



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2013.0677E  
Project Address: 2000–2070 Bryant Street, 2815 18<sup>th</sup> Street, and 611 Florida Street  
Zoning: Urban Mixed Use (UMU) District  
68-X Height and Bulk District  
Block/Lot: 4022/001, 002, and 021  
Lot Size: Three lots totaling 65,000 square feet (1.50 acres)  
Plan Area: Eastern Neighborhoods Area Plan  
Project Sponsor: Nick Podell, Nick Podell Company – (415) 296-8800  
Staff Contact: Chris Thomas – (415) 575-9036; Christopher.Thomas@sfgov.org

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### PROJECT DESCRIPTION

The 2000–2070 Bryant Street Project (proposed project) is a mixed-use residential and commercial development project located within the Eastern Neighborhoods Plan Area in the Mission District neighborhood. The proposed project involves the demolition of seven existing buildings on the project site (totaling 72,500 gross square feet [gsf]), merging of the three lots into one parcel, and construction of a six-story, 68-foot-tall, approximately 286,369-gsf mixed-use residential and commercial building with a ground-level garage. The seven buildings contain restaurant, light industry, office and (currently vacant) residential uses (see Project Setting below). The proposed mixed-use building would provide 274 dwelling units (including 44 on-site inclusionary affordable units), approximately 22,508 sf of common useable open space in the form of courtyards and a rooftop terrace, and 5,415 gsf of ground-level commercial retail space.

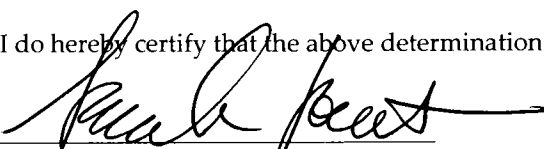
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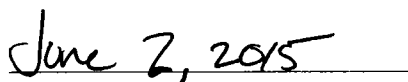
### EXEMPT STATUS

Exempt per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

### DETERMINATION

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

  
SARAH B. JONES  
Environmental Review Officer

  
Date

cc: Nick Podell, Project Sponsor; Supervisor David Campos, District 9; Rich Sucre, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

## PROJECT DESCRIPTION (continued)

The proposed dwelling units would consist of 32 studio units, 129 one-bedroom units, and 113 two-bedroom units. The approximately 37,139-gsf ground-level garage, with ingress from Bryant Street and egress to 18<sup>th</sup> Street, would provide 160 off-street vehicle parking spaces and 145 Class 1 bicycle parking spaces. Residential amenities would include a fitness center, bicycle storage (for the Class 1 bicycle parking spaces) and bicycle repair shop, lounge/library, entrance lobbies, and a leasing office. By removing existing curb cuts and driveways, the proposed project would provide up to eight new on-street parking spaces and two commercial loading spaces along Bryant and 18<sup>th</sup> streets. The proposed project would also add street trees to adjacent sidewalks, landscaping along building frontages, and two new curb bulbouts at the corners of 18<sup>th</sup> and Florida streets and 18<sup>th</sup> and Bryant streets to improve pedestrian crossing and visibility. Project construction is estimated to take about 22 months.

## PROJECT APPROVAL

The proposed project would require the following approvals:

### *Actions by the Planning Commission*

- Large Project Authorization pursuant to Planning Code Section 329 for new construction of more than 25,000 gsf with exceptions pursuant to the following Planning Code sections:
  - Section 134(f) – Rear yard exception to allow for open space to be distributed in three courtyards, rather than a single rear yard.
  - Section 135(g) – Common open space dimension exception for the courtyards that are less in width than height.
  - Section 136 – Permitted obstruction over street exception to allow for increased length and depth of bay windows.
  - Section 152.1 – Off-street loading exception to allow two on-street yellow curb loading spaces, rather than off-street loading.
- Conditional Use Authorization pursuant to Planning Code Sections 303 and 317 to authorize demolition and replacement of three existing dwelling units.

