project Maximum Annual Emissions (tpy)	5.1	3.7	2.5	0.7
Significance Threshold (tpy)	10.0	10.0	10.0	10.0

lbs/day = pounds per day

tpy = tons per year

Source: ENVIRON, Air Quality Analysis 901 16th Street / 1200 17th Street, October 23, 2014.

As shown in Table 4, the proposed project would not exceed the threshold of significance for operational criteria air pollutant emissions. For these reasons, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to contribution to violations of air quality standards or substantial increases in non-attainment criteria air pollutants.

Health Risk

Subsequent to certification of the *Eastern Neighborhoods PEIR*, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, effective December 8, 2014)(Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an

²⁹ ENVIRON, 2014.

³⁰ Note: CalEEMod used a default household size of 2.86. Note that this is a more conservative (higher) estimate than that used in the *Eastern Neighborhoods PEIR*, page 232, at 1.76 persons per household for growth under Option C in Showplace Square/Potrero Hill.

enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. The Air Pollutant Exposure Zone as defined in Article 38 are areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM_{2.5} concentration, cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. Projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

Construction

The project site is located within an identified Air Pollutant Exposure Zone. The ambient health risk to sensitive receptors from air pollutants is considered substantial. The proposed project would require heavy-duty off-road diesel vehicles and equipment during anticipated two-year construction period. Therefore, Project Mitigation Measure M-AQ-1 has been identified to implement the portions of *Eastern Neighborhoods PEIR* Mitigation Measure G-1 related to emissions exhaust by requiring engines with higher emission standards on certain types of construction equipment. Project Mitigation Measure M-AQ-1 would reduce DPM exhaust from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment. Therefore, impacts related to construction health risk would be less than significant through implementation of Project Mitigation Measure M-AQ-1.

Siting Sensitive Land Uses

For sensitive use projects within the Air Pollutant Exposure Zone as defined by Article 38, such as the proposed project, the Ordinance requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the DPH that achieves the protection from PM_{2.5} (fine particulate matter) equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has an approved Enhanced Ventilation Proposal.

In compliance with the Article 38, the project sponsor has submitted an initial application to DPH identifying that the project sponsor will comply with the Ordinance requirements.³¹ The regulations and procedures set forth by the Article 38 would ensure that exposure to sensitive receptors would not be significant. These requirements supersede the provisions of *PEIR* Mitigation Measure G-2. Therefore, *PEIR* Mitigation Measure G-2 Air Quality for Sensitive Land Uses is no longer applicable to the proposed project, and impacts related to siting of new sensitive land uses would be less than significant through compliance with the Health Code.

Siting New Sources

The proposed project would not be expected to generate 100 trucks per day or 40 refrigerated trucks per day. Therefore, *Eastern Neighborhoods PEIR* Mitigation Measure G-3 is not applicable. The proposed project would include a backup diesel generator, which would emit DPM, a TAC. Therefore, Project Mitigation Measure M-AQ-2 has been identified to implement the portions of *Eastern Neighborhoods PEIR* Mitigation Measure G-4 related to siting of uses that emit TACs by requiring the engine to meet higher emission standards. Project Mitigation Measure M-AQ-2 would reduce DPM exhaust from stationary sources by 89 to 94 percent compared to uncontrolled stationary sources. Impacts related to new sources

³¹ Application for Article 38 Compliance Assessment for 901 16th Street and 1200 17th Street, dated January 5, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.1300E.

of health risk would be less than significant through implementation of Project Mitigation Measure M-AQ-2.

For these reasons, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to increased health risk.

Odors

During construction, the various diesel-powered vehicles and equipment in use on-site would create localized odors. These odors would be temporary and are not likely to be noticeable for extended periods of time beyond the project site. The potential for diesel odor impacts is therefore considered less than significant. Other potential land uses associated with the proposed project, including restaurants, are not expected to produce any offensive odors that would result in frequent odor complaints. Therefore, odor impacts would be less than significant. For these reasons, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to odors.

Clean Air Plan Consistency

The *Eastern Neighborhoods PEIR* stated that with implementation of Mitigation Measures G-2, G-3, and G-4, the Area Plan would be consistent with the *Bay Area 2005 Ozone Strategy*, the applicable air quality plan at the time. Subsequent to the certification of the *PEIR*, the *2010 Clean Air Plan* was adopted by the BAAQMD and it updates the *Bay Area 2005 Ozone Strategy* in accordance with the requirements of the California Clean Air Act to implement all feasible measures to reduce ozone; provide a control strategy to reduce ozone, particulate matter, air toxics, and greenhouse gases in a single, integrated plan; and establish emission control measures to be adopted or implemented. Consistency with the *2010 Clean Air Plan* can be determined by whether or not the proposed project supports the goals of the *2010 Clean Air Plan*, includes applicable control measures from the *2010 Clean Air Plan*, or hinders implementation of any control measures from the *2010 Clean Air Plan* (e.g., excessive parking or preclude extension of transit lane or bicycle path).

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

The compact development of the proposed project and high availability of viable transportation options ensure that residents could bicycle, walk, and ride transit to and from the project site instead of taking trips via private automobile. These features ensure that the proposed project would avoid substantial growth in automobile trips and vehicle miles traveled. The proposed project's anticipated 4,234 daily new vehicle trips would result in a negligible increase in air pollutant emissions. Transportation control measures that are identified in the *2010 Clean Air Plan* are implemented by the San Francisco General Plan and the Planning Code, for example, through the City's Transit First Policy, bicycle parking requirements, and transit impact development fees. Compliance with these requirements would ensure the proposed project includes relevant transportation control measures specified in the *2010 Clean Air Plan*. Therefore, the proposed project would include applicable control measures identified in the *2010 Clean Air Plan* to meet the *2010 Clean Air Plan's* primary goals.

Examples of a project that could cause the disruption or delay of *Clean Air Plan* control measures are projects that would preclude the extension of a transit line or bike path, or projects that propose excessive parking beyond parking requirements. The proposed project would add retail and housing to an infill, transit priority area as defined in Public Resources Code Section 21099(d). It would not preclude the extension of a transit line or a bike path or any other transit improvement, and thus would not disrupt or hinder implementation of control measures identified in the CAP.

For the reasons described above, the proposed project would not interfere with implementation of or be inconsistent with the 2010 *Clean Air Plan*. Therefore, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to conflict with an air quality plan.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
7. GREENHOUSE GAS EMISSIONS—Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

The *Eastern Neighborhoods PEIR* assessed the GHG emissions that could result under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO₂E³² per service population,³³ respectively. The *Eastern Neighborhoods PEIR* concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the *PEIR*.

Regulations outlined in San Francisco's Strategies to Address Greenhouse Gas Emissions have proven effective as San Francisco's GHG emissions have measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan GHG reduction goals for the year 2020.

The proposed project was determined to be consistent with San Francisco's GHG Reduction Strategy.³⁴ Other existing regulations, such as those implemented through AB 32, would continue to reduce a proposed project's contribution to climate change. Therefore, the proposed project's GHG emissions

³² CO₂E, defined as equivalent Carbon Dioxide, is a quantity that describes other greenhouse gases in terms of the amount of Carbon Dioxide that would have an equal global warming potential.

³³ Memorandum from Jessica Range to Environmental Planning staff, Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods PEIR and provides an analysis of the emissions using a service population (equivalent of total number of residents and employees) metric.

³⁴ Greenhouse Gas Analysis: Compliance Checklist, 901 16th Street and 1200 17th Street, December 17, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.1300E.

would not conflict with state, regional, and local GHG reduction plans and regulations, and thus the proposed project's contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans and consistent with San Francisco's GHG Reduction Strategy, implementation of the proposed project would not result in either project-level or cumulative impacts that were not identified in the *Eastern Neighborhoods PEIR* related to GHG emissions generation or conflict with applicable GHG reduction plans.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
8. WIND AND SHADOW—Would the project:				
a) Alter wind in a manner that substantially affects public areas?	☐	☐	☐	☒
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	☐	☐	☐	☒

Wind

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. Although the proposed 48 to 68-foot-tall buildings would be taller than the immediately adjacent buildings, it would be similar in height to existing buildings in the surrounding area. For comparison, the Mission Bay district to the northeast has allowable base heights of 90 feet with limited towers allowed to develop to 160 feet, with much of the area already developed at the base height. While some rooftop features extend above the building heights, as allowed under the Planning Code, only one feature, the elevator shaft for the 16th Street Building, would extend above 80 feet, to 82 feet. However, this feature would only be a small portion of the rooftop (approximately 0.5 percent) and not on the frontage such that it would cause downwash of winds to street levels. Therefore, the proposed project would not be expected to substantially affect ground-level winds in the area.

