



# SAN FRANCISCO PLANNING DEPARTMENT

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## Note to File to an Environmental Impact Report

*Note to File Date:* April 5, 2019  
*Case No.:* **2018-001033ENV**  
*Project Title:* **186-198 Leland Avenue**  
*Block/Lot:* 6247/042  
*EIR:* Visitacion Valley Redevelopment Program  
Case No. 2006.1308E, certified December 18, 2008  
*Addendum:* Visitacion Valley Redevelopment Program – Modified  
Development Program  
Case No. 2006.1308E, published May 27, 2014  
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## REMARKS

### *Background*

The San Francisco Planning Commission and the former San Francisco Redevelopment Agency certified a final environmental impact report (EIR) for the Visitacion Valley Redevelopment Program ("Redevelopment Program"), case number 2006.1308E, on December 18, 2008.<sup>1</sup> The EIR was prepared as a program EIR for the Redevelopment Program and all of its associated actions in accordance with Public Resources Code section 21090 and CEQA Guidelines sections 15180 (Redevelopment Projects) and 15168 (Program EIR). The intent of the Redevelopment Program is to facilitate the reuse of the vacant Schlage Lock property along the east side of Bayshore Boulevard, revitalize additional properties fronting the east and west sides of Bayshore Boulevard, and assist in the revitalization of the Leland Avenue commercial corridor.

The Redevelopment Program analyzed in the EIR consists of an approximately 46-acre program area in the Visitacion Valley neighborhood of San Francisco. For land use and development control purposes, the program area is divided into two redevelopment zones (see Figure 1). Zone 1 consists of an approximately 20-acre industrial area bounded by Bayshore Boulevard to the west, Blanken Avenue (roughly) to the north, Tunnel Avenue to the east and the city/county line to the south. Zone 1 encompasses the vacant Schlage Lock property, adjacent former Southern Pacific Railroad property, and other underutilized industrial properties. Zone 2, totaling approximately 26 acres, consists of existing commercial, light industrial, residential and mixed-use (residential-commercial) properties fronting Bayshore Boulevard (opposite the former Schlage Lock property), and the Leland Avenue commercial

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<sup>1</sup> San Francisco Planning Department, Visitacion Valley Redevelopment Program, Environmental Impact Report, Case Number 2006.1308E, certified on December 18, 2008 (Planning Commission Motion No. 17790), <https://sfplanning.org/environmental-review-documents>, accessed February 27, 2019.

corridor, which is comprised of neighborhood commercial, residential and mixed-use (residential-commercial) properties fronting both sides of Leland Avenue from Bayshore Avenue to just west (partially) of Rutland Street. The Redevelopment Program includes height limit increases in Zone 1 and parts of Zone 2, new land use and development controls for Zone 1 (to be clarified under the City's Planning Code) and delegates entitlement authority for Zone 2 to the Planning Department, deferring to existing Planning Code land use controls.

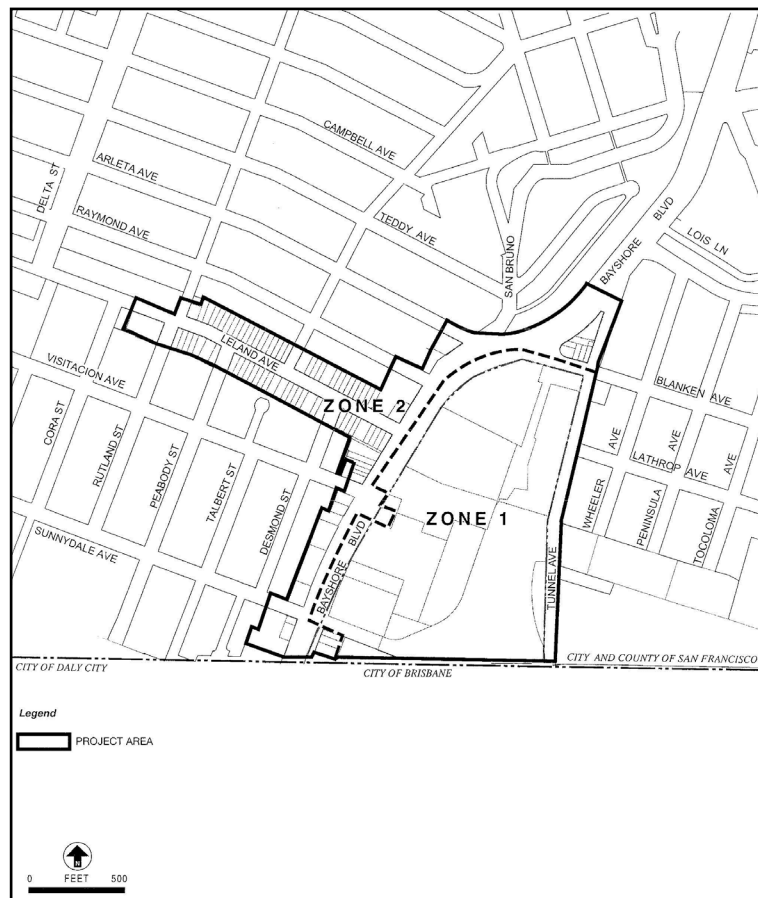


Figure 1. Visitation Valley Redevelopment Program Area: Zones 1 and 2. (Source: San Francisco Planning Department).

On May 27, 2014, the Planning Department published an addendum to the Redevelopment Program EIR, which analyzed modifications made to the program ("Modified Redevelopment Program") to determine whether further environmental review, beyond that included in the EIR, would be required.<sup>2</sup> The Modified Redevelopment Program included changes to the development program in Zone 1, but no changes to Zone 2. Specifically, the Modified Redevelopment Program increased the number of residential units, decreased the number of retail commercial units, and further increased the height limits

<sup>2</sup> San Francisco Planning Department, Addendum to Environmental Impact Report, Visitation Valley Redevelopment Program/Modified Development Program, May 27, 2014, [http://sfmea.sfplanning.org/2006.1308E\\_Add1.pdf](http://sfmea.sfplanning.org/2006.1308E_Add1.pdf), accessed February 27, 2019.

in Zone 1. It also included changes to the original phasing program proposed in the Redevelopment Program. The addendum determined that the analyses and conclusions reached in the Redevelopment Program EIR remain valid with respect to the Modified Redevelopment Program and that no further environmental review would be required.

The projected 2025 growth anticipated from implementation of the Redevelopment Program and subsequent Modified Redevelopment Program is summarized in Table 1. These growth projections are based on assumptions that are described in detail in the EIR. Only those assumptions relevant to the proposed project (described below) will be detailed further.

