



SAN FRANCISCO PLANNING DEPARTMENT

Community Plan Exemption Checklist

Case No.: 2013.0517E
Project Address: 98 Pennsylvania Avenue
Zoning: UMU (Urban Mixed Use) Zoning District
48-X Height and Bulk District
Block/Lot: 3948/002
Lot Size: 12,195 square feet
Plan Area: Eastern Neighborhoods Area Plan (Showplace Square/Potrero Hill)
Project Sponsor: Reza Khoshnevisan, SIA Consulting Corporation, (415) 922-0200
Staff Contact: Don Lewis – (415) 575-9168
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PROJECT DESCRIPTION

The project site is located on the north side of 17th Street between Pennsylvania Avenue and Mississippi Street in the Potrero Hill neighborhood. Immediately east of the project site is Interstate 280 (I-280), which is elevated. Underneath the freeway are the former Southern Pacific railroad tracks that are used by the Peninsula Commute rail service (“Caltrain”). The project site is currently used by Regents Cab Company as a surface vehicular parking lot with approximately 25 spaces, and contains a temporary, prefabricated trailer. The proposed project involves the removal of the parking lot and trailer, and construction of a five-story, 48-foot-tall (64 feet including the elevator penthouse) residential building approximately 48,094 gross square feet in size with 46 residential units. The proposed mix of units would be 3 studios, 24 one-bedroom units and 19 two-bedroom units. The proposed project would include an underground parking garage that would be accessed via a new 10-foot-wide curb cut on 17th Street. The garage would include 31 parking spaces and 46 Class I bicycle spaces. The proposed project would install a new 10-foot-wide sidewalk along 17th Street which would include two Class II bicycle spaces and seven street trees. The proposed project would include an approximately 3,002-square-foot common roof deck surrounded by an eight-foot-tall sound barrier (four feet of Plexiglas panels on top of a four-foot-tall parapet). During the 12-month construction period, the proposed project would require excavation of up to approximately 14 feet below ground surface and 1,742 cubic yards of soil would be removed from the project site. Construction of the proposed building would require a deep foundation that would use driven piles. The project site is located within the Showplace Square/Potrero Hill area of the Eastern Neighborhoods Plan Area.

PROJECT APPROVAL

The proposed project at 98 Pennsylvania Avenue would require the following approvals:

Actions by City Departments

- Approval of a site mitigation plan from the San Francisco Department of Public Health prior to the commencement of any excavation work.
- Approval of street and sidewalk permits from San Francisco Public Works.

- Approval of a building permit from the Planning Department and Department of Building Inspection for new construction.

The proposed project is subject to notification under Planning Code Section 312. If discretionary review before the Planning Commission is requested, the discretionary review decision constitutes the Approval Action for the proposed project. If no discretionary review is requested, the issuance of the building permit by the Department of Building Inspection constitutes the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

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).¹ 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 impacts 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 Production, Distribution, and Repair (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 resources), and shadow (program-level impacts on parks).

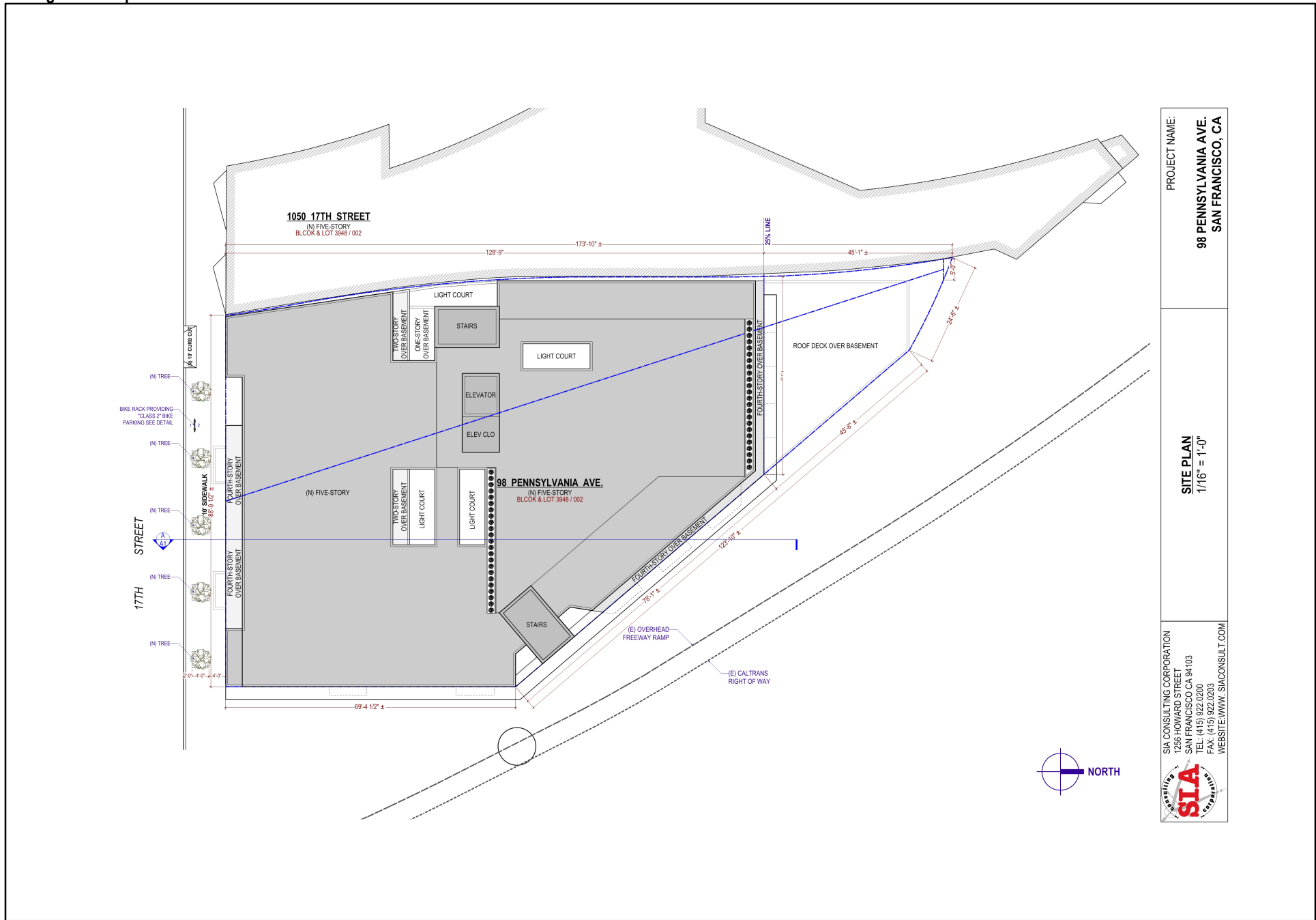
The proposed project involves the construction of a 48-foot-tall, five-story, 46-unit, residential building approximately 48,094 square feet in size with 31 off-street parking and 46 Class I bicycle spaces at the basement garage level. As discussed below in this checklist, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

¹ San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (PEIR)*, August 7, 2008. Case No. 2004.0160E. Available at <http://www.sf-planning.org/index.aspx?page=1893>, accessed on January 13, 2016. This document also is available for review at 1650 Mission Street, Suite 400, San Francisco, CA, as part of Case No. 2004.0160E.