### *Actions by Other City Departments*

- Lot Line Adjustment and Condominium Map Approvals (Department of Public Works) for merging and re-subdividing the three lots on the project site.
- Demolition and Building Permits (Department of Building Inspection) for the demolition of the existing buildings and construction of the new structure.
- Site Mitigation Plan (Department of Public Health) for treatment of potentially hazardous soils and groundwater.
- Street and Sidewalk Permits (Bureau of Streets and Mapping, Department of Public Works) for modifications to public sidewalks, street trees, and curb cuts.
- Approval of Changes to Sewer Laterals (San Francisco Public Utilities Commission).
- Stormwater Control Plan (San Francisco Public Utilities Commission), because the proposed project would result in ground disturbance of an area greater than 5,000 square feet.
- Dust Control Plan (Department of Public Health) meeting the requirements of San Francisco Health Code Article 22B.

The proposed project is subject to Large Project Authorization and Conditional Use approval by the Planning Commission. Approval of the Large Project Authorization is the Approval Action for the 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.

## COMMUNITY PLAN EXEMPTION OVERVIEW

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts that were not discussed in the underlying EIR; or d) are previously identified in the EIR, but which, as a result of substantial new information that was not known at the time that the EIR was certified, are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for the project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects of the 2000–2070 Bryant Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)<sup>1</sup>. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 2000-2070 Bryant Street.

The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.<sup>2, 3</sup>

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods Rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing

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<sup>1</sup> Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048

<sup>2</sup> San Francisco Planning Department. *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR)*, Planning Department Case No. 2004.0160E. Certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed November 24, 2014.

<sup>3</sup> San Francisco Planning Department. *San Francisco Planning Commission Motion 17659*. August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed November 24, 2014.

residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a “No Project” alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR. The Eastern Neighborhoods PEIR estimated that the Preferred Project would result in approximately 9,785 dwelling units built in the Plan Area throughout the lifetime of the Plan (year 2025). However, the Eastern Neighborhoods PEIR analyzed a range of potential rezoning options and considered the effects of up to an additional 9,858 units in the Plan Area.

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

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to UMU (Urban Mixed Use) District. The UMU District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Exemption (CPE) Checklist, under Land Use. The 2000-2070 Bryant Street site is located in a 68-X Height and Bulk district, which would subject the proposed development to a 68-foot height limit with no building bulk limitations.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site and the time of development, and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 2000–2070 Bryant Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR, including the Eastern Neighborhoods PEIR development projections. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 2000–2070 Bryant Street project, and identified the mitigation measures applicable to the 2000–2070 Bryant Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.<sup>4, 5</sup> Therefore, no further CEQA evaluation for the 2000-2070 Bryant Street project is required. In sum, the Eastern

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<sup>4</sup> Adam Varat, San Francisco Planning Department. *Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 2000-2070 Bryant Street*. December 8, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0677E.

<sup>5</sup> Jeff Joslin, San Francisco Planning Department. *Community Plan Exemption Eligibility Determination, Current Planning Analysis, 2000-2070 Bryant Street*. April 14, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0677E.

Neighborhoods PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

## PROJECT SETTING

The rectangular project site is approximately 65,000 sf in size (about 1.50 acres) and consists of three lots bounded by 18<sup>th</sup> Street to the north, Bryant Street to the east, Florida Street to the west, and existing one-to two-story buildings and a future six-story building (currently under construction) to the south.

The project site is fully developed and occupied by the following buildings and uses:

- Lot 001 contains a two-floor 2,640 gsf wood building at 2000 – 2008 Bryant Street with a ground-floor restaurant and a vacant second-floor residence; a two-floor, 4,480 gsf building at 2010 – 2012 Bryant Street with an audio recording studio; a one-floor, 3,810 gsf wood building at 2014 Bryant Street with a carpet and upholstery business; a two-floor, 3,540 gsf architecture office at 2813 – 2815 18<sup>th</sup> Street; and a one-floor, 6,160 gsf automotive repair shop at 611 Florida Street consisting of wood frame/metal sided buildings.
- Lot 002 contains a two-floor, 1,870 gsf wood frame residential building at 2028 – 2030 Bryant Street with two vacant residential units.
- Lot 021 contains a two-story, 50,000 gsf concrete and steel frame industrial building which contains a machinist shop, theater rehearsal space (Innermission), and the American Conservatory Theater scene shop.