For the above reasons, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to wind.

Shadow

Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space.

The threshold for determining the significance of impacts under CEQA is whether the proposed project would create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas, regardless of whether those facilities or areas are protected by Section 295 or not (i.e., under jurisdiction of departments other than the Recreation and Parks Commission or privately owned). In

addition, the CEQA analysis takes into account a broader array of shadow-related considerations in determining significance compared to Section 295 that may include not only quantitative criteria, but also open space usage; time of day and/or time of year; physical layout and facilities affected; the intensity, size, shape, and location of the shadow; and the proportion of open space affected.

Under the *Eastern Neighborhoods Rezoning and Area Plans*, sites surrounding parks and open spaces could be redeveloped with taller buildings without triggering Section 295 because certain parks and open spaces are not subject to Section 295. The *Eastern Neighborhoods PEIR* could not conclude that the rezoning and community plans would result in less-than-significant shadow impacts because the feasibility of complete mitigation for potential new shadow impacts of unknown proposed proposals could not be determined at that time. Therefore, the *PEIR* determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the *PEIR*.

The proposed project would construct two buildings, one 68-foot-tall building along 16th street and one 48 foot-tall building along 17th street. No parks or publicly accessible open space exist within the potential shadow area of the proposed project. However, as anticipated as a possibility in the *Eastern Neighborhoods Rezoning and Area Plans*,³⁵ a new publicly-accessible open space is planned in the Daggett Street right-of-way north of the project site. Daggett Park has been approved as part of the EQR Potrero development across 16th Street to the north of the project site and is anticipated to be constructed by 2016.³⁶ Daggett Park will be a publicly-accessible open space, but will not be under the jurisdiction of the Recreation and Park Commission and is accordingly not subject to Section 295. No existing or proposed parks subject to Section 295 are within the potential shadow area of the proposed project. While there would be no Section 295 impacts, as stated above, a project would be considered to have a significant shadow impact under CEQA if the project would create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas irrespective of ownership or whether Section 295 is applicable. Therefore, shadow diagrams were prepared to assess the character and extent of shadowing on the nearby planned Daggett Park, as well as other public areas. Note that this analysis included all rooftop features that extend above the building height, as allowed by the Planning Code and discussed in the Project Description.³⁷

The shadow analysis compared baseline shadows (i.e., shadows cast by the under-construction EQR Potrero development) with the proposed project's net new shadow for four representative days of the year beginning at one hour after sunrise and continuing hourly until one hour before sunset. The four days analyzed are: Summer Solstice (June 21), when the sun is at its highest; Spring/Fall Equinox (March 21 or September 21), when day and night are of equal length; Winter Solstice (December 21), when the sun is at its lowest; and a 'worst case' shadow day (October 19 or February 24) when the project generated net new shadow is the greatest.

The proposed project would cast net new shadow on nearby sidewalks including those along 16th Street, Mississippi Street, 17th Street, and Missouri Street at certain times of day throughout the year. Many of the sidewalks in this part of San Francisco are already shadowed by existing buildings and additional

³⁵ Refer to Figure 5, Streets and Open Space Concept, in the Showplace Square/Potrero Area Plan, which identifies the area north of 16th Street as "Acquire and develop sites for open space or neighborhood parks in the general vicinity." Available online at: http://www.sf-planning.org/ftp/General_Plan/Showplace_Square_Potrero.htm.

³⁶ San Francisco Planning Department Case Number 2003.0527EX, Large Project Authorization for 1000 16th Street Project, available at <http://commissions.sfplanning.org/cpcpackets/2003.0527XE.pdf>

³⁷ Environmental Vision, Shadow Diagrams 901 16th Street, October 13, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.1300E.

project-related shadow would be temporary in nature and would not substantially affect the use of the sidewalks.

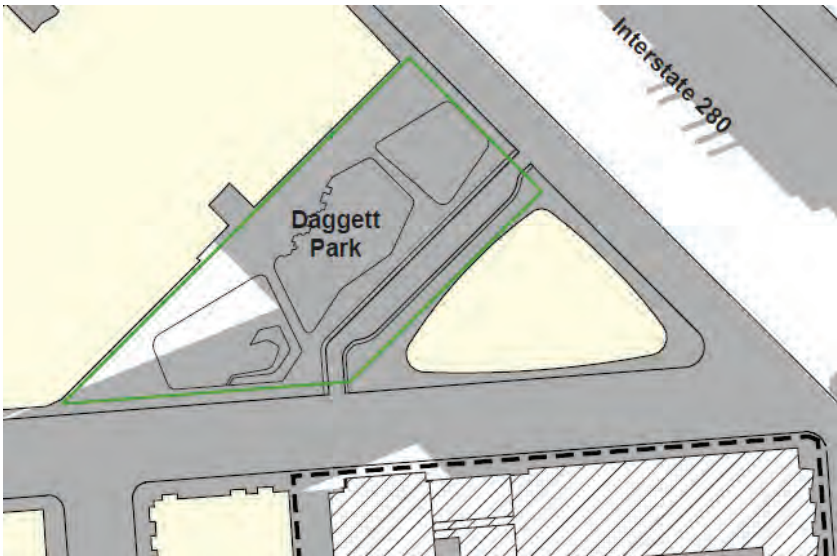
The proposed project would add net new shadow to a portion of the planned Daggett Park primarily in the mornings during the days between mid-fall and mid-winter. The project-related net new shadow would contribute to shading of the planned Daggett Park anticipated from other existing area buildings as well as from the buildings currently under construction as a part of the EQR Potrero development itself. Even without the proposed project, as shown in **Figures 16 to 19**, the planned Daggett Park would be largely shadowed in the mornings from 8:00 am to 11:00 am during the days between mid-fall and mid-winter, with shadowing lessening throughout the morning, and planned Daggett Park largely unshadowed during the afternoon hours. As also shown in these figures, shadows cast by the proposed project would not reach the planned Daggett Park during other times of the year, though it will be shadowed at times by the EQR Potrero buildings and the I-280 elevated highway.

The planned Daggett Park has not yet been constructed, so specifics of usage patterns can only be presumed based upon the planned park elements and layout. The planned park will contain mostly lawn area, which is anticipated to be used for passive recreation (e.g., seating, sunbathing, and picnicking). The southwestern corner includes public art. The northern end includes a fenced dog run area. A step landscape feature along the western side could be utilized as a play area for children. Benches/seating areas will be scattered throughout the planned park. It is anticipated that the planned park would be most utilized in the afternoon hours.

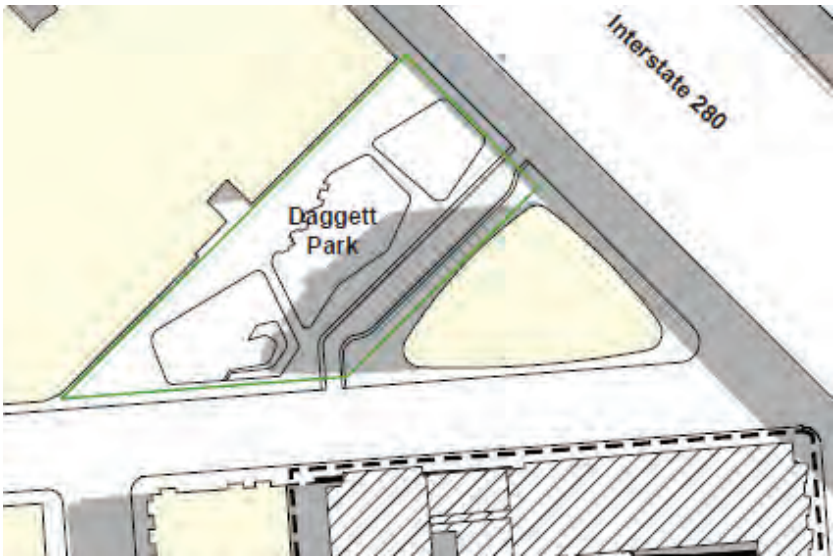
When it occurs, project-related net new shadowing would be confined to the southern half of the planned park, away from the dog run and on a limited portion of the step landscape feature/play area. Project-related net new shadowing would primarily move over lawn areas anticipated to be used for passive recreation, seating areas, and the public art area, as well as bicycle parking areas and adjacent public sidewalks and streets as time passes in the morning hours.