Figure 1: Project Location

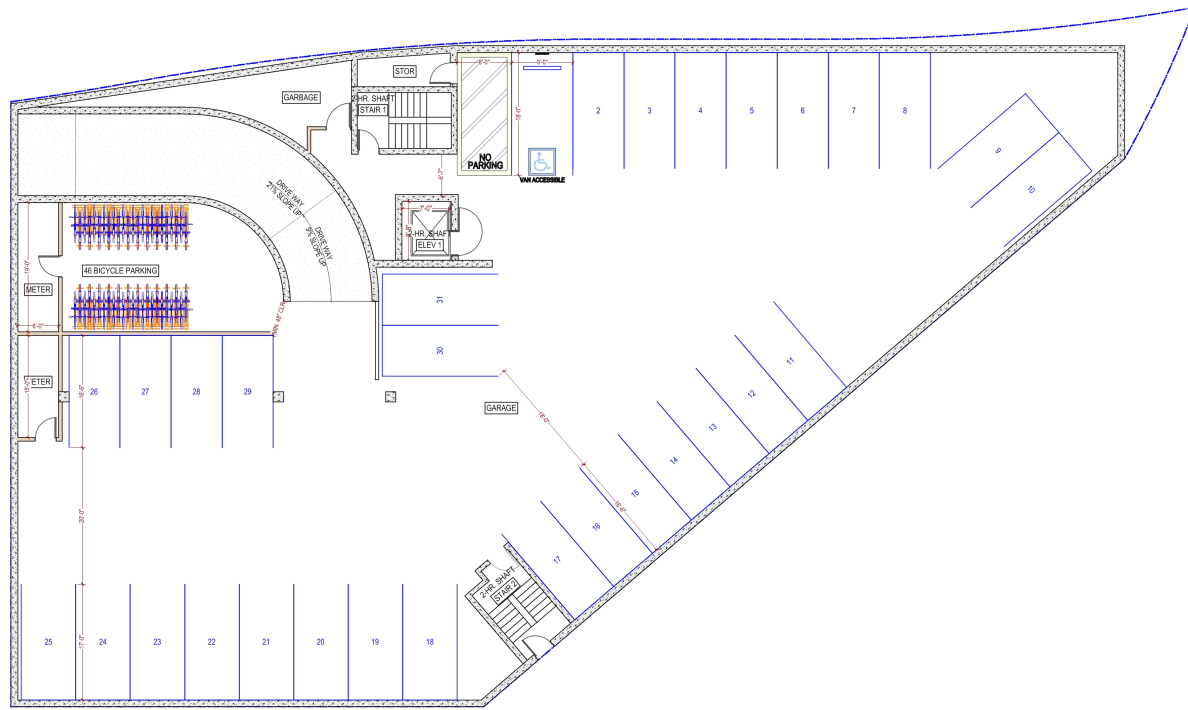


Figure 2: Proposed Site Plan



Comments: Not to Scale

Figure 3: Proposed Basement Level



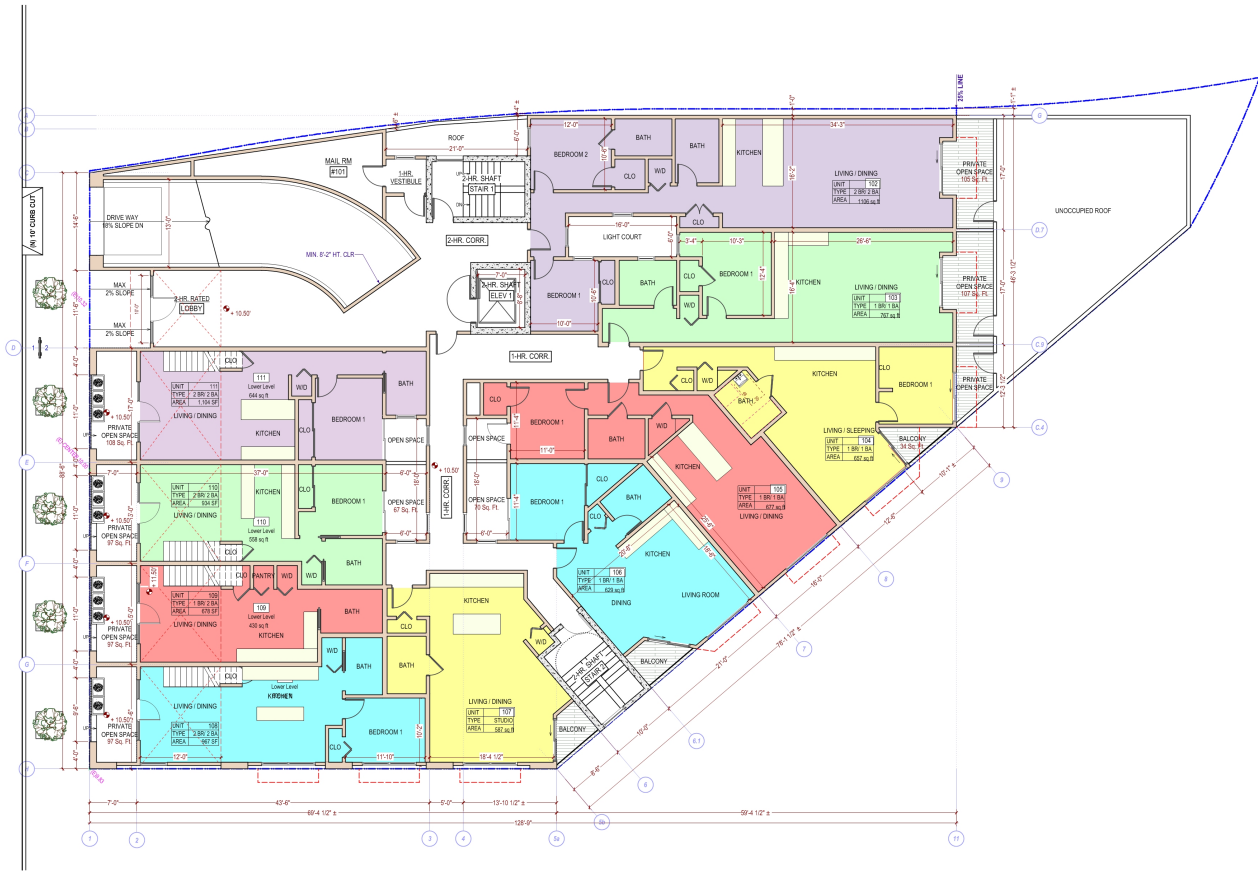
PROJECT NAME:
 98 PENNSYLVANIA AVE.
 SAN FRANCISCO, CA

BASEMENT FLOOR PLAN
 1/16" = 1'-0"

SIA CONSULTING CORPORATION
 1256 HOWARD STREET
 SAN FRANCISCO, CA 94103
 TEL: (415) 922.0200
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Comments: Not to Scale

Figure 4: Proposed Ground-Floor



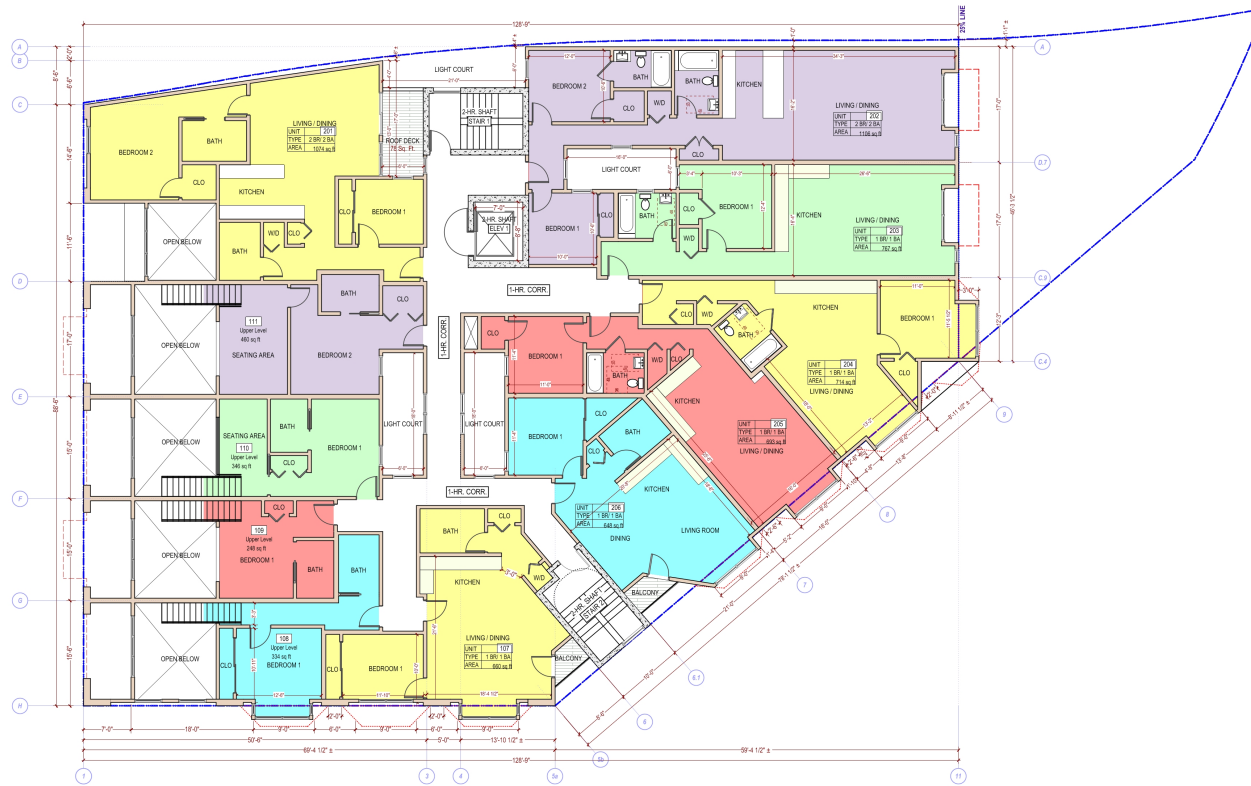
PROJECT NAME:
**98 PENNSYLVANIA AVE.
 SAN FRANCISCO, CA**