**Table 1. Projected (2025) Growth Resulting from Adoption and Implementation of All Proposed Components and Actions of the Redevelopment Program/Modified Redevelopment Program.**

Land Uses (Net New)	Zone 1	Zone 2	Total
Residential (units)	1,679 <sup>a</sup>	335	2,014
Retail (square feet)	46,700 <sup>a</sup>	26,500	73,200
Other Commercial (square feet)	(5,500)	(33,877)	(39,377)
Cultural/Institutional/Educational (square feet)	15,000	10,000	25,000
Sources: Redevelopment Agency and San Francisco Planning Department (October 2006); San Francisco Planning Department (2014)			
<sup>a</sup> The Modified Redevelopment Program increased the projected number of new residential units in Zone 1 from 1,250 units to 1,679 units and reduced the projected amount of neighborhood-serving retail in Zone 1 from 105,000 square feet to 46,700 square feet			

### ***Proposed Project***

The 3,250-square-foot rectangular project site (Assessor's Block/Lot 6247/042) is located on the northeast corner of Leland Avenue and Rutland Street in the block bounded by Leland and Raymond avenues and Rutland and Alpha streets in the Visitacion Valley neighborhood of San Francisco (Figure 2). The site is located within Zone 2 of the Redevelopment Program area (see Figures 1 and 2) and is currently occupied by three adjacent one-story commercial buildings located at 186, 196 and 198 Leland Avenue. The building at 186 Leland Avenue was constructed in 1932 and has been found ineligible for listing on the California Register of Historic Resources (CRHR) under any criteria.<sup>3</sup> The buildings at 196 and 198 Leland Avenue were constructed in 1906 and are CRHR-eligible based on their association with the early development of Leland Avenue.<sup>4</sup> The three existing buildings contain two commercial units totaling approximately 2,300 square feet (sf); 186 Leland Avenue contains a laundry and 196 and 198 Leland Avenue, which share an interior due to the previous removal of a dividing wall, contain a bakery/restaurant.

<sup>3</sup> San Francisco Planning Department, *Historic Resource Evaluation Response, 186-198 Leland Avenue*, June 4, 2018.

<sup>4</sup> *Ibid.*

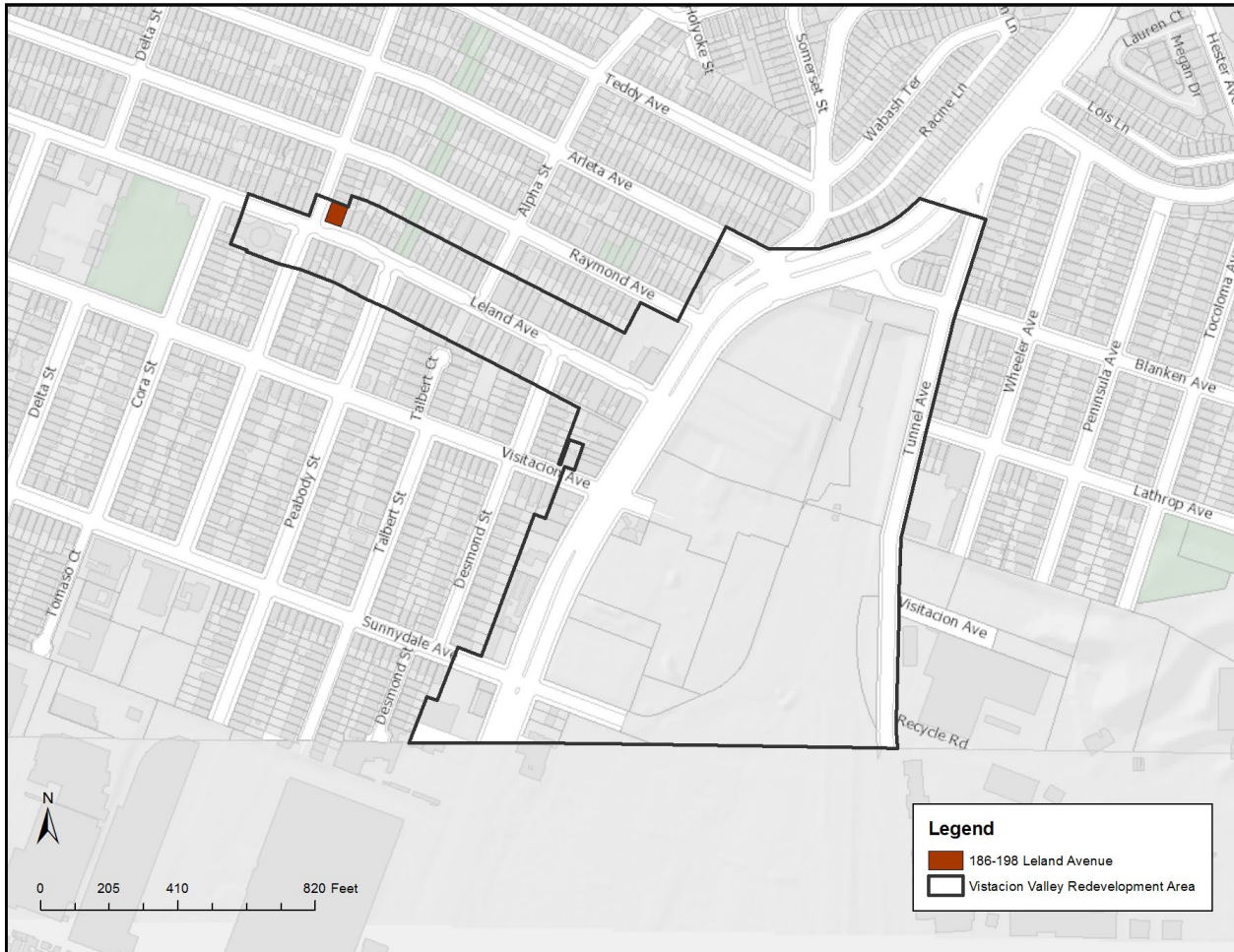


Figure 2. Project Location (Source: San Francisco Planning Department).

The proposed project would demolish the existing buildings and construct an approximately 8,250-square-foot, three-story, 37-foot-tall mixed-use building with four three-bedroom dwelling units on the upper floors and two ground-floor commercial units totaling approximately 2,400 sf (the individual units would be 1,000 and 1,400 sf, respectively). The dwelling units would be accessed from a ground-floor lobby fronting Leland Avenue. Each commercial unit would have a separate entrance on Leland Avenue. One vehicle parking space, four class 1 bicycle parking spaces, and two class 2 bicycle parking spaces would be provided in a ground-level garage accessed from Rutland Street. The existing approximately 24.5-foot-wide curb cut on Rutland Street, which straddles a portion of the project site and the adjacent property to the north (725 Rutland Street), would be retained to facilitate entry to the garages of both properties. The proposed project would provide useable open space to the residential tenants of the new building in the form of a 353-square-foot common roof deck, a semi-private (accessible to second-floor units only) second-floor rear deck and private balconies at the third floor. Six street trees would be added to the project site: three along Rutland Street and three along Leland Avenue.