As stated above, the planned Daggett Park is expected to experience shadowing in the mornings in the mid-fall to mid-winter with or without the proposed project. While the proposed project would add net new shadow at the planned park, this additional shadow is not anticipated to substantially affect use of the planned park. This is because shadowing from the proposed project would contribute to shadowing that will already occur from the EQR Potrero buildings and would be limited in both time of day and time of year. The proposed project would not substantially add net new shadow on the planned park in the afternoon during any days of the year, when the planned park would otherwise receive the least shadowing and is anticipated to experience the greatest use. Therefore, shadow impacts on the planned park are considered less-than-significant.

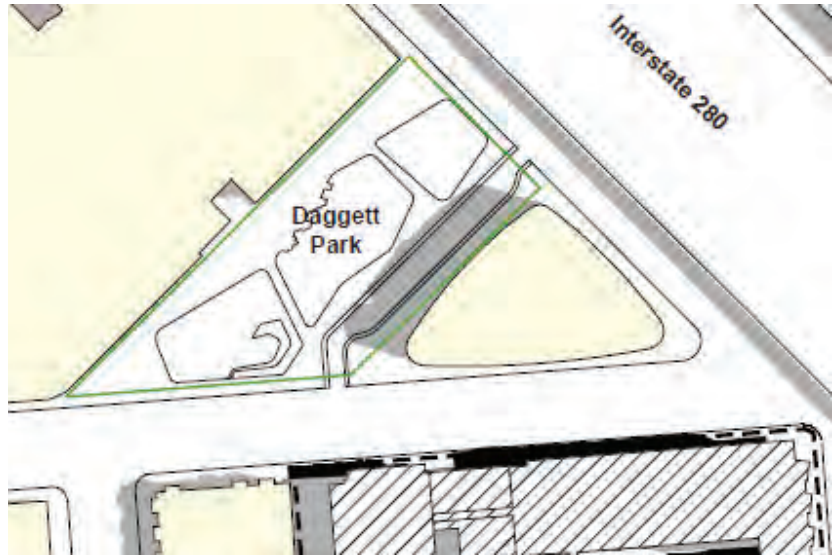
For the above reasons, the proposed project's net new shadow would not be anticipated to substantially affect the use of planned Daggett Park or other public areas, including nearby streets and sidewalks, and the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the Eastern Neighborhoods PEIR related to shadows.



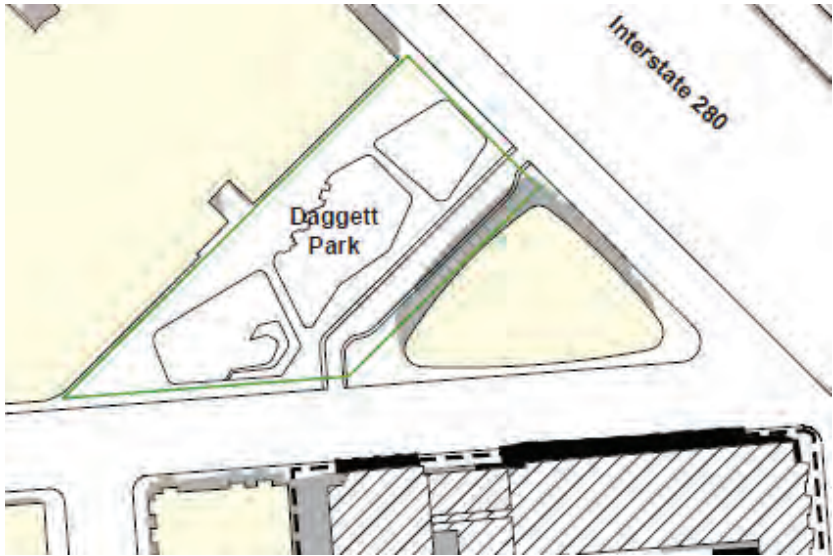
Sunrise + 1 hour (6:48 am)



9:00 am

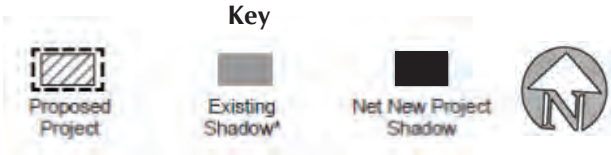


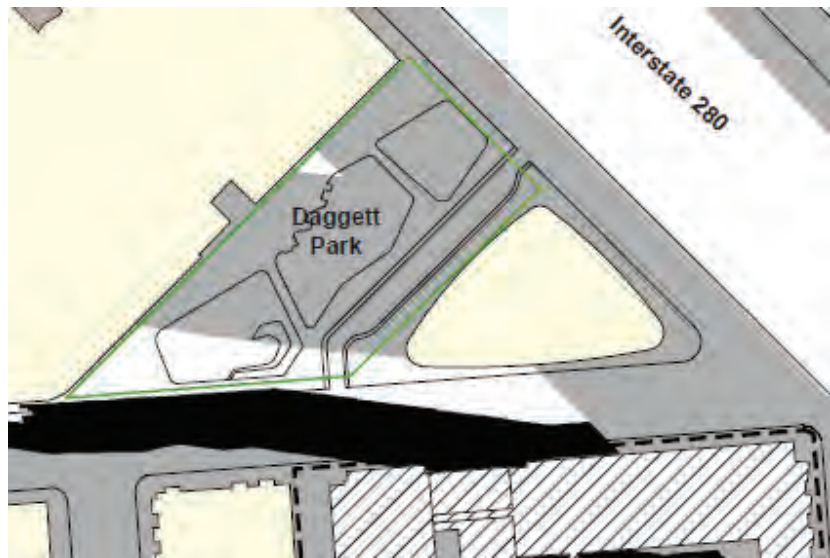
11:00 am



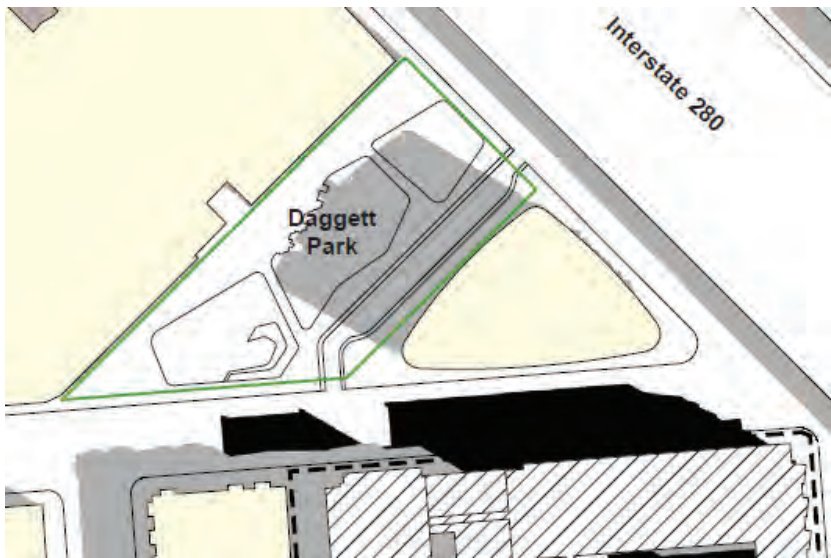
1:00 pm

Figure 16
Shadow Diagrams - Summer Solstice (June 21)
Source: Excerpted from Environmental Vision, Shadow Diagrams, October 21, 2014.