FIRST FLOOR PLAN
 1/16" = 1'-0"

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Comments: Not to Scale

Figure 5: Proposed Upper Floor



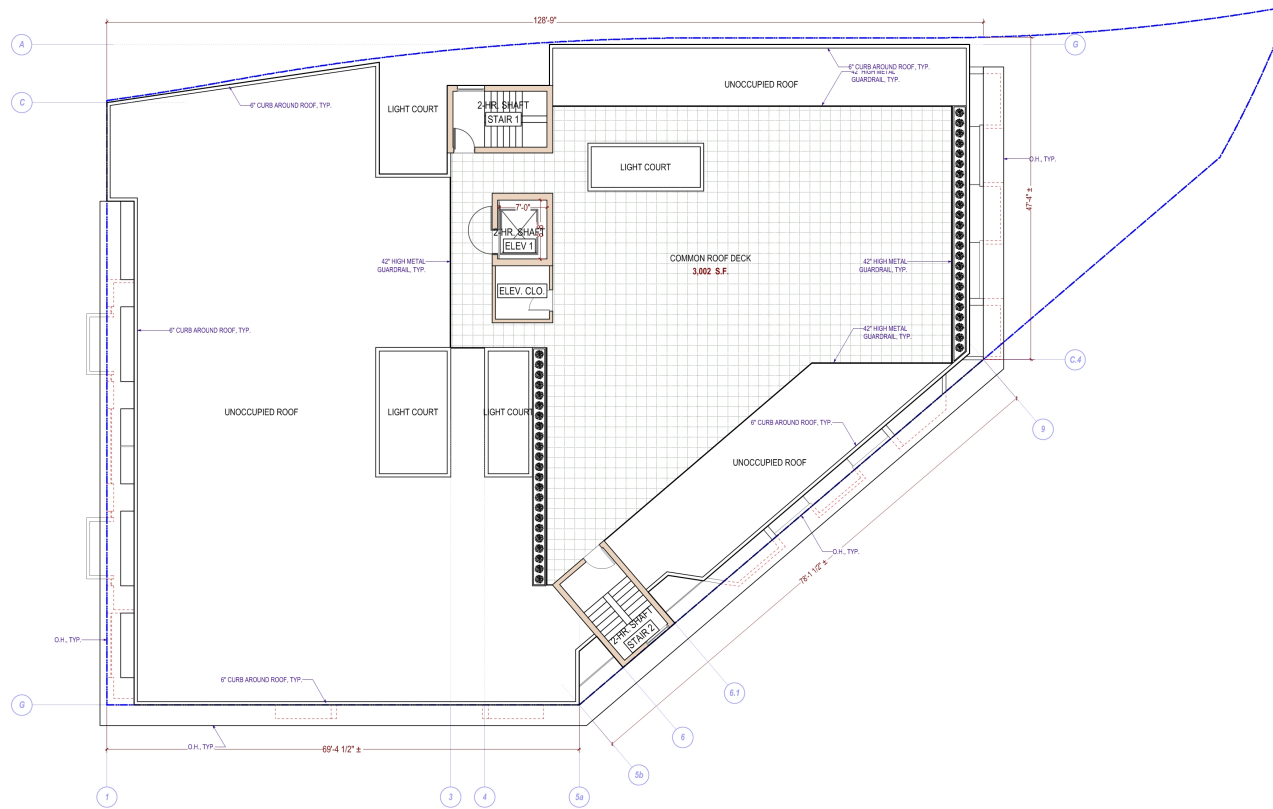
PROJECT NAME:
**98 PENNSYLVANIA AVE.
 SAN FRANCISCO, CA**

SECOND FLOOR PLAN
 1/16" = 1'-0"

SIA CONSULTING CORPORATION
 1256 HOWARD STREET
 SAN FRANCISCO CA 94103
 TEL: (415) 922.0200
 FAX: (415) 922.0203
 WEBSITE: WWW.SIACONSULT.COM

Comments: Not to Scale

Figure 6: Proposed Roof-top



<p>PROJECT NAME: 98 PENNSYLVANIA AVE. SAN FRANCISCO, CA</p>
<p>ROOF PLAN 1/16" = 1'-0"</p>
<p>SIA CONSULTING CORPORATION 1256 HOWARD STREET SAN FRANCISCO CA 94103 TEL: (415) 922.0200 FAX: (415) 922.0203 WEBSITE: WWW.SIACONSULT.COM</p>

Comments: Not to Scale

Figure 7: Proposed Elevations



Proposed Front Elevation (17th Street)




Proposed Right Elevation (Pennsylvania Ave)

PROJECT NAME:
**98 PENNSYLVANIA AVE.
 SAN FRANCISCO, CA**

ELEVATIONS (17TH STREET & PEENSYLVANIA)
 1/16" = 1'-0"

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Comments: Not to Scale

CHANGES IN THE REGULATORY ENVIRONMENT

Since the certification of the Eastern Neighborhoods PEIR in 2008, several new policies, regulations, statutes, and funding measures have been adopted, passed, or are underway that affect the physical environment and/or environmental review methodology for projects in the Eastern Neighborhoods plan areas. As discussed in each topic area referenced below, these policies, regulations, statutes, and funding measures have or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR. These include:

- State statute regulating Aesthetics and Parking Impacts for Transit Priority Infill, effective January 2014 (see associated heading below);
- San Francisco Bicycle Plan update adoption in June 2009, Better Streets Plan adoption in 2010, Transit Effectiveness Project (aka “Muni Forward”) adoption in March 2014, Vision Zero adoption by various City agencies in 2014, Proposition A and B passage in November 2014, and the Transportation Sustainability Program process (see Checklist section “Transportation”);
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses Near Places of Entertainment effective June 2015 (see Checklist section “Noise”);
- San Francisco ordinances establishing Construction Dust Control, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, effective December 2014 (see Checklist section “Air Quality”);
- San Francisco Clean and Safe Parks Bond passage in November 2012 and San Francisco Recreation and Open Space Element of the General Plan adoption in April 2014 (see Checklist section “Recreation”);
- Urban Water Management Plan adoption in 2011 and Sewer System Improvement Program process (see Checklist section “Utilities and Service Systems”); and
- Article 22A of the Health Code amendments effective August 2013 (see Checklist section “Hazardous Materials”).

CHANGES IN THE PHYSICAL ENVIRONMENT

Since the certification of the Eastern Neighborhoods PEIR in 2008, as evidenced by the volume of development applications submitted to the Planning Department since 2012, the pace of development activity has increased in the Eastern Neighborhoods plan areas. The Eastern Neighborhoods PEIR projected that implementation of the Eastern Neighborhoods Plan could result in a substantial amount of growth within the Eastern Neighborhoods Plan area, resulting in an increase of approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,000 square feet of net non-residential space (excluding PDR loss) throughout the lifetime of the Plan (year 2025).² The growth projected in the Eastern Neighborhoods PEIR was based on a soft site analysis (i.e., assumptions regarding the potential for a site

² Tables 12 through 16 of the Eastern Neighborhoods Draft EIR and Table C&R-2 in the Comments and Responses show projected net growth based on proposed rezoning scenarios. A baseline for existing conditions in the year 2000 was included to provide context for the scenario figures for parcels affected by the rezoning, not projected growth totals from a baseline of the year 2000. Estimates of projected growth were based on parcels that were to be rezoned and did not include parcels that were recently developed (i.e., parcels with projects completed between 2000 and March 2006) or have proposed projects in the pipeline (i.e., projects under construction, projects approved or entitled by the Planning Department, or projects under review by the Planning Department or Department of Building Inspection). Development pipeline figures for each Plan Area were presented separately in Tables 5, 7, 9, and 11 in the Draft EIR. Environmental impact assessments for these pipeline projects were considered separately from the Eastern Neighborhoods rezoning effort.

to be developed through the year 2025) and not based upon the created capacity of the rezoning options (i.e., the total potential for development that would be created indefinitely).³

As of November 4, 2015, projects containing 9,426 dwelling units and 2,525,577 square feet of non-residential space (excluding PDR loss) have completed or are proposed to complete environmental review⁴ within the Eastern Neighborhoods Plan area. These estimates include projects that have completed environmental review (5,674 dwelling units and 1,603,988 square feet of non-residential space) and foreseeable projects, including the proposed project (3,752 dwelling units and 921,589 square feet of non-residential space). Foreseeable projects are those projects for which environmental evaluation applications have been submitted to the San Francisco Planning Department. Of the 5,674 dwelling units that have completed environmental review, building permits have been issued for 3,885 dwelling units, or approximately 68 percent of those units (information is not available regarding building permit non-residential square footage). An issued building permit means the buildings containing those dwelling units are currently under construction or open for occupancy.