The proposed project would install a shallow foundation system, which would require excavation of a 336-square-foot area to a maximum depth of 1.5 feet below ground surface and remove approximately 19 cubic yards of soil. Construction activities would last approximately 12-16 months.

### *Analysis of Potential Environmental Effects*

Section 31.20(f) of the San Francisco Administrative Code states that CEQA provides that a single EIR may be employed for more than one project, if all such projects are essentially the same in terms of environmental effects, and that an EIR prepared for an earlier project may be applied to a later project, if the circumstances of the projects are essentially the same.

As previously stated, the Redevelopment Program EIR is a program EIR that was prepared in accordance with Public Resources Code section 21090 and CEQA Guidelines sections 15180 (Redevelopment Projects) and 15168 (Program EIR). As a program EIR, the EIR evaluated the cumulative environmental impacts of the most intensive development scenario achievable (as summarized by the projected growth in Table 1) assuming adoption and implementation of all components and actions proposed under the Redevelopment Program. CEQA Guidelines section 15168(c) requires that all subsequent program actions be evaluated against the EIR to determine whether (or not) an additional environmental document must be prepared. In addition, CEQA Guidelines section 15168(c)(2) states that pursuant to section 15162,<sup>5</sup> if no new effects could occur or no new mitigation measures would be required, the subsequent program action can be approved as being within the scope of the project covered by the program EIR, and no new environmental document would be required. Further, CEQA Guidelines section 15168(4) states that where the subsequent program action involves site-specific operations, a written checklist or similar device should be used to document the evaluation of the site and the action to determine whether the environmental effects of the operation were covered in the program EIR.

As documented below, pursuant to CEQA Guidelines section 15168(4), the proposed project would constitute a site-specific subsequent program action that would not result in any new significant environmental impacts, substantially increase the significance of previously identified effects, or necessitate implementation of additional or considerably different mitigation measures than those identified in the EIR.

### Land Use

The EIR determined that the Redevelopment Program would result in less-than-significant program-level and cumulative-level land use impacts and that no mitigation measures would be required. As described below, the proposed project would be consistent with the anticipated development density, land uses and projected growth in the program area that was evaluated in the EIR.

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<sup>5</sup> CEQA Guidelines section 15162 states that after an EIR is certified, no subsequent EIR shall be prepared unless substantial changes to the original project or its circumstance occur, or new information becomes available that would result in new significant environmental effects, substantially increase previously identified significant effects or the requirement of new mitigation measures or project alternatives. As described above, the Redevelopment Program EIR was modified after being certified; however, the modifications did not alter the conclusions of the EIR and no further environmental review would be required.

The 3,250-sf project site is located in an NC-2 Small-Scale Neighborhood Commercial zoning district and 40-X height and bulk district within Zone 2 of the Redevelopment Program area. NC-2 zoning districts principally permit one dwelling unit per 800 sf of lot area (or, in this case, four dwelling units per 3,250 sf of lot area) and up to 3,999 sf of non-residential uses. 40-X height and bulk districts principally permit the construction of buildings up to 40 feet in height with no bulk restrictions. The projected 2025 growth in Zone 2 evaluated in the EIR was based on a set of 19 assumptions. Of these, the following three assumptions apply directly to the proposed project because the project site fronts Leland Avenue and contains existing commercial uses:

1. All existing commercial uses would remain, sometimes with existing uses incorporated into new developments, with the exception of the existing grocery store at the southwest corner of Leland Avenue and Rutland Street, which would be replaced by the recently approved new 10,000-square-foot Visitacion Valley community library;<sup>6</sup>
2. New development would occur primarily as a mix of residential and retail, with certain exceptions (e.g., the new community library); and
3. The number of anticipated new residential units generally anticipated on existing vacant and underutilized land along Leland Avenue is based on the maximum residential density allowed by the Planning Code in the “NC-2” Small-Scale Neighborhood Commercial District: one (1) residential unit per 800 square feet of lot area.

The proposed project would demolish three existing commercial buildings with two retail units totaling 2,300 sf and construct an approximately 37-foot-tall mixed-use building with four dwelling units and two ground-floor commercial units totaling approximately 2,400 sf on a 3,250-square foot lot. Therefore, the proposed project is consistent with the requirements of the NC-2 zoning district and 40-X height and bulk district and all three applicable growth assumptions.

For these reasons, the proposed project would not result in significant land use impacts beyond those identified in the EIR.

### Population and Housing

The EIR determined that the Redevelopment Program would result in less-than-significant program-level and cumulative-level population and housing impacts and that no mitigation measures would be required. As discussed under Land Use, the proposed project would be consistent with the development density, land uses and projected growth analyzed in the EIR (see Table 1). Therefore, the proposed project would not result in significant population and housing impacts beyond those identified in the EIR.

### Visual Factors

The EIR found that the Redevelopment Program would result in less-than-significant visual impacts related to scenic vistas; existing visual character of the program area and its surroundings; public views;

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<sup>6</sup> The library has been constructed since the EIR was certified.

view corridors; and shadow. Consistent with the EIR findings, the proposed project would result in less-than-significant visual impacts related to these topics because it would comply with the controls of the NC-2 zoning and 40-X height and bulk districts, in which it is located.

The EIR also determined that the Redevelopment Program could have potentially significant location-specific building scale compatibility impacts on the west side of Bayshore Boulevard in Zone 2, which could be reduced to less-than-significant levels by EIR Mitigation 7-1. Furthermore, the EIR identified potentially significant nighttime light and glare impacts in Zone 1, which could be reduced to a less-than-significant level by EIR Mitigation Measure 7-2. However, since the project site is located on Leland Avenue in Zone 2, it would not contribute to these impacts and therefore, would not be subject to these mitigation measures. Therefore, they are not described in this document.

Moreover, since certification of the EIR, the State amended CEQA to eliminate consideration of aesthetics and parking impacts for infill projects in transit priority areas. Specifically, CEQA Section 21099 (Modernization of Transportation Analysis for Transit Oriented Projects) states that aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided it meets all of the following three criteria: the project is residential, mixed-use residential, or an employment center; the project is on an infill site; and the project is in a transit priority area. Since the proposed project meets all three criteria,<sup>7</sup> aesthetic (or visual) impacts may not be taken into consideration when evaluating the significance of the proposed project's environmental impacts.

For these reasons, the proposed project would not result in significant visual (or aesthetic) impacts beyond those identified in the EIR.