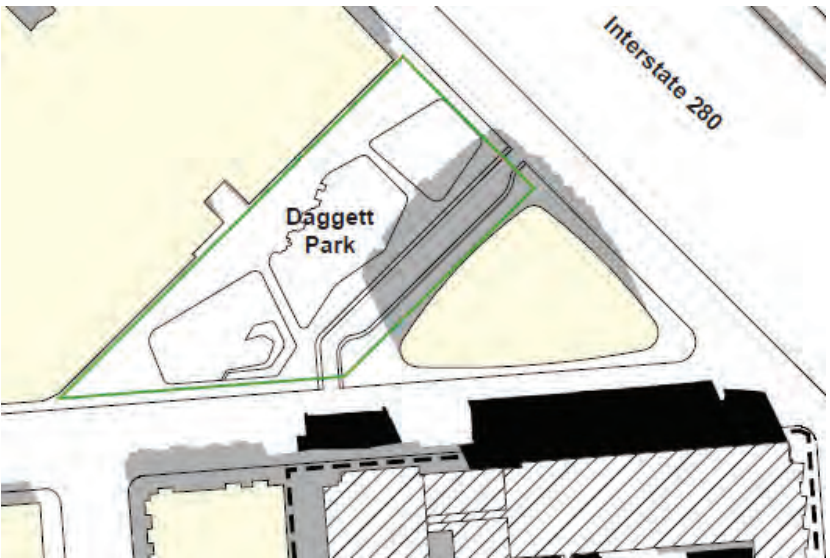




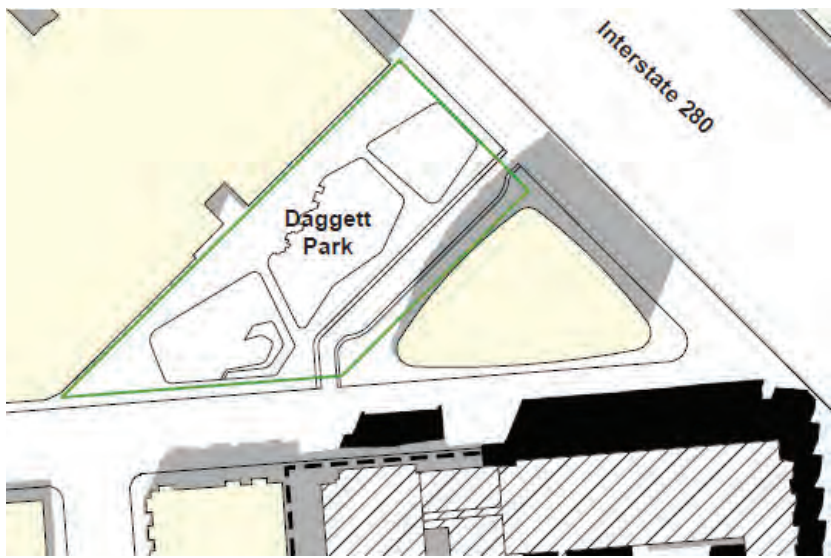
Sunrise + 1 hour (7:57 am)



10:00 am

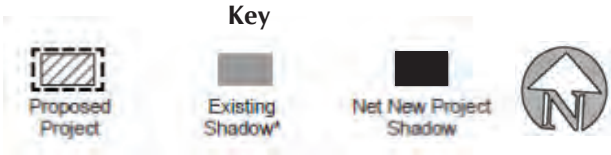


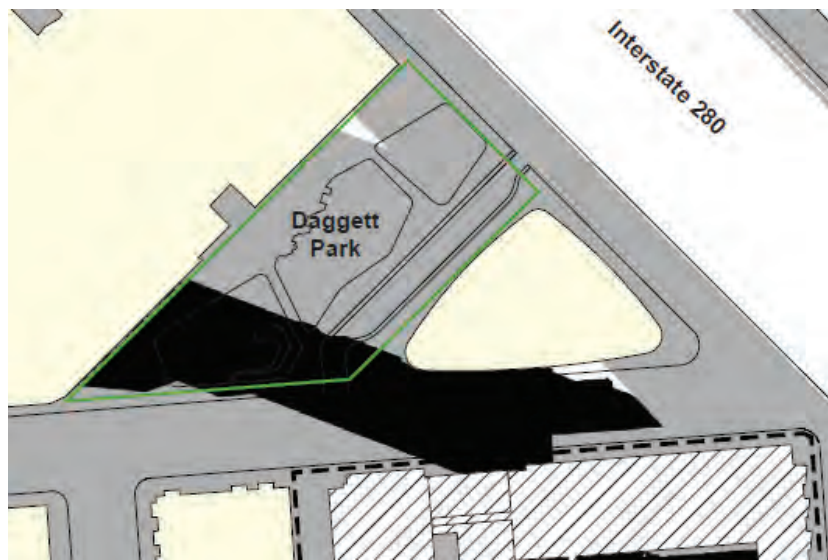
12:00 pm



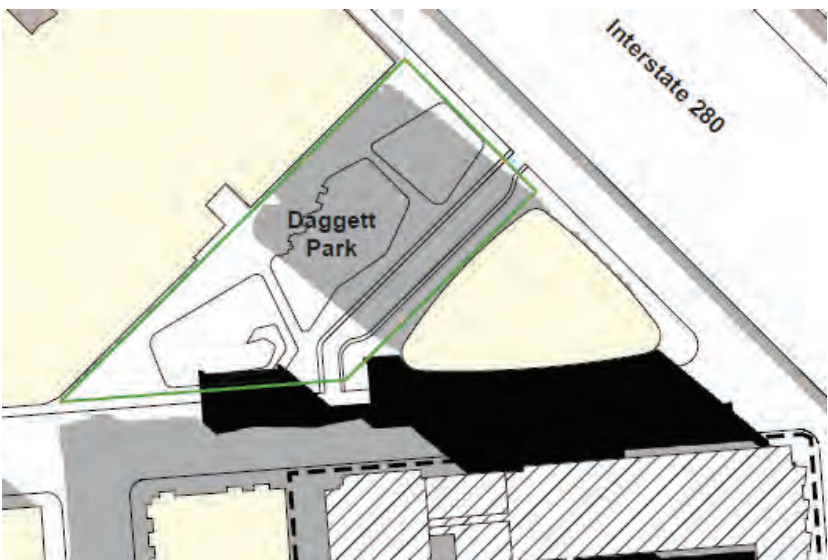
2:00 pm

Figure 17
Shadow Diagrams - Spring/Fall Equinox (March 21/September 21)
Source: Excerpted from Environmental Vision, Shadow Diagrams, October 21, 2014.

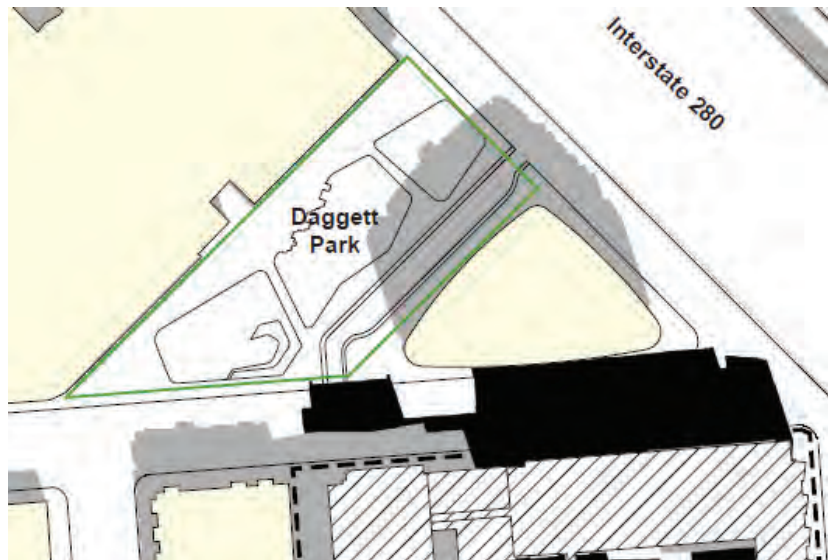




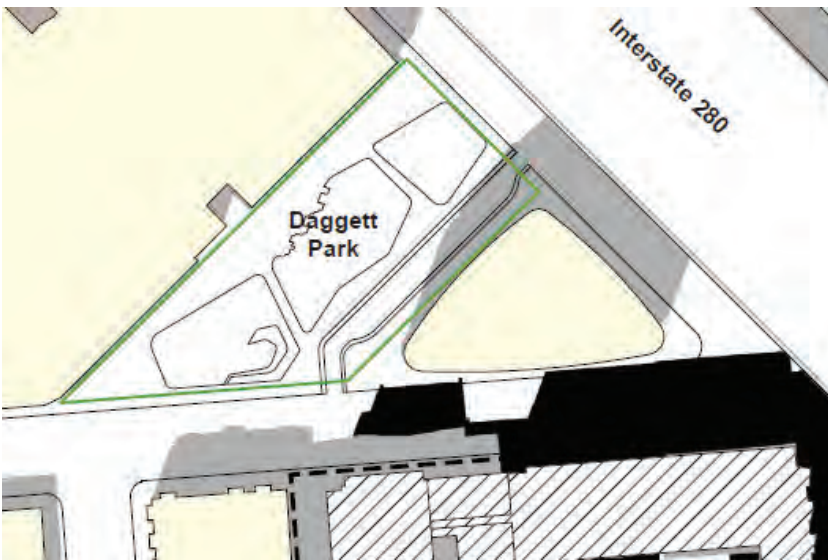
Sunrise + 1 hour (8:22 am)