Within the Showplace Square/Potrero Hill subarea, the Eastern Neighborhoods PEIR projected that implementation of the Eastern Neighborhoods Plan could result in an increase of 2,300 to 3,900 net dwelling units and 1,500,000 to 1,700,000 square feet of net non-residential space (excluding PDR gain) through the year 2025. As of November 4, 2015, projects containing 3,354 dwelling units and 889,357 square feet of non-residential space (excluding PDR loss) have completed or are proposed to complete environmental review within the list Showplace Square/Potrero Hill subarea. These estimates include projects that have completed environmental review (2,190 dwelling units and 631,768 square feet of non-residential space) and foreseeable projects, including the proposed project (1,164 dwelling units and 257,589 square feet of non-residential space). Of the 2,190 dwelling units that have completed environmental review, building permits have been issued for 1,105 dwelling units, or approximately 50 percent of those units.

Growth that has occurred within the Plan area since adoption of the Eastern Neighborhoods PEIR has been planned for and the effects of that growth were anticipated and considered in the Eastern Neighborhoods PEIR. Although the reasonably foreseeable growth in the residential land use category is approaching the projections within the Eastern Neighborhoods PEIR, the non-residential reasonably foreseeable growth is between approximately 38 and 78 percent of the non-residential projections in the Eastern Neighborhoods PEIR. The Eastern Neighborhoods PEIR utilized the growth projections to analyze the physical environmental impacts associated with that growth for the following environmental impact topics: Land Use; Population, Housing, Business Activity, and Employment; Transportation; Noise; Air Quality; Parks, Recreation, and Open Space; Utilities/Public Services; and Water. The analysis took into account the overall growth in the Eastern Neighborhoods and did not necessarily analyze in isolation the impacts of growth in one land use category, although each land use category may have differing severities of effects. Therefore, given the growth from the reasonably foreseeable projects have not exceeded the overall growth that was projected in the Eastern Neighborhoods PEIR, information that was not known at the time of the PEIR has not resulted in new significant environmental impacts or substantially more severe adverse impacts than discussed in the PEIR.

³ San Francisco Planning Department, *Community Planning in the Eastern Neighborhoods, Rezoning Options Workbook, Draft*, February 2003. This document is available at: <http://www.sf-planning.org/index.aspx?page=1678#background>.

⁴ For this and the Population and Housing section, environmental review is defined as projects that have or are relying on the growth projections and analysis in the Eastern Neighborhoods PEIR for environmental review (i.e., Community Plan Exemptions or Focused Mitigated Negative Declarations and Focused Environmental Impact Reports with an attached Community Plan Exemption Checklist).

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.⁵

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

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. The proposed project would not remove any existing PDR uses and would therefore not contribute to any impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR. While the project site was zoned M-2 prior to the rezoning of Eastern Neighborhoods, which is a use district that encouraged PDR uses, the project site never contained a PDR use. The project site was vacant and undeveloped land up until the early 1990’s, when the project site was paved with asphalt and used as a parking lot. In 1999, the project site was used as a contractor’s storage yard and parking lot, and the Regents Cab Company has occupied the project site since 2012. While implementation of the proposed project would preclude an opportunity for development of certain PDR uses that are allowed in the UMU Use District, due to the relatively small size of the project site (0.28 acres), the proposed project would not contribute considerably to any impact

⁵ San Francisco Planning Department, *Transit-Oriented Infill Project Eligibility Checklist for 98 Pennsylvania Avenue*, December 21, 2015. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2013.0517E.

related to loss of PDR uses that was identified in the Showplace Square/Potrero Hill Area Plan of the Eastern Neighborhoods PEIR.

The Eastern Neighborhoods PEIR determined that implementation of the Area Plans would not create any new physical barriers in the Eastern Neighborhoods because the rezoning and Area Plans do not provide for any new major roadways, such as freeways that would disrupt or divide the project area or individual neighborhoods or subareas.

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 applicable bulk, density, and land uses as envisioned in the Showplace Square/Potrero Hill Area Plan. The proposed project falls within the “16th – 17th Street Corridor” generalized zoning district, which encourages a mix of existing PDR uses with new, higher density residential uses and small retail uses in acknowledgement of the 16th Street transit corridor. The plan also calls for transportation improvements and the reduction of parking to encourage alternatives to automobile travel. As a residential project with limited vehicle parking, the proposed project is consistent with this designation.^{6,7} The proposed project would not conflict with any applicable land use plan or policy adopted for the purpose of avoiding or mitigating an environmental effect.

Because the proposed project is consistent with the development density established in the Eastern Neighborhoods Rezoning and Area Plans, implementation of the proposed project would not result in 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

One of the objectives of the Eastern Neighborhoods Area Plans is to identify appropriate locations for housing in the City’s industrially zoned land to meet the citywide demand for additional housing. The

⁶ San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis*, 98 Pennsylvania Avenue, February 19, 2015.

⁷ San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Current Planning Analysis*, 98 Pennsylvania Avenue, December 30, 2015.

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.

With implementation of the proposed project, 46 new dwelling units would be added to San Francisco’s housing stock. As stated in the “Changes in the Physical Environment” section above, these direct effects of the proposed project on population and housing are within the scope of the population and housing growth anticipated under the Showplace Square/Potrero Hill Area Plan and evaluated in the Eastern Neighborhoods Plan Area PEIR.

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

<u>Topics:</u>	<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>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Historic Architectural Resources

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The Eastern Neighborhoods PEIR determined that future development facilitated through the changes in use districts and height limits under the Eastern Neighborhoods Area Plans could have substantial adverse changes on the significance of both individual historical resources and on historical districts within the Plan Areas. The PEIR determined that approximately 32 percent of the

known or potential historical resources in the Plan Areas could potentially be affected under the preferred alternative. The Eastern Neighborhoods PEIR found this impact to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

The PEIR identified three mitigation measures that were tasked to the Planning Department that could reduce the severity of impacts to historic resources as a result of development enabled under the Plan Areas (Mitigation K-1 to K-3). These mitigation measures were the responsibility of the Planning Department and do not apply to subsequent development projects. Demolition or substantial alteration of a historic resource typically cannot be fully mitigated; therefore, the PEIR concluded that the Eastern Neighborhoods Area Plan would have a significant and unavoidable impact on historic resources.

The project site is currently an undeveloped lot that includes a temporary, prefabricated trailer which is not considered a historic resource. In addition, the project site is not located within a historic district or adjacent to a potential historic resource. Therefore, the proposed project would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR, and no historic resource mitigation measures would apply to the proposed project.

For these reasons, the proposed project would not result in significant project-level or cumulative impacts on historic architectural resources that were not identified in the Eastern Neighborhoods PEIR.

Archeological Resources

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 less than significant levels. 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 historical archeology.

The proposed project at 98 Pennsylvania Avenue would involve approximately 14 feet of below ground surface excavation at its deepest for the elevator pit and foundation and approximately 1,742 cubic yards of soil disturbance in an area where no previous archaeological studies have been prepared. Therefore, the proposed project would be subject to Mitigation Measure J-2 (Project Mitigation Measure 1). In accordance with Mitigation Measure J-2, a Preliminary Archeological Review (PAR) was conducted by Planning Department staff archeologists, which determined that the Planning Department's first standard archeological mitigation measure (Accidental Discovery) would reduce the potential effect of the proposed project on archeological resources to a less-than-significant level.⁸ The project sponsor has agreed to implement the Accidental Discovery mitigation measure as Project Mitigation Measure 1 (full text provided in the "Mitigation Measures" section below).

For the above reasons, the proposed project would not result in significant project-level or cumulative impacts on archeological resources that were not identified in the Eastern Neighborhoods PEIR.

⁸ Randall Dean, San Francisco Planning Department. Archeological Review Log.

<u>Topics:</u>	<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>
4. TRANSPORTATION AND CIRCULATION – Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, loading, emergency access, or construction. As the proposed project is within the scope of development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on pedestrians, bicyclists, loading, emergency access, or construction beyond those analyzed in the Eastern Neighborhoods PEIR.

However, the Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes could result in significant impacts on traffic and transit ridership, and identified 11 transportation mitigation measures, which are described further below in the Traffic and Transit sub-sections. Even with mitigation, however, it was anticipated that the significant adverse cumulative traffic impacts and the cumulative impacts on transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable.