### Transportation and Circulation

The EIR determined that implementation of the Redevelopment Program would result in less-than-significant transportation and circulation impacts related to parking; loading; and program-related construction activities. However, the EIR identified ten significant transportation and circulation impacts related to implementation of the Redevelopment Program:

EIR Impact 8-1: Program-level impacts on intersection operation (as measured by level of service, or "LOS") at five intersections: Bayshore Blvd/Blanken Ave; Bayshore Blvd/Leland Ave; Bayshore Blvd/Visitacion Ave; Bayshore Blvd/Sunnydale Ave; Tunnel Ave/Blanken Ave; and Bayshore Ave/Arleta Ave/San Brun Ave;

EIR Impact 8-2: Program-level impacts on U.S. 101 freeway segment operation (as measured by LOS);

EIR Impact 8-3: Program-level queuing impacts at Zone 1 access points: Bayshore Blvd at Leland Ave, Visitacion Ave and Sunnydale Ave;

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<sup>7</sup> San Francisco Planning Department, *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 186-198 Leland Avenue*, February 19, 2019.



EIR Impact 8-4: 2025 cumulative impacts on intersection operation (as measured by LOS) at eight intersections (as measured by LOS): Bayshore Blvd/Tunnel Ave; Bayshore Blvd/Blanken Ave; Bayshore Blvd/Arleta Ave/San Bruno Ave; Bayshore Blvd/Leland Ave; Bayshore Blvd/Visitation Ave; Bayshore Blvd/Sunnydale Ave; Tunnel Ave/Blanken Ave; and Alana Way/Beatty Ave);

EIR Impact 8-5: 2025 cumulative impacts on U.S. 101 freeway segment operation (as measured by LOS);

EIR Impact 8-6: 2025 cumulative impacts on U.S. 101 freeway on-ramp operation (as measured by LOS);

EIR Impact 8-7: 2025 cumulative impacts on intersection operation (as measured by LOS) with planned regional roadway improvements at two intersections (Bayshore/Leland and Bayshore/Sunnydale);

EIR Impact 8-8: 2025 cumulative impacts on freeway segment operation (as measured by LOS) with planned regional roadway improvements;

EIR Impact 8-9: Program-level impacts on transit service; and

EIR Impact 8-10: Program-level impacts on bicycle conditions

The EIR identified mitigation measures for all ten significant impacts. Application of these mitigation measures would reduce the following impacts to less-than-significant levels: Impact 8-1 at Tunnel Ave/Blanken Ave (EIR Mitigation 8-1A) and Bayshore Blvd/Leland Ave (EIR Mitigation 8-1B) intersections only; Impact 8-6 at all U.S. 101 on-ramps (EIR Mitigation 8-6); Impact 8-7 at Tunnel Ave/Blanken Ave intersection only (Mitigation 8-7); and Impact 8-10 (EIR Mitigation 8-10). All other impacts would remain significant and unavoidable with mitigation.

As previously noted under Visual Factors, State legislation amended CEQA to eliminate consideration of aesthetics and parking impacts for infill projects in transit priority areas. In addition, CEQA section 21099(b) set forth a mechanism for revising CEQA Guidelines to replace automobile delay, as described solely by level of service (LOS) or similar measures of vehicular capacity or traffic congestion, with an alternative metric for evaluating transportation impacts. In 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted a resolution to replace level of service (LOS) analysis of automobile delay with vehicle miles traveled (VMT) analysis. Therefore, all impacts and mitigation measures identified in the EIR that relate to LOS do not apply to the proposed project; these include EIR Impacts/Mitigations 8-1, 8-2, 8-4, 8-5, 8-6, 8-7 and 8-8. Instead, the proposed project has been evaluated to determine whether it would result in significant impacts related to VMT.

In accordance with CEQA Guidelines section 21099, the Planning Department has identified the following screening criteria to identify types, characteristics, or locations of projects and a list of transportation project types that would not result in significant transportation impacts under the VMT metric: *map-based screening*, *small projects*, and *proximity to transit stations*. If a project meets one of these



three screening, then it is presumed that VMT impacts would be less than significant for the project and a detailed VMT analysis is not required. Map-based screening is used to determine if a project site is located within a transportation analysis zone (TAZ) that exhibits low levels of VMT; small projects are projects that would generate fewer than 100 vehicle trips per day; and the proximity to transit stations criterion includes projects that are within a half mile of an existing major transit stop, have a floor area ratio of greater than or equal to 0.75, vehicle parking that is less than or equal to that required or allowed by the Planning Code without conditional use authorization, and are consistent with the applicable Sustainable Communities Strategy. The proposed project meets the map-based screening criterion because it is located in TAZ 15, which exhibits low levels of VMT.<sup>8</sup> It also meets the proximity to transit stations criterion.<sup>9</sup> Therefore the proposed project would not result in significant impacts related to VMT.

As previously discussed, EIR Mitigation 8-1, 8-2, 8-4, 8-5, 8-6, 8-7 and 8-8 would not apply to the proposed project. The proposed project would also not be subject to EIR Mitigation 8-3, 8-9, and 8-10, because EIR Mitigation 8-3 applies to future development projects in Zone 1 and EIR Mitigation 8-9 and 8-10 would be implemented by the City and/or applicable agencies, not individual development applicants. Therefore, these mitigation measures will not be described in this document.

Thus, since the proposed project would be consistent with the development density, land uses and projected growth analyzed in the EIR and would not result in significant VMT, it would not result in significant transportation and circulation impacts beyond those identified in the EIR.

#### Air Quality

The EIR determined that implementation of the Redevelopment Program would result in less-than-significant impacts on greenhouse gas (GHG) emissions because all program development actions would be required to comply with existing state and local regulations. At the time the EIR was certified, neither the Bay Area Air Quality Management District (BAAQMD) or the City had developed guidelines or significance criteria for assessing a project's GHG contribution or evaluating its significance. Since then, BAAQMD has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines sections 15064.4 and 15183.5, which address the analysis and determination of significant impacts from a proposed project's GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the project's GHG impact is less than significant. In 2010, the San Francisco Planning Department published *Strategies to Address Greenhouse Gas Emissions*,<sup>10</sup> which presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's GHG reduction strategy in compliance with the BAAQMD and CEQA guidelines. In 2017, the planning department updated the GHG reduction strategy.<sup>11</sup> Projects that are consistent with the City's GHG Reduction Strategy would not result in GHG emissions that would have a significant impact on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations. Planning department staff have assessed the

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<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*

<sup>10</sup> San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions*, November 2010, [http://sfmea.sfplanning.org/GHG\\_Reduction\\_Strategy.pdf](http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf), accessed January 26, 2019.

<sup>11</sup> San Francisco Planning Department, 2017 Greenhouse Gas Reduction Strategy Update, [http://sfmea.sfplanning.org/GHG/GHG\\_Strategy\\_October2017.pdf](http://sfmea.sfplanning.org/GHG/GHG_Strategy_October2017.pdf), accessed January 26, 2019.

proposed project and determined it to be consistent with the City's GHG Reduction Strategy.<sup>12</sup> Therefore, the proposed project's GHG impact would be less-than-significant.