10:00 am



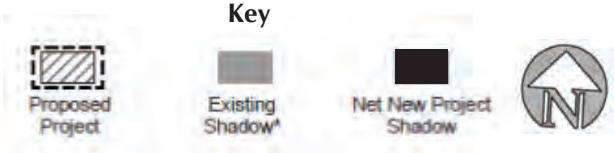
12:00 pm

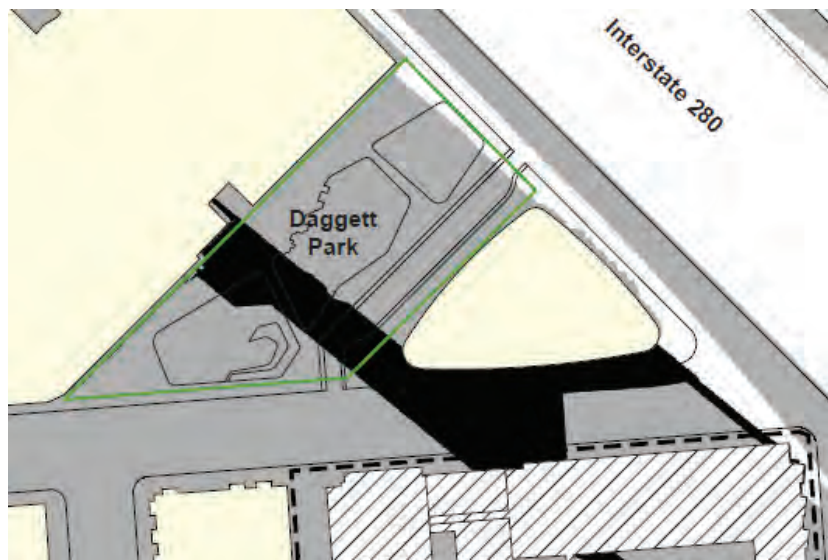


2:00 pm

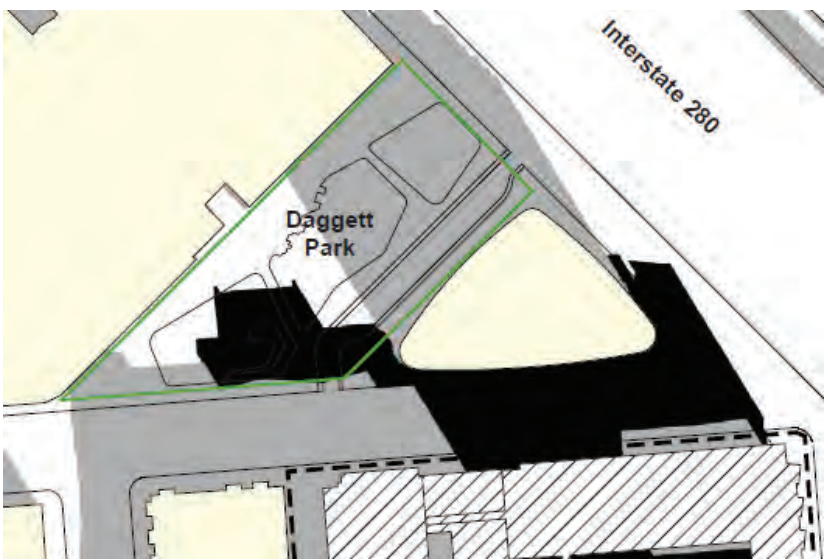
Figure 18
Shadow Diagrams - Worst Case Day (October 19/February 24)

Source: Excerpted from Environmental Vision, Shadow Diagrams, October 21, 2014.

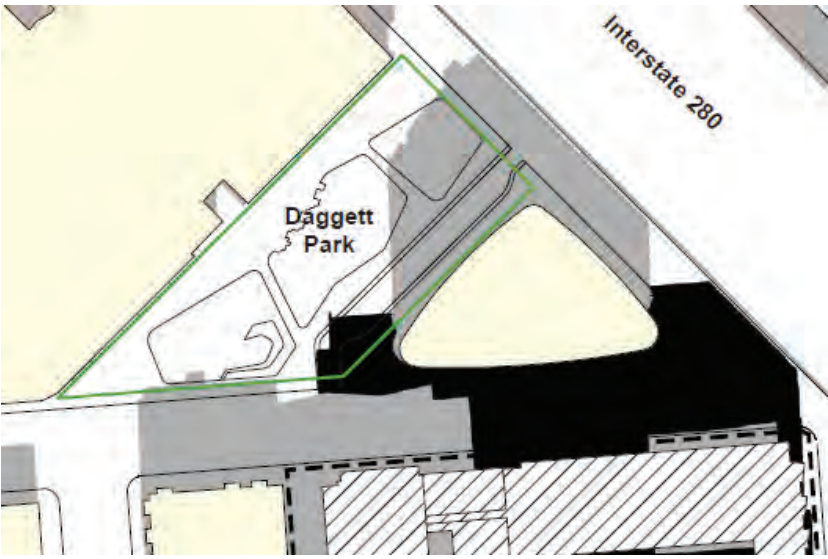




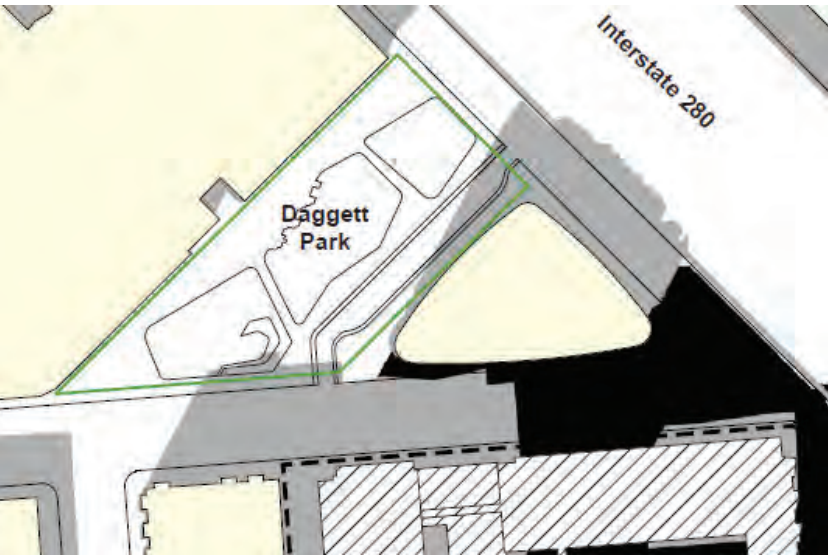
Sunrise + 1 hour (8:22 am)



10:00 am

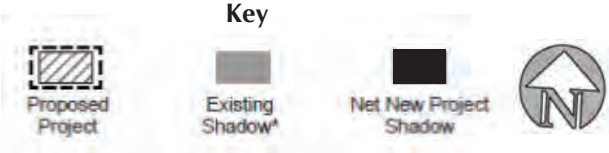


12:00 pm



2:00 pm

Figure 19
Shadow Diagrams - Winter Solstice (December 21)
Source: Excerpted from Environmental Vision, Shadow Diagrams, October 21, 2014.