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, the Community Plan Exemption Checklist topic 4c is not applicable.

Trip Generation

The project site is currently used by Regents Cab Company as a surface parking lot. The proposed project involves the removal of the surface parking lot for the construction of a 48-foot-tall, five-story, 46-unit, residential building approximately 48,094 square feet in size with 31 parking spaces and 46 bicycle spaces

in the basement garage. The proposed mix of units would be 3 studios, 24 one-bedroom units and 19 two-bedroom units.

Trip generation of the proposed project was calculated using information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.⁹ The proposed project would generate an estimated 393 person trips (inbound and outbound) on a weekday daily basis, consisting of 284 person trips by auto, 63 transit trips, 20 walk trips and 25 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 46 vehicle trips (accounting for vehicle occupancy data for this Census Tract).

Traffic

Mitigation Measures E-1 through E-4 in the Eastern Neighborhoods PEIR were adopted as part of the Plan with uncertain feasibility to address significant traffic impacts. These measures are not applicable to the proposed project, as they are plan-level mitigations to be implemented by City and County agencies. Since certification of the PEIR, SFMTA has been engaged in public outreach regarding some of the parking-related measures identified in Mitigation Measures E-2 and E-4: Intelligent Traffic Management, although they have not been implemented. Measures that have been implemented include traffic signal installation at Rhode Island/16th streets as identified in Mitigation Measure E-1 and enhanced funding as identified in Mitigation Measure E-3 through San Francisco propositions A and B passed in November 2014. Proposition A authorized the City to borrow \$500 million through issuing general obligation bonds in order to meet some of the transportation infrastructure needs of the City. These funds are allocated for constructing transit-only lanes and separated bikeways, installing new boarding islands and escalators at Muni/BART stops, installing sidewalk curb bulb-outs, raised crosswalks, median islands, and bicycle parking and upgrading Muni maintenance facilities, among various other improvements. Proposition B, which also passed in November 2014, amends the City Charter to increase the amount the City provided to the SFMTA based on the City's population, with such funds to be used to improve Muni service and street safety. Some of this funding may be applied to transportation projects within the Eastern Neighborhoods Plan area.

The proposed project's vehicle trips would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco. The intersections near the project site (within approximately 2,500 feet) that were analyzed in the Eastern Neighborhoods PEIR include Third Street/Mariposa Street, 16th Street/Third Street, Mariposa Street/I-280 NB off-ramp, and Mariposa Street/I-280 SB on-ramp intersections. Table 1 provides existing and cumulative LOS data gathered for these intersections, per the *Eastern Neighborhoods Rezoning and Area Plans Transportation Study*.¹⁰

⁹ San Francisco Planning Department, *Transportation Calculations for 98 Pennsylvania Avenue*, December 17, 2015.

¹⁰ The *Eastern Neighborhoods Rezoning and Area Plans Transportation Study* is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2004.0160E.

Table 1: Existing and Cumulative Intersection LOS (Weekday PM Peak Hour)

<u>Intersection</u>	<u>Existing LOS (2007)</u>	<u>Cumulative LOS (2025)</u>
Third St./Mariposa St.	B	C
16 th St./Third St.	D	D
Mariposa St./I-280 NB off-ramp	C	B
Mariposa St./I-280 SB on-ramp	F	B

Source: *Eastern Neighborhoods Rezoning and Area Plans Transportation Study (2007)*

More recent intersection turning movements were collected for the above four intersections plus an additional intersection as part of the environmental review for the Golden State Warriors Event Center and Mixed-Use Development at Mission Bay Blocks 29-32 project.¹¹ Table 2 provides intersection LOS under current conditions (2015) and existing plus the Warriors development project conditions.

Table 2: Existing and Existing-Plus-Project Intersection LOS (Weekday PM Peak Hour)¹²

<u>Intersection</u>	<u>Existing LOS (2015)</u>	<u>Existing Plus Warriors Project</u>
Third St./Mariposa St.	D	D
16 th St./Third St.	C	C
Mariposa St./I-280 NB off-ramp	C	C
Mariposa St./I-280 SB on-ramp	B	B
Seventh St./Mississippi St./16 th Street	E	F

Source: *Golden State Warriors Event Center and Mixed-Use Development at Mission Bay Blocks 29-32 DEIR (2015)*

The proposed 98 Pennsylvania Avenue project would generate an estimated 46 new p.m. peak hour vehicle trips that could travel through surrounding intersections. This amount of new p.m. peak hour vehicle trips would not substantially increase traffic volumes at these or other nearby intersections, would not substantially increase average delay that would cause intersections that currently operate at acceptable LOS to deteriorate to unacceptable LOS, or would not substantially increase average delay at intersections that currently operate at unacceptable LOS.

The proposed project would not contribute considerably to LOS delay conditions as its contribution of an estimated 46 new p.m. peak-hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by Eastern Neighborhoods' Plan projects. The proposed project would also not contribute considerably to 2025 cumulative conditions and thus, the proposed project would not have any significant cumulative traffic impacts.

For the above reasons, the proposed project would not result in significant impacts on traffic that were not identified in the Eastern Neighborhoods PEIR.

Transit

Mitigation Measures E-5 through E-11 in the Eastern Neighborhoods PEIR were adopted as part of the Plan with uncertain feasibility to address significant transit impacts. These measures are not applicable to the proposed project, as they are plan-level mitigations to be implemented by City and County agencies. In compliance with a portion of Mitigation Measure E-5: Enhanced Transit Funding, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding transit and complete streets. In addition, the City is currently conducting outreach regarding Mitigation Measures E-5: Enhanced Transit Funding and Mitigation Measure E-11: Transportation Demand Management as part of

¹¹ Planning Department Case Number 2014.1441E

¹² The LOS data does not include when there is San Francisco Giants game.

the Transportation Sustainability Program.¹³ In compliance with all or portions of Mitigation Measure E-6: Transit Corridor Improvements, Mitigation Measure E-7: Transit Accessibility, Mitigation Measure E-9: Rider Improvements, and Mitigation Measure E-10: Transit Enhancement, the SFMTA is implementing the Transit Effectiveness Project (TEP), which was approved by the SFMTA Board of Directors in March 2014. The TEP (now called Muni Forward) includes system-wide review, evaluation, and recommendations to improve service and increase transportation efficiency. Examples of transit priority and pedestrian safety improvements within the Eastern Neighborhoods Plan area as part of Muni Forward include the 14 Mission Rapid Transit Project, the 22 Fillmore Extension along 16th Street to Mission Bay (expected construction between 2017 and 2020), and the Travel Time Reduction Project on Route 9 San Bruno (initiation in 2015). In addition, Muni Forward includes service improvements to various routes with the Eastern Neighborhoods Plan area; for instance the implemented new Route 55 on 16th Street.

Mitigation Measure E-7 also identifies implementing recommendations of the Bicycle Plan and Better Streets Plan. As part of the San Francisco Bicycle Plan, adopted in 2009, a series of minor, near-term, and long-term bicycle facility improvements are planned within the Eastern Neighborhoods, including along 2nd Street, 5th Street, 17th Street, Townsend Street, Illinois Street, and Cesar Chavez Boulevard. The San Francisco Better Streets Plan, adopted in 2010, describes a vision for the future of San Francisco's pedestrian realm and calls for streets that work for all users. The Better Streets Plan requirements were codified in Section 138.1 of the Planning Code and new projects constructed in the Eastern Neighborhoods Plan area are subject to varying requirements, dependent on project size. Another effort which addresses transit accessibility, Vision Zero, was adopted by various City agencies in 2014. Vision Zero focuses on building better and safer streets through education, evaluation, enforcement, and engineering. The goal is to eliminate all traffic fatalities by 2024. Vision Zero projects within the Eastern Neighborhoods Plan area include pedestrian intersection treatments along Mission Street from 18th to 23rd streets, the Potrero Avenue Streetscape Project from Division to Cesar Chavez streets, and the Howard Street Pilot Project, which includes pedestrian intersection treatments from 4th to 6th streets.

The project site is located within a quarter mile of several local transit lines including Muni lines 10-Townsend, 22-Fillmore, 55-16th Street, and 14X-Mission Express. The proposed project would be expected to generate 63 daily transit trips, including eleven during the p.m. peak hour. Given the availability of nearby transit, the addition of eleven p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts on transit service could result.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines: 9-San Bruno, 22-Fillmore, 26-Valencia, 27-Bryant, 33-Stanyan, 48-Quintara/24th Street, and 49-Van Ness/Mission. Of those lines, the project site is located within a quarter-mile of Muni line 22-Fillmore.