The EIR identified potentially significant air quality impacts related to program-level remediation, demolition and construction activities (EIR Impact 9-1) and program- and cumulative-level traffic-related increases in regional particulate matter (PM<sub>10</sub>) emissions (EIR Impact 9-2). The EIR also identified mitigation measures to reduce these impacts. EIR Mitigation 9-1A and 9-1B: Remediation- and Construction-Related Air Quality Impacts requires all discretionary demolition, remediation, grading or construction activities to implement dust control measures; these measures would reduce the air quality impacts associated with these activities to less-than-significant levels. However, these mitigation measures have been superseded by the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008), which would ensure that construction dust impacts would not be significant. Since the proposed project would be subject to the Construction Dust Control Ordinance, EIR Mitigation 9-1A and 9-1B no longer apply; therefore, they will not be described in this document.

EIR Mitigation 9-1C: Remediation- and Construction-Related Air Quality Impacts requires all contractors involved in development activities within the Redevelopment Program area to implement measures to control emissions from diesel-powered construction (including remediation and demolition) equipment, where applicable. Implementation of EIR Mitigation 9-1C would reduce air quality impacts associated with the use of diesel-powered equipment to less-than-significant levels. Since certification of the EIR, Project Mitigation Measure 1: Construction Air Quality, which is described in detail in the Mitigation Measures section below, has been identified to supersede EIR Mitigation 9-1C. Project Mitigation Measure 1: Construction Air Quality requires the use of construction equipment with engines with higher emissions standards, which would reduce diesel particulate matter (including PM<sub>10</sub>) exhaust from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment.<sup>13</sup> Since the proposed project would be required to implement **Project Mitigation Measure 1: Construction Air Quality** (see Mitigation Measures, page 17), it would result in less-than-significant air quality impacts related to diesel-powered equipment.

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<sup>12</sup> San Francisco Planning Department, *Compliance Checklist Table for Greenhouse Gas Analysis, Table 1: Private Development Projects, 186-198 Leland Avenue, March 27, 2019.*

<sup>13</sup> 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).

EIR Mitigation 9-2: Long-Term Regional Emissions Impacts requires all Redevelopment Program-facilitated discretionary mixed-use, residential, commercial, and cultural development activities to apply, where applicable, a set of transportation, building and maintenance emissions control strategies. Since certification of the EIR, the control strategies identified in EIR Mitigation 9-2 have been superseded by the City's *Strategies to Address Greenhouse Gas Emissions* (described above) and the San Francisco Green Building Code.<sup>14</sup> Therefore, EIR Mitigation 9-2 is no longer applicable. However, program- and cumulative-level regional emissions impacts would remain significant and unavoidable.

In 2014, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, article 38 (Ordinance 224-14, amended December 8, 2014). The Air Pollutant Exposure Zone, as defined in article 38, includes areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM<sub>2.5</sub> (fine particulate matter) concentration, cumulative excess cancer risk, and incorporate health vulnerability factors and proximity to freeways. For sensitive use projects within the Air Pollutant Exposure Zone, the ordinance requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from PM<sub>2.5</sub> 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. The proposed project is not subject to article 38 because it is not located in an identified Air Pollutant Exposure Zone.

For the above reasons, the proposed project would not result in significant impacts related to air quality beyond those identified in the EIR.

### Cultural and Historical Resources

#### *Historical Resources*

The EIR determined that potentially significant historical resource impacts could result from the demolition, destruction, relocation, or alteration of one or more potential historical resources identified in the Redevelopment Program area (EIR Impact-10-1). Moreover, the EIR identified the existing buildings at 196 Leland Avenue and 198 Leland Avenue as potentially significant historical resources. The EIR did not identify the existing building at 186 Leland Avenue as a potentially significant historical resource. Since the proposed project would demolish 186, 196 and 198 Leland Avenue, the project sponsor had a qualified consultant prepare a *historical resource evaluation* (HRE) of all three buildings to determine if one or more qualified as a historic resource under CEQA.<sup>15</sup> Pursuant to CEQA section 21084.1, a property qualifies as a historic resource if it is listed in, or determined eligible for listing in, the California Register

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<sup>14</sup> The San Francisco Green Building Code was adopted in 2008. California's Building Standards Commission subsequently developed Title 24 Part 11, the California Green Building Standards Code, or "CALGreen." In 2010, the San Francisco Building Code was updated to combine the mandatory elements of the 2010 California Green Building Standards Code with stricter local requirements. It was updated again in 2013 and 2016 to incorporate changes to California's Green Building Standards and Energy Efficiency Standards (Title 24 Part 6).

<sup>15</sup> Tim Kelley Consulting, LLC, *Part I Historical Resource Evaluation: 186-198 Leland Avenue, San Francisco, California*, May 9, 2018.

of Historical Resources (CRHR). The HRE found that the existing building at 186 Leland Avenue is ineligible for listing in the CRHR under any criteria. However, the HRE determined that the existing buildings at 196 and 198 Leland Avenue are eligible for listing in the CRHR individually under Criterion A/1 (Events) for their association with broad patterns of local history, specifically the early development of Leland Avenue. The HRE further determined that both 196 and 198 Leland Avenue retain a good degree of integrity, despite having undergone some alterations since they were originally constructed. According to the HRE, the character-defining features of 196 Leland Avenue are its general vernacular form; front gabled roof form with pediment at the front that overhangs the first story; canted bay window with window openings on each facet; horizontal wood siding; and an entryway and porch situated at the left that includes two concrete steps leading up to the main door with wood surrounds. The character-defining features of 198 Leland Avenue include its general vernacular form; front gabled roof with false front parapet; central entry with two brick steps leading up to a main entrance; large, double-hung windows flanking the centralized entry with wood surrounds; and horizontal wood siding. Planning preservation staff reviewed the HRE in conjunction with relevant information found in planning department files and prepared a *historic resource evaluation response* (HREER).<sup>16</sup> The HREER concurred with the findings of the HRE. Therefore, the proposed project would result in a significant impact to historical resources through the demolition of the existing buildings at 196 and 198 Leland Avenue.

The EIR identified EIR Mitigation 10-1, which describes six measures designed to reduce impacts on historical resources. EIR Mitigation 10-1 applies to all projects proposing changes to a historical resource that do not comply with the Secretary of the Interior's standards. Since the proposed project would demolish two buildings (196 and 198 Leland Avenue) determined to be eligible for listing on the CRHR, it would be required to implement **EIR Mitigation 10-1: Destruction or Degradation of Historical Resources**, which is detailed in the Mitigation Measures section below (see Project Mitigation Measure 2, page 19). However, as discussed in the EIR, the demolition of these historical resources would remain significant and unavoidable impacts, even with mitigation.