<u>Topics:</u>	<u>Significant Impact Peculiar to Project or Project Site</u>	<u>Significant Impact not Identified in PEIR</u>	<u>Significant Impact due to Substantial New Information</u>	<u>No Significant Impact not Previously Identified in PEIR</u>
9. RECREATION—Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	☐	☐	☐	☒
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒
c) Physically degrade existing recreational resources?	☐	☐	☐	☒

The *Eastern Neighborhoods PEIR* concluded that implementation of the *Eastern Neighborhoods Rezoning and Area Plans* would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures related to recreational resources were identified in the *Eastern Neighborhoods PEIR*.

As the proposed project is within the development projected under the *Eastern Neighborhoods Rezoning and Area Plans*, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to physical degradation or deterioration of recreational resources or physical effects on the environment through construction or expansion of recreational facilities.

<u>Topics:</u>	<u>Significant Impact Peculiar to Project or Project Site</u>	<u>Significant Impact not Identified in PEIR</u>	<u>Significant Impact due to Substantial New Information</u>	<u>No Significant Impact not Previously Identified in PEIR</u>
10. UTILITIES AND SERVICE SYSTEMS—Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	☐	☐	☐	☒

<u>Topics:</u>	<u>Significant Impact Peculiar to Project or Project Site</u>	<u>Significant Impact not Identified in PEIR</u>	<u>Significant Impact due to Substantial New Information</u>	<u>No Significant Impact not Previously Identified in PEIR</u>
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?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

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

As the proposed project is within the development projected under the *Eastern Neighborhoods Rezoning and Area Plans*, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to utilities and service systems.

<u>Topics:</u>	<u>Significant Impact Peculiar to Project or Project Site</u>	<u>Significant Impact not Identified in PEIR</u>	<u>Significant Impact due to Substantial New Information</u>	<u>No Significant Impact not Previously Identified in PEIR</u>
11. PUBLIC SERVICES—Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	☐	☐	☐	☒

The *Eastern Neighborhoods PEIR* 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 *PEIR*.

As the proposed project is within the development projected under the *Eastern Neighborhoods Rezoning and Area Plans*, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to public services.

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

As discussed in the *Eastern Neighborhoods PEIR*, the Eastern Neighborhoods Plan Area is in a developed urban environment that does not provide native natural habitat for any rare or endangered plant or animal species. There are no riparian corridors, estuaries, marshes, or wetlands in the Plan Area that could be affected by the development anticipated under the Area Plan. In addition, development envisioned under the Eastern Neighborhoods Area Plan would not substantially interfere with the movement of any resident or migratory wildlife species. For these reasons, the *PEIR* concluded that implementation of the Area Plan would not result in significant impacts on biological resources, and no mitigation measures were identified.

As the proposed project is within the development projected under the *Eastern Neighborhoods Rezoning and Area Plans* and the proposed project would not remove on-site protected biological resources, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to biological resources.

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

The *Eastern Neighborhoods PEIR* concluded that implementation of the Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced ground-shaking, liquefaction, and landslides. The *PEIR* 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 risks, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Thus, the *PEIR* concluded that implementation of the Plan would not result in significant impacts with regard to geology, and no mitigation measures were identified in the *Eastern Neighborhoods PEIR*.

A geotechnical investigation was prepared for each of the two components (16th Street building and 17th Street building) of the proposed project to determine project-site specific characteristics and appropriate construction recommendations.³⁸

³⁸ Langan Treadwell Rollo, 2014a and 2014b.

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 7.4 miles west of the project site. This proximity would likely result in strong seismic ground shaking at the project site which can result in ground failure such as that associated with soil liquefaction, lateral spreading, and differential compaction.

The 16th Street building portion of the project site was determined to have low potential for widespread liquefaction, lateral spreading, and differential compaction because the soil below the groundwater table (groundwater was encountered in soil borings starting at depths approximately 8 feet bgs) is sufficiently stiff, dense and/or cohesive. Pockets of potentially liquefiable medium-dense sandy soil were encountered only in localized, unconnected areas and pockets of loose sand above the groundwater table would be removed for basement excavation. The 17th Street building portion of the project site was also determined to have low levels of lateral spreading, but higher potential for liquefaction because the loose to medium-dense sand and gravel areas are present in layers that have the potential for differential settlement of up to 4 inches due to liquefaction during a seismic event. The potential for differential settlement due to liquefaction could be addressed for the proposed development through inclusion of a structurally supported floor slab. No soils at the project site were determined to be expansive. The geotechnical consultation concluded that, from a geotechnical standpoint, the proposed project would be feasible and preliminary recommendations were made related to subgrade preparation, foundations, shoring, and dewatering, including measures to address potential hazards related to liquefaction. Site-specific geotechnical recommendations, which would be implemented by the project sponsor, would reduce impacts related to unstable or expansive soils and seismic-induced ground failure to less than significant levels.

The proposed project would be required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. DBI would review the project-specific geotechnical report during its review of the building permit for the proposed project. In addition, DBI may require additional site specific soils report(s) through the building permit application process, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code would ensure that the proposed project would have no significant impacts related to soils, seismic or other geological hazards.

The project site is located in a highly developed urban area and is occupied by a parking lot and existing buildings. Therefore, the proposed project would not result in loss of topsoil. Site preparation and excavation activities would disturb soils, creating the potential for wind- and water-borne soil erosion; however, these activities would not result in substantial erosion because the project area is relatively flat. As further discussed in the Hydrology and Water Quality section, the required Stormwater Control Plan would specify best management practices and erosion and sedimentation control measures to prevent erosion during the construction period.

The project site does not contain unique geologic features and the proposed project does not propose substantial changes to topography. The project proposes connection to the existing sewer system and does not propose septic tanks or other alternative wastewater systems. The proposed project would have no impact in regard to these topics.

For these reasons, implementation of the proposed project would not result in either project-level or cumulative significant impacts related to geology and soils that were not identified in the *Eastern Neighborhoods PEIR*.

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

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

Water Quality Standards, Waste Discharge Requirements, Runoff

Proposed project-related wastewater would flow to the City's combined stormwater and sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant prior to discharge into San Francisco Bay. Because the NPDES standards are set and regulated by the San Francisco Bay Area Regional Water Quality Control Board (RWQCB), the proposed project would not conflict with RWQCB requirements.

During the proposed project's construction, the potential for erosion and transportation of soil particles would exist. Once in surface water runoff, sediment and other pollutants could leave the construction site and drain into the combined sewer and stormwater system, necessitating treatment at the Southeast Water Pollution Control Plant prior to discharge into the Bay. To minimize sediments and other pollutants from entering the combined sewer and stormwater system, an Erosion and Sediment Control Plan, including best management practices, would be required to be prepared by the project sponsor for the project to minimize stormwater runoff. In addition, as discussed in Topic 15 below, the proposed project would be subject to and required to comply with the Maher Ordinance, which has further site management and reporting requirements for potential hazardous soils.

The project site is currently completely covered by buildings and pavement. The proposed project would not substantially change the amount of impervious surface area on the site, or affect runoff and drainage. Projects that disturb 5,000 square feet or more of the ground surface (such as the proposed project) must comply with the City's Stormwater Design Guidelines and submit a Stormwater Control Plan to the SFPUC for review. In compliance with the Stormwater Management Ordinance (Ordinance No. 83-10), the proposed project would be required to maintain, reduce, or eliminate the existing volume and rate of stormwater runoff discharged from the project site. To achieve this, the proposed project would implement and install appropriate stormwater management systems that retain runoff on-site, promote stormwater reuse, and limit (or eliminate altogether) site discharges before they enter the combined sewer collection system. This, in turn, would limit the incremental demand on both the collection system and wastewater facilities resulting from stormwater discharges, and minimize the potential for upsizing or constructing new facilities. Therefore, due to the requirements of existing regulations, the proposed project would not violate water quality standards, substantially degrade water quality, or provide substantial additional sources of polluted runoff and impacts would be less-than-significant.

For these reasons, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to violation of water quality standards, or degradation of water quality due to changes in drainage or construction runoff.