The proposed project would not contribute considerably to these conditions as its minor contribution of eleven p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. Thus, the proposed project would not contribute

¹³ <http://tsp.sfplanning.org>

considerably to 2025 cumulative transit conditions and would not result in any significant cumulative transit impacts.

For the above reasons, the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to transit and would not contribute considerably to cumulative transit impacts that were identified in the Eastern Neighborhoods PEIR.

<u>Topics:</u>	<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>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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.

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. Construction of the proposed building would require a deep foundation that would use driven piles that gain support in the soil beneath the Bay Mud. Because of the presence of rubble in the fill and the proximity of the adjacent

building to the west and the elevated I-280 to the east, the geotechnical report concluded that small displacement piles such as steel H-piles should be used to facilitate installation of piles and that it would be necessary to predrill through the fill if large piece of rubble are encountered. Since pile driving and heavy equipment are required, Mitigation Measure F-1 and F-2 are applicable. The project sponsor has agreed to implement Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 as Project Mitigation Measure 2 and 3, respectively (full text provided in the “Mitigation Measures” section below).

In addition, all construction activities for the proposed project (approximately 12 months) 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 12 months, 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.

Eastern Neighborhoods PEIR Mitigation Measures F-3 and F-4 require that a detailed analysis of noise reduction requirements be conducted for new development that includes noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn) or near existing noise-generating uses. Since certification of the PEIR, San Francisco adopted Noise Regulations Relating to Residential Uses Near Places of Entertainment (Ordinance 70-15, effective June 19, 2015). The intent of the regulations is to address noise conflicts between residential uses and in noise critical areas, such as in proximity to highways, country roads, city streets, railroads, rapid transit lines, airports, nighttime entertainment venues or industrial areas. Residential structures to be located where the day-night average sound level (Ldn) or community noise equivalent level (CNEL) exceeds 60 decibels shall require an acoustical analysis with the application of a building permit showing that the proposed design will limit exterior noise to the 45 decibels in any habitable room. The project site is not located within 300 feet of a Place of Entertainment.

The regulations and procedures set forth by the San Francisco Noise Regulations Relating to Residential Uses Near Places of Entertainment are consistent with the provisions of PEIR Mitigation Measure F-3 and F-4. In accordance with PEIR Mitigation Measure F-3 and F-4, the project sponsor has conducted an environmental noise study demonstrating that the proposed project can be feasibly designed to limit

exterior noise to 45 decibels in any habitable room as required per Title 24 standards.¹⁴ The project site's existing noise environment is primarily dominated by vehicle traffic along the elevated I-280 and trains passing the project site underneath I-280. The primary source of noise from trains passing the project site is the train horn, which sounds as the trains approach the at-grade crossing at 16th Street, which is about 250 feet from the project site. The close proximity of I-280 and the Caltrain rail system contribute to louder than typical noise levels. Surface street traffic is minimal compared to the levels generated by I-280 and the rail system. The noise study concluded that outdoor noise levels reach 84 dBA (Ldn) under current conditions. To meet the 45 dBA interior noise level, the noise study provided the following recommendations: the exterior windows on the south (primary) façade should provide an Outside-Inside Transmission Class (OITC) rating of 32 for the 1st to 4th floors and a rating of 29 for the 5th floor; the exterior windows on the east façade (nearest to train tracks) should provide an OITC rating of 44 for the 1st to 4th floors and a rating of 42 for the 5th floor; the exterior windows on the north façade should provide a rating of 29 for all floors; sections of all façades should contain a single layer of ½-inch-thick cement board between the stucco and plywood layers; and supplemental ventilation must be provided at all rooms for which acoustically-rated glazing assemblies are recommended. Based on the above, the noise study demonstrated that the proposed project can feasibly attain an acceptable interior noise level of 45 dBA in all dwelling units.

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. The proposed residential project would introduce new noise sensitive uses, but is not expected to generate excessive noise levels. In addition, any noise generated by the project including mechanical equipment would be subject to noise control requirements pursuant to the Noise Ordinance. Thus, Mitigation Measure F-5 is not applicable.

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. The proposed project includes a common roof deck. Mitigation Measure F-6 is therefore applicable to the proposed project, and has been agreed to by the project sponsor as Project Mitigation Measure 6 (full text provided in the "Mitigation Measures" section below). The noise study prepared in accordance with Mitigation Measure F-4 (Project Mitigation Measure 5) addressed noise levels at the proposed roof-top open space. Noise levels at the proposed roof deck are expected to range from 76 to 80 dBA. The noise consultant recommended eight feet of shielding to reduce the expected noise exposure to 63 to 67 dBA. To achieve this, the proposed project would include the installation of four-foot-tall Plexiglas panels on top of a four-foot-tall parapet. This barrier would have no gaps between the Plexiglas panels or between the Plexiglas panels and the parapet. The barrier would have a minimum surface density of three pounds per square foot which is easily achieved with typical construction for the wall and a minimum thickness of 0.5 inches for the Plexiglas. The proposed building has been designed to adequately protect the users of the proposed open space from existing ambient noise levels.¹⁵

To determine whether the proposed project would expose people to excessive groundborne vibration or noise levels from the adjacent trains passing the project site at approximately 70 feet way, a groundborne

¹⁴ Wilson, Ihrig & Associates, *CCR Title 24 Noise Study, 98 Pennsylvania Multifamily Project, San Francisco, CA*, January 14, 2016.

¹⁵ Ibid.

noise and vibration study was conducted.¹⁶ Pursuant to the Federal Transit Administration (FTA) Guidance Manual¹⁷, the proposed project falls under “Category 2: Residences and buildings where people normally sleep.” The number of trains that pass the site each day is less than thirty which are considered “Infrequent Events” by the FTA. Therefore, the appropriate criteria for 98 Pennsylvania Avenue are 80 VdB¹⁸ for vibration and 43 dBA for groundborne noise. For comparison, the threshold of perception for vibration is approximately 65 VdB while ambient noise levels within quiet bedrooms are typically 30 to 35 dBA. The data indicates that the maximum projected vertical floor vibration velocity level is 71 VdB, which is below the recommended 80 VdB for maximum acceptable vibration velocity level. In addition, the maximum estimated groundbourne noise within the building is approximately 36 dBA, which is below the criterion of 43 dBA for maximum groundborne noise. Therefore, the study concluded that groundbourne noise and vibration from trains passing the project site would not expose new residences to excessive groundborne vibration or groundbourne noise.

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. Therefore, topic 12e and f from the CEQA Guidelines, Appendix G is not applicable.

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

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>
6. AIR QUALITY – Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

¹⁶ Wilson, Ihrig & Associates, *Groundborne Noise and Vibration Study at 98 Pennsylvania Avenue, San Francisco*, April 29, 2015.

¹⁷ FTA guidance manual FTA-VA-90-1003-06 summarizes the criteria used to determine impact from transit system related groundborne noise and vibration. The criteria represent maximum limits of acceptable noise and vibration levels and are dependent upon the land use and the number of “events” that occur per day, i.e. the number of trains that pass the site. Land use matters because of differences in the expectations of the occupants and differences in background levels of noise and vibration from other sources within those uses. Greater levels of noise and vibration are typically tolerated for events that occur less often.

¹⁸ Vibration is measured by velocity decibels (VdB).

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses¹⁹ 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 and stated that with implementation of identified mitigation measures, the Area Plan would be consistent with the Bay Area 2005 Ozone Strategy, the applicable air quality plan at that time. 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 Construction Air Quality 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 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. In compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, street and sidewalk sweeping and other measures.

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 Construction Air Quality that addresses dust control is no longer applicable to the proposed project.

Criteria Air Pollutants

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.”²⁰ The BAAQMD’s *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria²¹ for determining whether a project’s criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that

¹⁹ The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

²⁰ San Francisco Planning Department, Eastern Neighborhood’s Rezoning and Area Plans Final Environmental Impact Report. See page 346. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=4003>. Accessed June 4, 2014.

²¹ Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3.

meet the screening criteria do not have a significant impact related to criteria air pollutants. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria, as the proposed project involves the construction of a five-story, 46-unit residential building which is well below the criteria air pollutant screening sizes for an Apartment, Low-Rise Building (451 dwelling units for operational and 240 dwelling units for construction). Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

Health Risk

Since certification of the PEIR, 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 enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. The project site is 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.

Construction

As stated above, the project site is located within an Air Pollutant Exposure Zone as defined by Article 38 of the San Francisco Health Code. The proposed project would require heavy-duty off-road diesel vehicles and equipment during three months of the anticipated 12-month construction period. Thus, Project Mitigation Measure 7 Construction Air Quality has been identified to implement the portions of Eastern Neighborhoods PEIR Mitigation Measure G-1 related to emissions exhaust by requiring engines with higher emissions standards on construction equipment. Project Mitigation Measure 7 Construction Air Quality would reduce DPM exhaust from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment.²² Therefore, impacts related to construction health risks would be less than significant through implementation of Project Mitigation Measure 7 Construction Air Quality. The full text of Project Mitigation Measure 7 Construction Air Quality is provided in the Mitigation Measures Section below.