The existing buildings were constructed between 1892 and 1950, total about 72,500 gsf, and have Floor Area Ratios (FARs) ranging from about 1.0:1 to 2.0:1.<sup>6</sup>

The buildings on parcels adjacent to the project site are of varying age, size, and design, and have a variety of uses. The north side of 18<sup>th</sup> Street between Florida and Bryant Streets is occupied by a single approximately 65-foot-tall building that contains office and warehouse uses. The east side of Bryant Street is occupied by a parking lot and three buildings 20 to 30 feet in height containing office, workshops and warehouse uses. The remainder of the block between the south end of the project site and 19<sup>th</sup> Street is occupied by several two-to-three story multi-unit dwellings, a café, and the under-construction six-story apartment building. Opposite the project site on Florida Street is the eastern side of a 151-unit structure, constructed in 2008-2009 and approximately 50 feet in height.

The local vicinity is a largely flat area of the Mission District characterized by a mix of two- to five-story older and more recently constructed residential buildings interspersed with one- to three-story buildings containing various production, distribution and repair uses. Architectural styles vary considerably with the age and use of vicinity structures. Zoning districts are primarily UMU and PDR, but also include some Residential House (RH). Height limits are largely 68 feet, tapering to 45 feet and lower towards and south of 20<sup>th</sup> Street. The nearest school is John O'Connell Alternative High School, about 700 feet to the southwest and the nearest park is Franklin Square, about 1,100 feet to the northeast.

The surrounding two-way, two lane streets generally have on-street parking. By street distance, the project site is approximately one-half mile from the San Francisco General Hospital on Potrero Avenue, four-fifths of a mile from the 16<sup>th</sup> and Mission Streets Bay Area Rapid Transit (BART) station, and about

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<sup>6</sup> Left Coast Architectural History. *2000-2030 & 2070 Bryant Street Historical Resource Evaluation*. January 15, 2014. A copy of this document is available for public review at the San Francisco Planning Department, 1650 Mission Street, San Francisco, Case No. 2013.0677E.

one mile from the State Highway 101 onramps at both South Van Ness Avenue and Cesar Chavez Boulevard.

## POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including the following: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 2000–2070 Bryant Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 2000-2070 Bryant Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would convert PDR uses to mixed-use residential and commercial uses; however, this conversion was already considered in the Eastern Neighborhoods PEIR and, therefore, the proposed project would not contribute to any impact related to PDR uses not already identified in the PEIR. The proposed project would not result in demolition, alteration, or modification of any historic resources. Therefore, the proposed project would not contribute to any historic resource impact. Traffic and transit ridership generated by the proposed project would not considerably contribute to the traffic and transit impacts identified in the Eastern Neighborhoods PEIR. Neither would the proposed project, approximately 68 feet in height, cast shadows on any parks or open spaces.

The Eastern Neighborhoods PEIR identified feasible mitigation measures to address significant impacts related to noise, air quality, archeological resources, historical resources, hazardous materials, and transportation. **Table 1** below lists the mitigation measures identified in the Eastern Neighborhoods PEIR and states whether each measure would apply to the proposed project.

**Table 1: Eastern Neighborhoods PEIR Mitigation Measures**

Mitigation Measure	Applicability	Compliance
<b>F. Noise</b>		
F-1: Construction Noise (Pile Driving)	Not Applicable: proposed project construction does not involve pile driving.	N/A
F-2: Construction Noise	Applicable: temporary construction noise from use of heavy equipment. Project Mitigation Measure 2.	Mitigation Measure 2 requires the project sponsor to develop and implement a set of noise attenuation measures during construction.

F-3: Interior Noise Levels	Not Applicable: commercial component of project is not a noise-sensitive use and residential component would be subject to Title 24.	N/A
F-4: Siting of Noise-Sensitive Uses	Applicable: proposed project includes siting of residential space where street noise exceeds 60 dBA.	Requirements satisfied by Project Sponsor with preparation of a Noise Study demonstrating that Title 24 standards could be met. <sup>7</sup>
F-5: Siting of Noise-Generating Uses	Not Applicable: proposed project would not include noise-generating uses.	N/A
F-6: Open Space in Noisy Environments	Applicable: proposed project includes common open interior and rooftop space where street noise exceeds 60 dBA.	Requirements satisfied; the project has been designed such that street noise at the interior and rooftop open space will be attenuated below the U.S. Department of Housing and Urban Development 65 dBA.
<b>G. Air Quality</b>		
G-1: Construction Air Quality	Not Applicable: proposed project construction criteria air pollutant emissions would not exceed thresholds.	The dust control measures would not be applicable, as the regulations and procedures set forth by the San Francisco Dust Control Ordinance supersede the construction dust portion of Mitigation Measure G-1.
G-2: Air Quality for Sensitive Land Uses	Not Applicable: proposed project is not located in an Air Pollutant Exposure Zone.	N/A
G-3: Siting of Uses that Emit DPM	Not Applicable: proposed project does not include uses that emit substantial levels of diesel particulate matter.	N/A
G-4: Siting of Uses that Emit other TACs	Not Applicable: proposed project does not include uses that emit substantial levels of toxic air contaminants.	N/A