Groundwater and Dewatering

Groundwater is relatively shallow throughout the project site and expected to be influenced by the tides. Groundwater was encountered in soil borings starting at depths approximately 8 feet bgs. Any

groundwater encountered during construction or operation 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. The geotechnical investigation prepared for the proposed project indicates that dewatering would be needed to draw the groundwater down below the planned depths of excavation of 12 feet bgs (and potentially up to 20 feet of excavation bgs in certain locations) to provide for a workable excavation. Any dewatering wells needed for the proposed project would be subject to the requirements of the City's Soil Boring and Well Regulation Ordinance (Ordinance Number 113-05), requiring the project sponsor to obtain a permit from the Department of Public Health prior to constructing a dewatering well. A permit may be issued only if the project sponsors use construction practices that would prevent the contamination or pollution of groundwater during the construction or modification of the well or soil boring.

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 require long-term, continuous dewatering following construction because the underground structure would be waterproofed to prevent groundwater seepage and constructed to withstand the hydrostatic pressure of the groundwater. The specifications for construction dewatering and protection against long-term groundwater intrusion are outlined in the geotechnical investigation for the proposed project and would be reviewed by the Department of Building Inspection as part of the building permit process. In addition, the project site is located in the Downtown San Francisco Groundwater Basin. This basin is not used as a drinking water supply and no plans for development of this basin exist for groundwater production.

Therefore, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to degradation of water quality or violation of waste discharge requirements through dewatering or depletion of groundwater.

Flood Hazards and Inundation

The project site is not within a 100-year-flood special hazard area as shown on the Federal Emergency Management Agency (FEMA) 2007 maps for San Francisco and would not be subject to any localized flooding. According to Maps 5, 6, and 7 of the *San Francisco General Plan Community Safety Element*, the project site is not in an area subject to landslide, seiche, or tsunami run-up. Therefore, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to flood hazards or inundation.

<u>Topics:</u>	<u>Significant Impact Peculiar to Project or Project Site</u>	<u>Significant Impact not Identified in PEIR</u>	<u>Significant Impact due to Substantial New Information</u>	<u>No Significant Impact not Previously Identified in PEIR</u>
15. HAZARDS AND HAZARDOUS MATERIALS—				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

The *Eastern Neighborhoods PEIR* noted that implementation of any of the proposed project's rezoning options would encourage construction of new development within the project area. The *PEIR* found that there is a high potential to encounter hazardous materials during construction activities in many parts of the project area because of the presence of 1906 earthquake fill, previous and current land uses associated with the use of hazardous materials, and known or suspected hazardous materials cleanup cases. However, the *PEIR* found that existing regulations for facility closure, Underground Storage Tank (UST) closure, and investigation and cleanup of soil and groundwater would ensure implementation of measures to protect workers and the community from exposure to hazardous materials during construction.

Hazardous Building Materials

The *Eastern Neighborhoods PEIR* determined that future development in the Plan Area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the *PEIR* include asbestos, electrical equipment such as transformers and fluorescent light

ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. The *Eastern Neighborhoods PEIR* identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that *Eastern Neighborhoods PEIR* Mitigation Measure L-1: Hazardous Building Materials would reduce effects to a less-than-significant level. Because the proposed development includes demolition of existing buildings that may contain hazardous building materials, *PEIR* Mitigation Measure L-1 has been identified as Project Mitigation Measure M-HZ-1 and would reduce impacts related to hazardous building materials to less-than-significant through proper removal and disposal of potentially hazardous building materials. See full text of Mitigation Measure M-HZ-1 in the Mitigation Measures Section below.

For the above reasons, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to disposal or upset of hazardous building materials.

Listed Hazardous Materials Site

The project site is not included on the Department of Toxic Substances Control (DTSC) list of current hazardous materials sites in San Francisco compiled pursuant to Government Code Section 65962.5.³⁹ Implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to listed hazardous materials sites.

Soil and Groundwater Contamination

Historically, the site has been occupied by various industrial and manufacturing uses including a manufacturer of roofing asphalt, a fabricator of steel building frames, an iron and metal company which operated a fabrication plant and stored metal products, an asbestos warehouse, and other warehouse and office uses.

The project site is located on a parcel that is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by DPH. The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a site assessment that meets the requirements of Health Code Section 22A.6 including soil and groundwater sampling and analysis to determine potential for site contamination and level of exposure risk. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal agency(ies) for approval prior to issuance of a building permit, so that remediation and/or mitigation of site contamination encountered during development can be implemented during construction, and to remediate any site contamination in accordance with an approved SMP.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and environmental site investigations have been prepared for each of the two components of the

³⁹ California Department of Toxic Substances Control, Envirostor database, accessed September 30, 2014.

proposed project to assess the potential for site contamination.^{40,41} Conclusions for the two sites are generally the same, so are discussed here together though specifics of the SMPs would be coordinated separately. The DPH reviewed the two site investigation reports and found that the site characterization requirements of Article 22A have been met for the two projects.⁴²

The proposed project would require excavation for one level of below-grade parking to a depth of at least 12 feet bgs (up to 20 feet of excavation bgs in certain locations). Preliminary estimates indicate that a total of 68,500 cubic yards of soil materials would be exported off the project site and 6,850 cubic yards would be imported to the project site. The project site is located along the former Mission Bay shoreline reclaimed between 1886 and 1895 and is underlain by non-engineered fill including construction debris and rubble. The site has also been documented as having fill material that contains elevated concentrations of petroleum hydrocarbons and metals. Underground Storage Tanks were previously removed from the site with case closure in 2005.

Serpentine bedrock underlying the site and included in the rubble in the on-site fill contains naturally-occurring asbestos, nickel and chromium. Asbestos levels were found to be between 0 and 2.5%, which would likely be considered Class II material and would require special procedures including disposal at a Class II facility, dust suppression, air monitoring and possibly use of personal protective equipment to be detailed in the SMPs. Lead concentrations were found in some locations on-site at concentrations above Federal Class I RCRA and State Class I non-RCRA hazardous waste levels, as were chromium and nickel concentrations above State Class I non-RCRA hazardous waste levels, and would require disposal at a Class I facility.

Soil at the site contains coal tar waste likely related to manufactured gas plant waste from industrial/manufacturing activities occurring off-site in the project area during the 19th century. Coal tar was observed in the fill material at a depth starting at about 10 feet bgs and as deep as 20 feet bgs. Coal tar is composed primarily of semi-volatile organic compounds (SVOCs), including naphthalene.

The excavation and disposal of the coal tar from the project site would require procedures to reduce the free liquid content to below 50%, according to landfill acceptance criteria. This could be accomplished by blending the coal tar with dry soil presently overlying the coal tar. Another method is to blend the coal tar with overlying soil without removing it first (in-situ blending). There are no hazardous waste disposal criteria for SVOCs, as there are for metals, but the blended coal tar and soil mixture is anticipated to be disposed of as a Class II or Class I soil, depending on its location relative to the soil with which would be blended. Excavation, blending and loading of the coal tar and soil mix would require odor control measures and special decontamination procedures to be detailed in the SMPs.

Groundwater samples at two locations contained petroleum hydrocarbons and volatile and semi-volatile organic compounds in amounts that may exceed SFPUC limits. Groundwater chemistry would be tested at the time of excavation to confirm treatment requirements and may include oil/water separation,

⁴⁰ Langan Treadwell Rollo, Environmental Site Investigation 901 16th Street, September 26, 2014 (2014c). Langan Treadwell Rollo, Environmental Site Investigation 1200 17th Street, September 26, 2014 (2014d). These documents are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.1300E.

⁴¹ Potrero Partners, completed Maher Application to DPH, dated 9/19/2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.1300E.

⁴² DPH, letter regarding review of Environmental Site Assessments for the Project sites, December 21, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2011.1300E.

sediment removal, and removal of contaminants with granulated active carbon filters. Treatment requirements would be conducted during construction and would occur prior to discharge to the sanitary sewer.

The project sponsor would be required to remediate and/or mitigate potential soil and groundwater contamination at the project site to a level considered safe for residential use, as described above in accordance with Article 22A of the Health Code, which in this case is expected to encompass appropriate handling and disposal of contaminated soils excavated during construction activities, and site caps to isolate remaining soil from future site occupants. Institutional controls will be required for the development to prohibit installing groundwater wells as water supply wells for the development.⁴³ Handling of the soil with asbestos will require dust suppression, air monitoring, and if needed, personal protective equipment. Handling of coal tar will require mixing with dry soil, odor control, and if needed, personal protective equipment. Groundwater treatment during construction dewatering to meet SFPUC sanitary sewer discharge criteria may include oil/water separation, sediment removal, and removal of VOCs and SVOCs with granulated active carbon filters. A Soil Management Plan and Air Monitoring Plan will be required to demonstrate proposed compliance with requirements.⁴⁴ With compliance with Article 22A of the Health Code and other applicable requirements, implementation of the proposed project would not result in project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to release of hazardous materials from the soil or groundwater through transport, disposal or upset during construction activities.