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

²² PM emissions benefits are estimated by comparing off-road PM emission standards for Tier 2 with Tier 1 and 0. Tier 0 off-road engines do not have PM emission standards, but the United States Environmental Protection Agency's *Exhaust and Crankcase Emissions Factors for Nonroad Engine Modeling – Compression Ignition* has estimated Tier 0 engines between 50 hp and 100 hp to have a PM emission factor of 0.72 g/hp-hr and greater than 100 hp to have a PM emission factor of 0.40 g/hp-hr. Therefore, requiring off-road equipment to have at least a Tier 2 engine would result in between a 25 percent and 63 percent reduction in PM emissions, as compared to off-road equipment with Tier 0 or Tier 1 engines. The 25 percent reduction comes from comparing the PM emission standards for off-road engines between 25 hp and 50 hp for Tier 2 (0.45 g/bhp-hr) and Tier 1 (0.60 g/bhp-hr). The 63 percent reduction comes from comparing the PM emission standards for off-road engines above 175 hp for Tier 2 (0.15 g/bhp-hr) and Tier 0 (0.40 g/bhp-hr). In addition to the Tier 2 requirement, ARB Level 3 VDECSs are required and would reduce PM by an additional 85 percent. Therefore, the mitigation measure would result in between an 89 percent (0.0675 g/bhp-hr) and 94 percent (0.0225 g/bhp-hr) reduction in PM emissions, as compared to equipment with Tier 1 (0.60 g/bhp-hr) or Tier 0 engines (0.40 g/bhp-hr).

Proposal for approval by the Department of Public Health (DPH) that achieves 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 Article 38, the project sponsor has submitted an initial application to DPH.²³ The regulations and procedures set forth by Article 38 would ensure that exposure to sensitive receptors would not be significant. These requirements supersede the provisions of Eastern Neighborhoods PEIR Mitigation Measure G-2. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-2 Air Quality for Sensitive Land Uses is no longer applicable to the proposed project, and impacts related to siting new sensitive land uses would be less than significant through compliance with Article 38.

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. In addition, the proposed project would not include any sources that would emit DPM or other TACs. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-4 is not applicable and impacts related to siting new sources of pollutants would be less than significant.

Conclusion

For the above reasons, none of the Eastern Neighborhoods PEIR air quality mitigation measures are applicable to the proposed project and the project would not result in significant air quality impacts that were not identified in the PEIR.

<u>Topics:</u>	<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>
7. GREENHOUSE GAS EMISSIONS— Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR assessed the GHG emissions that could result from rezoning of the Central Waterfront Area Plan 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

²³ Application for Article 38 Compliance Assessment, 98 Pennsylvania Avenue, December 18, 2015.

of CO₂E²⁴ per service population,²⁵ 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.²⁶ Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project’s contribution to climate change. Therefore, the proposed project’s GHG emissions 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.

Because the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on greenhouse gas emissions (including cumulative impacts) beyond those analyzed in the Eastern Neighborhoods PEIR.

<u>Topics:</u>	<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>
8. WIND AND SHADOW – Would the project:				
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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. The proposed 48-foot-tall building (up to 64 feet including the elevator penthouse) would be two stories taller than the immediately adjacent building to the west and would be similar in height to the newly constructed five-story building across 17th Street to the south of the project site. For the above reasons, the proposed project is not anticipated to cause significant impacts related to wind that were not identified in the Eastern Neighborhoods PEIR.

²⁴ 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.

²⁵ 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.

²⁶ San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 98 Pennsylvania Avenue*, January 22, 2015.

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. Under the Eastern Neighborhoods Rezoning and Area Plans, sites surrounding parks could be redeveloped with taller buildings without triggering Section 295 of the Planning Code because certain parks are not subject to Section 295 of the Planning Code (i.e., under jurisdiction of departments other than the Recreation and Parks Department or privately owned). 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 an approximately 48-foot-tall building (up to 64 feet including the elevator penthouse). Therefore, the Planning Department prepared a preliminary shadow fan analysis to determine whether the proposed project would have the potential to cast new shadow on nearby parks. The shadow fan analysis prepared by the Department found the project as proposed would not cast shadows on Recreation and Parks Department parks or other public parks.²⁷

The proposed project would shade portions of nearby streets and sidewalks and private property at times within the project vicinity. Shadows upon streets and sidewalks would not exceed levels commonly expected in urban areas and would be considered a less-than-significant effect under CEQA. Although occupants of nearby property may regard the increase in shadow as undesirable, the limited increase in shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA.

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

<i>Topics:</i>	<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>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

²⁷ San Francisco Planning Department, *Shadow Analysis, 98 Pennsylvania Avenue*, December 16, 2015.

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 part of the Eastern Neighborhoods adoption, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding recreation and open space. Since certification of the PEIR, the voters of San Francisco passed the 2012 San Francisco Clean and Safe Neighborhood Parks Bond providing the Recreation and Parks Department an additional \$195 million to continue capital projects for the renovation and repair of parks, recreation, and open space assets. This funding is being utilized for improvements and expansion to Garfield Square, South Park, Potrero Hill Recreation Center, Warm Water Cove Park, and Pier 70 Parks Shoreline within the Eastern Neighborhoods Plan area. The impact fees and the 2012 San Francisco Clean and Safe Neighborhood Parks Bond are funding measures similar to that described in PEIR Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities.

An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies areas within the Eastern Neighborhoods Plan area for acquisition and the locations where proposed new open spaces and open space connections should be built, consistent with PEIR Improvement Measure H-2: Support for New Open Space. Two of these open spaces, Daggett Park and at 17th and Folsom, are set to open in 2015 and 2016, respectively. In addition, the amended ROSE identifies the role of both the Better Streets Plan (refer to “Transportation” section for description) and the Green Connections Network in open space and recreation. Green Connections are special streets and paths that connect people to parks, open spaces, and the waterfront, while enhancing the ecology of the street environment. Six routes identified within the Green Connections Network cross the Eastern Neighborhoods Plan area: Mission to Peaks (Route 6); Noe Valley to Central Waterfront (Route 8), a portion of which has been conceptually designed; Tenderloin to Potrero (Route 18); Downtown to Mission Bay (Route 19); Folsom, Mission Creek to McLaren (Route 20); and Shoreline (Route 24).

As the proposed project would not degrade recreational facilities and is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on recreation beyond those analyzed in the Eastern Neighborhoods PEIR.

<u>Topics:</u>	<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>
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10. UTILITIES AND SERVICE SYSTEMS—Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

<u>Topics:</u>	<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>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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.

Since certification of the PEIR, the San Francisco Public Utilities Commission (SFPUC) adopted the 2010 Urban Water Management Plan (UWMP) in June 2011. The UWMP update includes City-wide demand projections to the year 2035, compares available water supplies to meet demand and presents water demand management measures to reduce long-term water demand. Additionally, the UWMP update includes a discussion of the conservation requirement set forth in Senate Bill 7 passed in November 2009 mandating a statewide 20% reduction in per capita water use by 2020. The UWMP includes a quantification of the SFPUC's water use reduction targets and plan for meeting these objectives. The UWMP projects sufficient water supply in normal years and a supply shortfall during prolonged droughts. Plans are in place to institute varying degrees of water conservation and rationing as needed in response to severe droughts.

In addition, the SFPUC is in the process of implementing the Sewer System Improvement Program, which is a 20-year, multi-billion dollar citywide upgrade to the City's sewer and stormwater infrastructure to ensure a reliable and seismically safe system. The program includes planned improvements that will serve development in the Eastern Neighborhoods Plan area including at the Southeast Treatment Plant, the Central Bayside System, and green infrastructure projects, such as the Mission and Valencia Green Gateway.

As the proposed project is within the scope of development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on utilities and service systems beyond those analyzed in the Eastern Neighborhoods PEIR.

<u>Topics:</u>	<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>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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.

Because the proposed project is within the scope of development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional project-level or cumulative impacts on public services beyond those analyzed in the Eastern Neighborhoods PEIR.

<u>Topics:</u>	<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>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<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>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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.