#### *Archaeological Resources*

The EIR identified potentially significant impacts related to known archaeological resources, including one Native American habitation site recorded to be in or immediately adjacent to the Redevelopment Program area and two potential archaeological resources in or near the Schlage Lock site in Zone 1 (EIR Impact 10-2); unknown archaeological resources in Zone 1 (EIR Impact 10-3); and unknown archaeological resources in Zone 2 (EIR Impact 10-4). The EIR developed mitigation measures for each impact (EIR Mitigation 10-2, 10-3 and 10-4) that would reduce each impact to a less-than-significant level.

The project site is in Zone 2; therefore, the proposed project could potentially contribute to Impact 10-2 and 10-4, but not to Impact 10-3. Planning archeological staff conducted a *preliminary archeological review* (PAR) of the proposed project and determined that **EIR Mitigation 10-4: Accidental Discovery** would apply to the proposed project.<sup>17</sup> **Project Mitigation Measure 3: Accidental Discovery**, which includes revisions to the standard language of this mitigation measure and supersedes it, has been identified to

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<sup>16</sup> San Francisco Planning Department, *Historic Resource Evaluation Response: 186, 196, 198 Leland Avenue*, June 4, 2018.

<sup>17</sup> San Francisco Planning Department, *Environmental Planning Preliminary Archeological Review: 186-198 Leland Avenue*, November 4, 2018.

implement EIR Mitigation 10-4. Project Mitigation Measure 4: Accidental Discovery is described in full in the Mitigation Measures section below (see Project Mitigation Measure 3, page 21). Since the proposed project would be required to implement Project Mitigation Measure 3: Accidental Discovery, impacts related to archeological resources would be less than significant.

#### *Paleontological Resources*

The EIR determined that the potential for encountering paleontological resources in the Redevelopment Program area is low. However, the EIR also determined that any destruction of existing, unrecorded, unique paleontological resources during earthmoving activities would be a potentially significant impact. Therefore, the EIR identified **EIR Mitigation 10-5: Disturbance of Paleontological Resources**, which would reduce impacts to less-than-significant levels. The proposed project would be subject to **EIR Mitigation 10-5: Disturbance of Paleontological Resources**, which is described in detail in the Mitigation Measures section below (see Project Mitigation Measure 4, page 23).

For the above reasons, the proposed project would not result in significant impacts related to cultural resources beyond those identified in the EIR.

#### Hazards and Hazardous Materials

The EIR identified less-than-significant impacts related to exposure to existing soil or groundwater contamination in Zone 1; discharge of contaminated groundwater (entire project area); future on-site hazardous materials storage and use (entire project area); underground storage tanks (entire project area); asbestos and polychlorinated biphenyl (PCB) exposure (entire project area); lead-based paint exposure (entire project area); accidental release of hazardous materials or wastes during normal transport operations (entire project area); and interference with emergency response and evacuation plans (entire project area). As demonstrated in the Land Use section, the proposed project falls within the scope analyzed in the EIR, and therefore, would result in less-than-significant impacts related to the above topics.

The EIR identified potentially significant impacts related to exposure to existing soil or groundwater contamination in Zone 2 (EIR Impact 11-1). However, the EIR determined that these impacts could be reduced to less-than-significant levels with the implementation of **EIR Mitigation 11-1: Potential Impacts Due to Exposure to Existing Soil or Groundwater Contamination – Redevelopment Zone 2**. EIR Mitigation 11-1 requires that individual development applicants comply with all (applicable) existing local-, state- and federal-mandated site assessment, remediation, and disposal requirements for soil, surface water, and/or groundwater contamination.

Since certification of the EIR, the San Francisco Board of Supervisors has amended Health Code Article 22A, also known as the Maher Ordinance (Ordinance No. 155-13, effective August 24, 2013). These amendments expanded the ordinance 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 near freeways or underground storage tanks; the planning department has created and manages a “Maher map” of these properties for use as a screening tool. The over-arching goal of the Maher Ordinance is to protect public health and safety by

requiring appropriate handling, treatment, disposal and when necessary, remediation 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 Redevelopment Program area are subject to this ordinance.

The Maher Ordinance requires sponsors to retain the services of a qualified professional to prepare a *phase I environmental site assessment* (phase I ESA) that meets the requirements of Health Code Section 22.A.6. The phase I ESA would determine the potential for site contamination and level of exposure risk associated with the proposed 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 agencies and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit. Therefore, the Maher Ordinance supersedes EIR Mitigation 11-1.

The project site is not located on the Maher map, which indicates that it is not known or suspected to contain contaminated soil and/or groundwater. In addition, the proposed project would disturb less than 50 cubic yards of soil; it would excavate a 336-square-foot area to a maximum depth of 1.5 feet below ground surface and remove approximately 19 cubic yards of soil. Therefore, the proposed project would not be subject to the requirements of the Maher Ordinance and would result in less-than-significant impacts related to exposure to existing soil and groundwater contamination.

For these reasons, the proposed project would not result in significant impacts related to hazards or hazardous materials beyond those identified in the EIR.

#### Hydrology and Water Quality

The EIR determined that implementation of the Redevelopment Program would result in less-than-significant flooding impacts associated with increased stormwater runoff, but could potentially cause significant water quality impacts related to increased stormwater runoff and increased deposition of vehicle-generated pollutants that could wash into the Bay via storm drains. In addition, the EIR determined that implementation of the Redevelopment Program could cause potentially significant impacts related to the increased risk of soil erosion and contaminant spills occurring during program-related remediation and construction activities. However, the EIR identified three mitigation measures that would reduce these impacts to less-than-significant levels: EIR Mitigation 12-1A, 12-1B and 12-2. Since EIR Mitigation 12-1A and 12-2 apply to future developments in Zone 1, the proposed project would not be subject to these mitigation measures and no further description will be provided here. EIR Mitigation 12-1B, which applies to individual infill developments in Zone 2 that would exceed 5,000 square feet in lot area (the minimum size criteria proposed by the SFPUC at the time the EIR was prepared), would require individual development applicants to implement stormwater design measures that would ensure that (1) at least 80 percent of total annual runoff either remains on-site or receives an approved level of water quality treatment before discharge into the combined sewer system; and (2) a minimum of 25 percent of the setbacks be pervious. The project site, at approximately 3,250 sf, is less than the 5,000-sf minimum; therefore, the proposed project would not be subject to EIR Mitigation Measure 12-1B and no further discussion of it will be provided.