Airport Hazards

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *PEIR* related to airport or airstrip hazards.

Emergency Evacuation Plan

In San Francisco, fire safety is ensured through the provisions of the Building Code and the San Francisco Fire Code. During the review of the building permit application, DBI and the San Francisco Fire Department would review the project plans for compliance with all regulations related to fire safety. Compliance with fire safety regulations would ensure that the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan or expose people or structures to a significant risk of loss, injury, or death involving fires.

Therefore, the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to interference with emergency response or evacuation plans.

⁴³ No current deed restrictions exist on the project site prohibiting residential use. A prior appraisal had mistakenly stated that such a deed restriction would be imposed for the project site.

⁴⁴ DPH, 2014.

<u>Topics:</u>	<u>Significant Impact Peculiar to Project or Project Site</u>	<u>Significant Impact not Identified in PEIR</u>	<u>Significant Impact due to Substantial New Information</u>	<u>No Significant Impact not Previously Identified in PEIR</u>
16. MINERAL AND ENERGY RESOURCES—				
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	☐	☐	☐	☒

The *Eastern Neighborhoods PEIR* determined that the Area Plan would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy in a wasteful manner or 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 DBI. The Plan 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 PEIR* concluded that implementation of the Area Plan would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the *PEIR*.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, implementation of the proposed project would not result in project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to mineral and energy resources.

<u>Topics:</u>	<u>Significant Impact Peculiar to Project or Project Site</u>	<u>Significant Impact not Identified in PEIR</u>	<u>Significant Impact due to Substantial New Information</u>	<u>No Significant Impact not Previously Identified in PEIR</u>
17. AGRICULTURE AND FOREST RESOURCES:—Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	☐	☐	☐	☒

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	☐	☐	☐	☒

The *Eastern Neighborhoods PEIR* determined that no agricultural resources exist in the Area Plan; therefore the rezoning and community plans would have no effect on agricultural resources. No mitigation measures were identified in the *PEIR*. The *Eastern Neighborhoods PEIR* did not analyze the effects on forest resources.

As the proposed project is within the development projected under the *Eastern Neighborhoods Rezoning and Area Plans*, implementation of the proposed project would not result in project-level or cumulative significant impacts that were not identified in the *Eastern Neighborhoods PEIR* related to agriculture and forest resources.

MITIGATION MEASURES

Cultural

Project Mitigation Measure M-CP-1: Archeological Resources Testing (Implementing Eastern Neighborhoods PEIR Mitigation Measure J-2)

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

Consultation with Descendant Communities: On discovery of an archeological site⁴⁵ associated with descendant Native Americans, the Overseas Chinese, or other descendant group an appropriate representative⁴⁶ 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.

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

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

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

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

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

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

Noise***Project Mitigation Measure M-NO-1: Construction Noise, Pile-Driving (Eastern Neighborhoods PEIR Mitigation Measure F-1)***

The project sponsor shall ensure that piles be pre-drilled wherever feasible to reduce construction-related noise and vibration. No impact pile drivers shall be used unless absolutely necessary. Contractors shall be required to use pile-driving equipment with state-of-the-art noise shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory sheetpile drivers, rather than impact drivers, shall be used wherever sheetpiles are needed. The project sponsor shall also require that contractors schedule pile-driving activity for times of the day that would minimize disturbance to neighbors.

Project Mitigation Measure M-NO-2: Construction Noise (Implementing Eastern Neighborhoods PEIR Mitigation Measure F-2)

Prior to commencing construction, the project sponsor shall submit a plan for noise attenuation measures to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

1. Conduct noise monitoring at the beginning of major construction phases (e.g., demolition, excavation) to determine the need and the effectiveness of noise-attenuation measures.
2. Erect temporary plywood noise barriers around the construction site where the site adjoins noise-sensitive receivers, including the existing residences at 999 16th Street and 49 Missouri Street.
3. Utilize noise control blankets on the building structure adjacent to noise-sensitive receivers as the building is erected to reduce noise emission from the site.
4. Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.
5. Notify the Department of Building Inspection and neighbors in advance of the schedule for each major phase of construction (i.e., building demolition, site preparation, grading, excavation, and building construction) and expected loud activities.
6. Limit construction to the hours of 7:00 a.m. to 8:00 p.m. per San Francisco Police Code Article 29. Construction outside of these hours may be approved through a development permit based on a site-specific construction noise mitigation plan and a finding by the Director of Building Inspection that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses.
7. When feasible, select “quiet” construction methods and equipment (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) wherever feasible.

8. Locate noisy station equipment (e.g., generators and compressors) and material unloading and staging away from the most sensitive adjacent uses and to areas with the most ambient noise (e.g., the corner of 16th Street and Mississippi Street).
9. Require that all construction equipment be in good working order and that mufflers are inspected to be functioning properly. Avoid unnecessary idling of equipment and engines.

The on-site noise monitoring shall be conducted throughout the site and at nearby noise sensitive receivers at the beginning of major construction phases (e.g., demolition, excavation). The purpose would be to help determine the loudest activities and what additional measures can be provided as needed to reduce the potential for noise impacts. Continuous noise monitoring shall occur for the first two weeks of each phase and a summary report shall be provided to the Planning Department at the conclusion of each major phase of construction documenting noise levels and additional measures to reduce project impacts as needed.

Project Mitigation Measure M-NO-3: Siting of Noise-Sensitive Uses (Eastern Neighborhoods PEIR Mitigation Measure F-4)

To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, 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 be prepared by persons qualified in acoustical analysis and/or engineering and 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. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

Project Mitigation Measure M-NO-4: Siting of Noise-Generating Uses (Eastern Neighborhoods PEIR Mitigation Measure F-5)

To reduce potential conflicts between existing sensitive receptors and new noise-generating uses, for new development including commercial, industrial or other uses that would be expected to generate noise levels in excess of ambient noise, either short-term, at nighttime, or as a 24-hour average, in the proposed project site vicinity, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-sensitive uses within 900 feet of, and that have a direct line-of-sight to, 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 be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the proposed use would comply with the use compatibility requirements in the General Plan and in Police Code Section 29091, would not adversely affect

nearby noise-sensitive uses, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels that would be generated by the proposed use. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action.

Air Quality

Project Mitigation Measure M-AQ-1: Construction Air Quality (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-1)

The project sponsor or the project sponsor's Contractor shall comply with the following

A. Engine Requirements.

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 3 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.
2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. Waivers.

1. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).
2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a

particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table below.

Table – Off-Road Equipment Compliance Step-down Schedule

Compliance Alternative	Engine Emission Standard	Emissions Control
1	Tier 3	ARB Level 2 VDECS
2	Tier 3	ARB Level 1 VDECS
3	Tier 3	Alternative Fuel*

How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3.

* Alternative fuels are not a VDECS.

- C. *Construction Emissions Minimization Plan.* Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.
1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.
 2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.
 3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that

the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The ERO shall review and approve. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.

- D. *Monitoring.* After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.

Project Mitigation Measure M-AQ-2: Best Available Control Technology for Diesel Generators (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-4)

The project sponsor shall ensure that the backup diesel generator meets or exceeds one of the following emission standards for particulate matter: Tier 4 certified engine (interim or final, whichever is in effect), or (2) use of a current EPA Tier 2 or Tier 3 certified engine that is equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS). A non-verified diesel emission control strategy may be used if the filter is identical to the ARB verified model and if the Bay Area Air Quality Management District (BAAQMD) approves of its use. The project sponsor shall submit documentation of compliance with the BAAQMD New Source Review permitting process (Regulation 2, Rule 2, and Regulation 2, Rule 5) and the emission standard requirement of this mitigation measure to the Planning Department for review and approval prior to issuance of a permit for a backup diesel generator from any City agency.

Hazardous Materials

Project Mitigation Measure M-HZ-1: Hazardous Building Materials (Eastern Neighborhoods PEIR Mitigation Measure L-1)

The project sponsor shall 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.