<sup>7</sup> ICF International. 2000-2070 Bryant Street Project – Noise Study. March 26, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of the Case File No. 2013.0677E.

<b>J. Archeological Resources</b>		
J-1: Properties with Previous Studies	Not Applicable: proposed project is located on a site with no previous archeological studies or documentation.	N/A
J-2: Properties with no Previous Studies	Applicable: proposed project involves approximately 14 feet of soil excavation/disturbance where resources may be present.	Planning Department's archeologist conducted a Preliminary Archeological Review (September 24, 2014) of the project site in conformance with the study requirements and required implementation of Project Mitigation Measure 1.
J-3: Mission Dolores Archeological District	Not Applicable: proposed project is not within the Mission Dolores Archeological District.	N/A
<b>K. Historical Resources</b>		
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area	Not Applicable: plan-level mitigation completed by Planning Department.	N/A
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission.	N/A
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission.	N/A
<b>L. Hazardous Materials</b>		
L-1: Hazardous Building Materials	Applicable: demolition of seven existing buildings on the project site.	Project Mitigation Measure 3 requires removal and disposal of any equipment containing PCBs or DEHP according to applicable federal, state, and local laws prior to the start of demolition.



<b>E. Transportation</b>		
E-1: Traffic Signal Installation	Not Applicable: plan level mitigation by SFMTA.	N/A
E-2: Intelligent Traffic Management	Not Applicable: plan level mitigation by SFMTA.	N/A
E-3: Enhanced Funding	Not Applicable: plan level mitigation by SFMTA.	N/A
E-4: Intelligent Traffic Management	Not Applicable: plan level mitigation by SFMTA.	N/A
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by SFMTA.	N/A
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA.	N/A
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA.	N/A
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA.	N/A
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA.	N/A
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA.	N/A
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA.	N/A

Please see the attached Mitigation Monitoring and Reporting Program (MMRP) for the complete text of the applicable mitigation measures. With implementation of these mitigation measures the proposed project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods PEIR.

## **PUBLIC NOTICE AND COMMENT**

A "Notification of Project Receiving Environmental Review" was mailed on January 5, 2015 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Five comment letters were received in response to the Notification of Project Receiving Environmental Review, consisting of 13 individual comments regarding physical environmental effects; these include: (1) two commenters expressed concern that the onsite parking included in the proposed project would not be adequate for the increased residential population and that on-street parking availability would be reduced, (2) two commenters asserted that the proposed project is aesthetically incompatible with the area and/or emphasized that the design of the proposed project should maintain the character of the area, (3) three commenters expressed concern that

the proposed development would displace or exclude existing minority or disadvantaged communities (environmental justice communities) in the project area, (4) two commenters expressed concern with the loss of PDR uses, (5) two commenters expressed concern about increase noise resulting from the new development, (6) one commenter expressed concern about the removal of trees from the neighborhood, as well as the impacts that tree removal would have to resident or migratory wildlife species, and (7) one commenter expressed disappointment with the lack of outreach made to the neighborhood. These concerns are addressed in the CPE Checklist under the “Transportation and Circulation” section, “Land Use and Land Use Planning” section, “Population and Housing” section, “Noise” section, and “Biological Resources” section. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

## CONCLUSION

As summarized above and further discussed in the CPE Checklist<sup>8</sup>:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;
2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR;
4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and
5. The project sponsor will undertake feasible mitigation measures specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

Therefore, the proposed project is exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

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<sup>8</sup> The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.0677E.