Since certification of the EIR, the City has adopted the Stormwater Management Ordinance (Ordinance No. 83-10, effective May 22, 2010, updated in 2016) and the Construction Site Runoff Ordinance (Ordinance No. 260-13, effective December 14, 2013). The SFPUC administers programs that implement both ordinances. The Stormwater Management Ordinance requires that new and redevelopment projects manage stormwater via green infrastructure using a set of established Stormwater Management Requirements and Design Guidelines (SMR). The SMR applies to new and redevelopment projects that would create and/or replace more than 5,000 square feet of impervious surface in either separate or combined sewer areas. Since the proposed project would replace approximately 3,250 sf of impervious surface in a combined sewer area, it would not be subject to the SMR. The Construction Site Runoff Ordinance applies to all construction sites; specific requirements are determined by the project size. Projects that would disturb less than 5,000 square feet are not required to apply for a Construction Site Runoff Permit, but are required to implement a set of Best Management Practices (BMPs) established by the SFPUC. Therefore, the proposed project would be required to implement BMPs to prevent the discharge of sediment, non-stormwater and waste runoff from the project site during construction activities.

For these reasons, the proposed project would not result in any significant impacts related to hydrology and water quality beyond those identified in the EIR.

#### Noise

The EIR determined that implementation of the Redevelopment Program would result in less-than-significant noise impacts related to stationary mechanical equipment associated with program-facilitated development; traffic increases associated with program-facilitated development; and traffic increases associated with cumulative development. The EIR also determined that the Redevelopment Program would not introduce any sources of groundborne vibration.

However, the EIR identified significant noise impacts related to remediation, demolition and construction activities (EIR Impact 13-1). Specifically, the EIR determined that program-facilitated development (particularly in Zone 1) could cause noise levels to reach approximately 105 dBA at a distance of 50 feet from the remediation, demolition, or construction equipment source (primarily due to pile drivers, jackhammers and other percussive pieces of equipment), which would result in intermittent interference with typical existing residential and commercial activities, and exceedance of allowed construction and fixed-source noise limits established in the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). To reduce these noise impacts, the EIR identified EIR Mitigation 13-1: Project-Facilitated Remediation-, Demolition-, and Construction-Period Noise, which would reduce these impacts to less-than-significant levels. EIR Mitigation 13-1 requires, as a condition of demolition and construction permit issuance, the incorporation of conventional noise abatement measures (including those provided in sections 2907 and 2908 of the Noise Ordinance) into individual contractor agreements. The proposed project would be subject to the Noise Ordinance, which is enforced by the Department of Building Inspection (DBI) and the Police Department. Since DBI is responsible for issuing demolition and construction permits, EIR Mitigation 13-1 would not be necessary to enforce the noise abatement measures it describes that relate to sections 2907 and 2908. Moreover, the proposed project would be supported by a shallow foundation system and does not include pile driving or other particularly noisy



construction methods. Therefore, project-related demolition and construction activities would be unlikely to generate noise levels that would exceed the Noise Ordinance, and thus associated noise impacts would be less-than-significant. For these reasons, EIR Mitigation 13-1 would not apply to the proposed project and will not be described further in this document.

The EIR also identified significant vibration impacts related to the siting of new sensitive uses near potential sources (Caltrain rail line and Muni light rail line) of excessive groundborne vibration (EIR Impact 13-2) and significant noise impacts related to the siting of noise-sensitive development in an environment where ambient noise levels exceed the standards set in the San Francisco General Plan (EIR Impact 13-3). To reduce these impacts to less-than-significant levels, the EIR identified two mitigation measures. However, due to a recent CEQA legal decision, these mitigation measures are no longer applicable to all Redevelopment Program-facilitated development projects.<sup>18</sup>

#### Public Services

The EIR determined that implementation of the Redevelopment Program would result in less-than-significant impacts related to school services (program- and cumulative-level); construction and operation of proposed new parks and recreational facilities in the Redevelopment Program area; increased use of existing parks and recreational facilities (program- and cumulative-level); and increases in demand for library services (program- and cumulative-level). Therefore, since the proposed project would be consistent with the development density, land uses and projected growth analyzed in the EIR, there would be no additional impacts on these public services beyond those identified in the EIR.

#### Utilities and Service Systems

The EIR determined that implementation of the Redevelopment Program would result in less-than-significant impacts related to water supply and demand; construction and operation of new water distribution and fire flow infrastructure; wastewater service; solid waste disposal and recycling facilities; and gas and electricity demand. The EIR identified potentially significant solid waste diversion impacts related to the proposed mid-rise design of many of the Zone 1 buildings and some of the west-side Bayshore Boulevard buildings in Zone 2. However, the EIR determined that these impacts could be

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<sup>18</sup> Vistacion Valley EIR Mitigation 13-2 addresses the siting of sensitive land uses near transit facilities that produce vibration. Vistacion Valley EIR Mitigation 13-3 addresses the siting of sensitive land uses in environments with noise levels incompatible with these land uses. In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents except where a project or its residents may exacerbate existing environmental hazards (*California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478). As noted above, the Visitacion Valley EIR determined that the Visitacion Valley Redevelopment Program would not introduce any sources of groundborne vibration and would not result in significant impacts related to noise level increases from stationary equipment or traffic increases (program- and cumulative-level). Therefore, Vistacion Valley EIR Mitigation 13-2 and 13-3 are not applicable. Nonetheless, for all noise sensitive uses, the general requirements for adequate interior noise levels of Mitigation 13-3 are met by compliance with the acoustical standards required under the California Building Standards Code (California Code of Regulations Title 24).

reduced to less-than-significant levels by implementing EIR Mitigation 15-1. Since the proposed project is not located in Zone 1 or along the west side of Bayshore Boulevard in Zone 2, it would not contribute to these potentially significant impacts and therefore, would not be subject to EIR Mitigation 15-1. As such, this mitigation measure will not be described in this document.

Therefore, since the proposed project is consistent with the development density, land uses and projected growth analyzed in the EIR, there would be no additional impacts on utilities and service systems beyond those identified in the EIR.

#### Other Environmental Topics

The *initial study* prepared for the Redevelopment Program determined that the program would result in less-than-significant impacts related to agricultural resources, biological resources, geology/soils, mineral resources, and wind/shadows.<sup>19</sup> As such, a discussion of these topics was not included in the EIR. Since the Redevelopment Program is consistent with the development density, land uses and projected growth analyzed in the EIR, there would be no additional impacts related to these environmental topics beyond those identified in the EIR.

#### ***Mitigation Measures***

The proposed project would be required to implement the following mitigation measures.

#### Air Quality

#### **Project Mitigation Measure 1: Construction Air Quality (Supersedes EIR Mitigation 9-1C: Remediation- and Construction-Related Air Quality Impacts)**

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

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<sup>19</sup> San Francisco Planning Department, Initial Study for the Proposed Visitacion Valley Redevelopment Program, January 31, 2007, [http://default.sfplanning.org/MEA/2006.1308E\\_VisValley\\_DEIR\\_Pt7.pdf](http://default.sfplanning.org/MEA/2006.1308E_VisValley_DEIR_Pt7.pdf), accessed February 27, 2019.