The project site is located within Showplace Square/Potrero Hill Plan area of the Eastern Neighborhoods Area Plan and therefore, does not support habitat for any candidate, sensitive or special status species. As such, implementation of the proposed project would not result in significant impacts to biological resources not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<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>
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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<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>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 a development of a five-story building on the project site.²⁸ Test borings on the project site found that the site is blanketed by five to nine feet of sand and gravel fill with varying amounts of silt which is underlain by six to ten feet of clay to gravelly clay fill. The fill contains debris such as wood, glass, concrete and brick. Underlying the fill is a layer of weak, compressible clay, locally referred to as Bay Mud that ranges from about four to seven feet in thickness. Beneath the Bay Mud is about 30 feet of medium dense to very dense sand/clayey sand and stiff clay with sand that extends to depths of approximately 54 to 62 feet below ground surface where very stiff clay was encountered. Groundwater was encountered at depths of 8 and 12 feet bgs.

The most significant geotechnical concern for development on the project site is the presence of heterogeneous fill and the weak compressible clay which could compress and consolidate, respectively, under new loads. These layers are not capable of supporting the building loads without excessive settlement, and a shallow building foundation would not be acceptable. Furthermore, a shallow foundation system could influence the performance of the adjacent building foundation or surcharge the piles supporting the elevated I-280. Therefore, a deep foundation using driven piles that gain support in the soil beneath the Bay Mud should be used. Because of the presence of rubble in the fill and the proximity of the adjacent building and the elevated I-280, the geotechnical report concluded that small

²⁸ Treadwell & Rollo, Inc., *Geotechnical Investigation, 17th and Pennsylvania Streets, San Francisco, California*, March 20, 2001.

displacement piles such as steel H-piles should be used to facilitate installation of piles and that it would be necessary to predrill through the fill if large piece of rubble are encountered.

The proposed project is required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. DBI will review the project-specific geotechnical report during its review of the building permit for the 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.

In light of the above, the proposed project would not result in a significant impact related to seismic and geologic hazards and would not result in significant project-level or cumulative impacts related to geology and soils that were not identified in the Eastern Neighborhoods PEIR. No mitigation measures are necessary.

<u>Topics:</u>	<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>
14. HYDROLOGY AND WATER				
QUALITY—Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Topics:</u>	<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>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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.

The amount of impervious surface coverage on the project site would not change with implementation of the proposed project as the entire project site is currently covered with asphalt. As a result, the proposed project would not increase stormwater runoff beyond what was studied in the Eastern Neighborhoods PEIR.

Therefore, the proposed project would not result in any significant project-level or cumulative impacts related to hydrology and water quality that were not identified in the Eastern Neighborhoods PEIR.

<u>Topics:</u>	<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>
15. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Topics:</u>	<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>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury, or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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, Under 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 that Mitigation Measure L-1: Hazardous Building Materials, as outlined below, would reduce impacts to less-than-significant levels. Because the proposed project would not include demolition or renovation of an existing building, Mitigation Measure L-1 would not apply.

Soil and Groundwater Contamination

Since certification of the PEIR, Article 22A of the Health Code, also known as the Maher Ordinance, was expanded to include properties throughout the City where there is potential to encounter hazardous materials, primarily industrial zoning districts, sites with industrial uses or underground storage tanks, sites with historic bay fill, and sites in close proximity to freeways or underground storage tanks. The over-arching goal of the Maher Ordinance is to protect public health and safety by requiring appropriate

handling, treatment, disposal and when necessary, mitigation of contaminated soils that are encountered in the building construction process. Projects that disturb 50 cubic yards or more of soil that are located on sites with potentially hazardous soil or groundwater within Eastern Neighborhoods Plan area are subject to this ordinance.

The proposed project is located within the Article 22A (Maher) area and would involve up to approximately 14 feet of excavation below ground surface and approximately 1,742 cubic yards of soil disturbance. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

The Phase I would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. 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), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor submitted a Maher Application and a Phase I ESA²⁹ to DPH.³⁰ Based on the Phase I ESA, the project site was vacant and undeveloped land up until the early 1990's, when the project site was paved with asphalt and used as a parking lot. In 1999, the project site was used as a contractor's storage yard and parking lot, and the Regents Cab Company has occupied the project site since 2012. The Phase I ESA did not find any evidence that vehicle repair was conducted at the project site.

The 1900 Sanborn Map shows the project site to be vacant and that neighboring areas surrounding the project site were generally vacant and undeveloped except for a few residential structures that are depicted south and southwest of the project site. In addition, railroad spurs running northwest to southeast were present north and east of the project site. The 1914 Sanborn Map shows railroad spurs located directly adjacent to and west of the project site while parcels south of the project site were occupied by the Berger and Carter Company (a heavy industrial hardware business). The Pacific Refining & Roofing Company print mill was present northwest of the project site. The 1977 aerial photograph shows Interstate 280, which is located immediately adjacent to the northern and eastern perimeter of the project site.

The Phase I ESA found several recognized environmental conditions (RECs) at and within the neighboring area of the project site. The RECs include the following: potential impacts from activities associated with the former railroad spurs; the proximity of the project site to Interstate 280; and the artificial fill materials on the project site. A review of regulatory records for the project site indicated that there were no violations at the project site.

Since the project site is located in the Maher area and the proposed project would require more than 50 cubic yards of soil disturbance, the proposed project is subject to the Maher Ordinance, which is administered and overseen by the Department of Public Health. Therefore, the proposed project would

²⁹ Innovative & Creative Environmental Solutions, *Phase I Environmental Site Assessment*, 98 Pennsylvania Avenue, San Francisco, CA, September 12, 2012.

³⁰ Russell Yim, SFDPH, email to Don Lewis, 98 Pennsylvania Avenue, December 18, 2015.

not result in any significant impacts related to hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

For the above reasons, the proposed project would not result in significant impacts related to hazards or hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

<u>Topics:</u>	<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>
16. MINERAL AND ENERGY RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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.

Because the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on mineral and energy resources beyond those analyzed in the Eastern Neighborhoods PEIR.

<u>Topics:</u>	<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>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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.

Because the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on agriculture and forest resources beyond those analyzed in the Eastern Neighborhoods PEIR.

MITIGATION MEASURES

Archeological Resources

Project Mitigation Measure 1 – Procedures for Accidental Discovery of Archeological Resources (Eastern Neighborhoods Mitigation Measure J-2)

This mitigation measure is required to avoid any potential adverse effect on accidentally discovered buried or submerged historical resources as defined in *CEQA Guidelines* Section 15064.5(a)(c).

The project sponsor shall distribute the San Francisco Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); and to utilities firms involved in soils-disturbing activities within the project site. Prior to any soils-disturbing activities being undertaken, each contractor is responsible for ensuring that the “ALERT” sheet is

circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel. The project sponsor shall provide the ERO with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firms) to the ERO confirming that all field personnel have received copies of the "ALERT" sheet.

Should any indication of an archeological resource be encountered during any soils-disturbing activity of the project, the project head foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils-disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archeological consultant from the pool of qualified archeological consultants maintained by the San Francisco Planning Department archeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include preservation in situ of the archeological resource, an archeological monitoring program, or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

The project archeological consultant shall submit a 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 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.

Copies of the Draft FARR shall be sent to the ERO for review and approval. 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 copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning Division of the San Francisco Planning Department shall receive one bound copy, one unbound copy, and one unlocked, searchable PDF copy on a 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 or interpretive value, the ERO may require a different final report content, format, and distribution from that presented above.

Noise***Project Mitigation Measure 2 – Construction Noise (Eastern Neighborhoods 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 3 – Construction Noise (Eastern Neighborhoods Mitigation Measure F-2)

Where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted 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:

- Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;
- Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;
- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements;
- 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.

Project Mitigation Measure 4 – Interior Noise Levels (Eastern Neighborhoods Mitigation Measure F-3)

For new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), as shown in EIR Figure 18, where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations, the project sponsor shall conduct a detailed analysis of noise reduction requirements. Such analysis shall be conducted by person(s) qualified in acoustical analysis and/or engineering. Noise insulation

features identified and recommended by the analysis shall be included in the design, as specified in the San Francisco General Plan Land Use Compatibility Guidelines for Community Noise to reduce potential interior noise levels to the maximum extent feasible.

Project Mitigation Measure 5 – Siting of Noise-Sensitive Uses (Eastern Neighborhoods 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 6 – Open Space in Noisy Environments (Eastern Neighborhoods Mitigation Measure F-6)

To minimize effects on development in noisy areas, for new development including noise-sensitive uses, the Planning Department shall, through its building permit review process, in conjunction with noise analysis required pursuant to Mitigation Measure F-4, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.

Air Quality

Project Mitigation Measure 7: 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 2 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 2	ARB Level 2 VDECS
2	Tier 2	ARB Level 1 VDECS
3	Tier 2	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 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.