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**

<b>Compliance Alternative</b>	<b>Engine Emission Standard</b>	<b>Emissions Control</b>
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 project sponsor 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.

### Cultural Resources

#### **Project Mitigation Measure 2 (EIR Mitigation 10-1): Destruction or Degradation of Historical Resources**

The project sponsor shall be required to consider the following mitigation measures if proposed changes to a historical resource are not in accordance with the Secretary of the Interior's standards.

- a) *Documentation.* In consultation with a Planning Department Preservation Technical Specialist, the individual project applicant shall have documentation of the affected historical resource and its setting prepared. Generally, this documentation shall be in accordance with one of three documentation levels associated with the Historic American Building Survey (HABS) or Historic American Engineering Record (HAER). The Specialist, possibly in consultation with the National Park Service Regional Office, can decide the most appropriate form of documentation, depending on the significance of the affected resource. The three possible documentation level protocols are described under this mitigation in chapter 10 of this EIR.

The agreed-upon documentation shall be filed with the San Francisco History Center at the Main Library, as well as with other local libraries and historical societies, as appropriate.

- b) *Oral Histories.* The individual project applicant shall undertake an oral history project that includes interviews of several long-time residents of Visitacion Valley and former employees of the Schlage Lock Factory. This program shall be conducted by a professional historian in conformance with the Oral History Association's Principles and Standards ([http://alpha.dickinson.edu/oha/pub\\_eg.html](http://alpha.dickinson.edu/oha/pub_eg.html)). In addition to transcripts of the interviews, the oral history project shall include a narrative project summary report containing an introduction to the project, a methodology description, and brief summaries of each conducted interview. Copies of the completed oral history project shall be submitted to the San Francisco History Room of the Main Library.
- c) *Relocation.* If preservation of the affected historical resource at the current site is determined to be impossible, the building shall, if feasible, be stabilized and relocated to another nearby site appropriate to its historic setting and general environment. A moved building or structure that is otherwise eligible may be listed in the California Register if it was moved to prevent its demolition at its former location and if the new location is compatible with the original character and use of the historical resource. After relocation, the building's preservation, rehabilitation, and restoration, as appropriate, shall follow the Secretary of the Interior's standards to ensure that the building retains its integrity and historical significance.
- d) *Salvage.* If the affected historical resource can neither be preserved at its current site nor moved to an alternative site and is to be demolished, the individual project applicant shall consult with a San Francisco Planning Department Preservation Technical Specialist and other local historical societies regarding salvage of materials from the affected historic resource for public information or reuse in other locations. Demolition may proceed only after any significant historic features or materials have been identified and their removal completed.
- e) *Commemoration.* If the affected historical resource can neither be preserved at its current site nor moved to an alternative site and is to be demolished, the individual project applicant shall, with the assistance of a Planning Department Preservation Technical Specialist or other professionals experienced in creating historical exhibits, incorporate a display featuring historic photos of the affected resource and a description of its historical significance into the publicly accessible portion of any subsequent development on the site. In addition, the factory machinery in Schlage Plants 1 and 2 should be cleaned and moved to a public space (such as a park or plaza on-site) for public viewing.
- f) *Contribution to a Historic Preservation Fund.* If an affected historical resource can neither be reserved at its current site nor moved to an alternative site and is demolished, the project applicant may be eligible to mitigate project-related impacts by contributing funds to the City to be applied to future historic preservation activities, including survey work, research and evaluation, and rehabilitation of historical resources within Visitacion Valley in accordance with the Secretary's Standards. Contribution to the preservation fund would be made only after the documentation, oral history, salvage, and commemoration mitigations specified above had been completed. The details of such an arrangement would be formulated on a case-by-case basis, and could also include in-kind implementation of historic resource preservation. As part of any such

arrangement, the project applicant shall clearly demonstrate the economic infeasibility of other mitigation measures that would mitigate impacts to historical resources, including preservation, relocation, and project modification.

While implementation of these measures would reduce impacts on historical resources, the impact would remain significant and unavoidable.

**Project Mitigation Measure 3: Accidental Discovery (Supersedes EIR Mitigation 10-4: Accidental Discovery)**

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in *CEQA Guidelines* Section 15064.5(a) and (c), on tribal cultural resources as defined in *CEQA Statute* Section 21074, and on human remains and associated or unassociated funerary objects. The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm 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, supervisory personnel, etc.

A preconstruction training shall be provided to all construction personnel performing or managing soils disturbing activities by a qualified archaeologist prior to the start of soils disturbing activities on the project. The training may be provided in person or using a video and include a handout prepared by the qualified archaeologist. The video and materials will be reviewed and approved by the ERO. The purpose of the training is to enable personnel to identify archaeological resources that may be encountered and to instruct them on what to do if a potential discovery occurs. Images of expected archeological resource types and archeological testing and data recovery methods should be included in the training.

The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet and have taken the preconstruction training.

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 archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archaeological 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. The ERO may also determine that the archeological resource is a tribal cultural resource and will consult with affiliated Native Americans tribal representatives, if warranted.

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

If human remains and associated or unassociated funerary objects are discovered during any soils disturbing activity, all applicable State and Federal Laws shall be followed, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The ERO shall also be immediately notified upon discovery of human remains. The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days after the discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO. If no agreement is reached State regulations shall be followed including the reinterment of the human remains and associated burial objects with appropriate dignity on the property in a location not subject to further subsurface disturbance (Pub. Res. Code Sec. 5097.98).

The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. The Draft FARR shall include a curation and deaccession plan for all recovered cultural materials. The Draft FARR shall also include an Interpretation Plan for public interpretation of all significant archeological features.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, the consultant shall also prepare a public distribution version of the FARR. Copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The



Environmental Planning division of the Planning Department shall receive one bound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of public interest in or the high interpretive value of the resource, the ERO may require a different or additional final report content, format, and distribution than that presented above.

**Project Mitigation Measure 4 (EIR Mitigation 10-5): Disturbance of Paleontological Resources**

If any paleontological resources are encountered during site grading or other construction activities, all ground disturbances shall be halted until the services of a qualified paleontologist can be retained to identify and evaluate the resource(s) and, if necessary, recommend mitigation measures to document and prevent any significant adverse effects on the resource(s), in accordance with standard professional practice. Implementation of this measure would reduce the impact to a less-than-significant level.

***Conclusion***

Based on the foregoing, it is concluded that the analyses conducted, and the conclusions reached in the final EIR certified on December 18, 2008 remain valid. The proposed project would not cause new significant impacts not identified in the EIR, and no new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the proposed project that would cause significant environmental impacts to which the project would contribute considerably, and no new information has become available that shows that the project would cause significant environmental impacts. Therefore, no supplemental environmental review is required beyond this note to file.