



SAN FRANCISCO PLANNING DEPARTMENT

Community Plan Exemption Checklist

Case No.: **2007.0604E**
Project Title: **1145 Mission Street**
Zoning/Plan Area: Mixed Use – Office (MUO)
65-X Height/Bulk District
Western SoMa Community Plan Area
Block/Lot: 3727/168
Lot Size: 6,750 square feet
Project Sponsor: Darren Lee, Landmark Lofts, LLC, (415) 271-0528
Staff Contact: Jeanie Poling, (415) 575-9072, Jeanie.poling@sfgov.org

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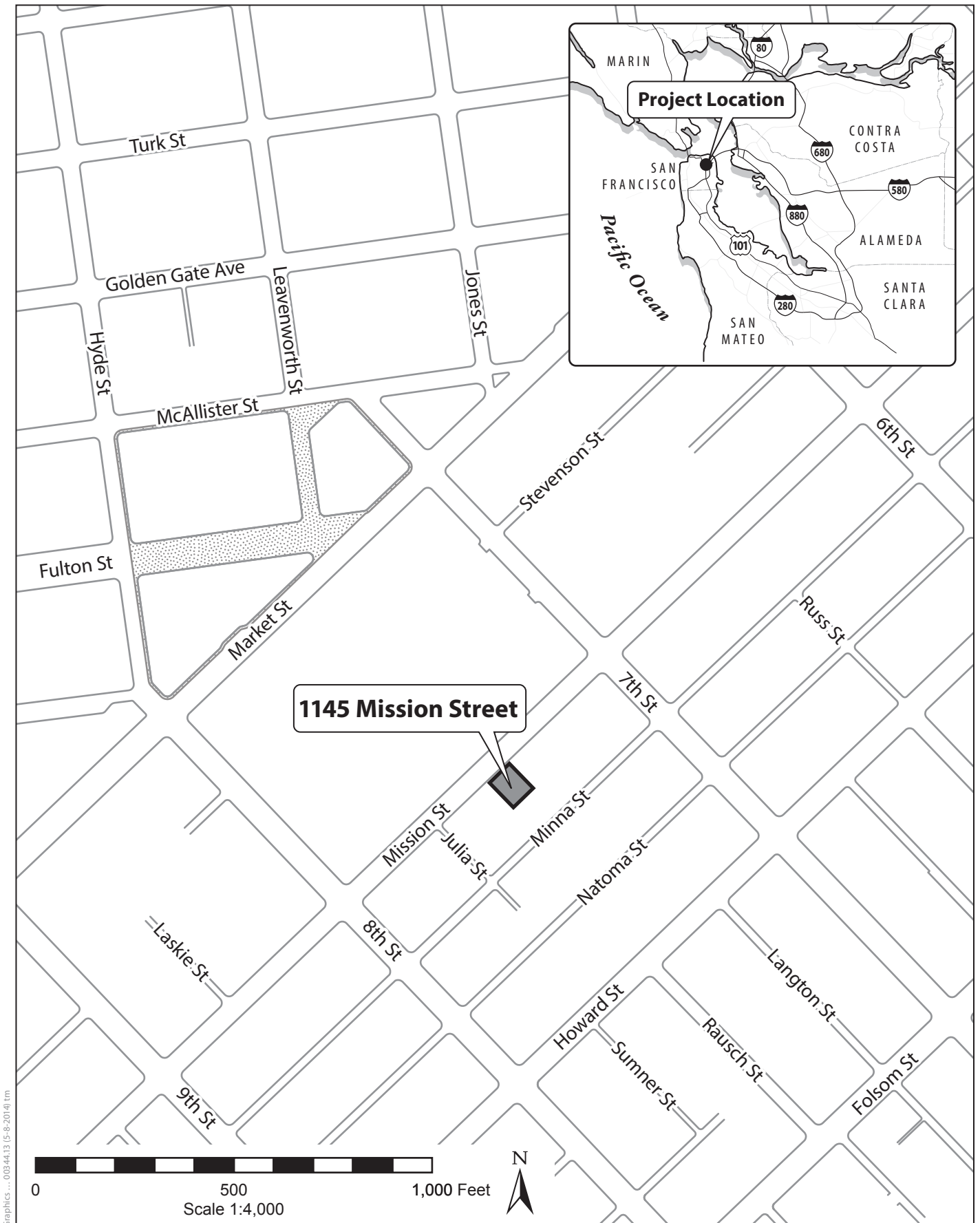
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PROJECT DESCRIPTION:

The 1145 Mission Street project (proposed project) would construct a 65-foot tall (75 feet tall including the 10-foot-tall mechanical penthouse), 30,674-square-foot (sf) mixed-use building containing 25 dwelling units (18,725 sf), 4,125 sf of ground-floor retail, and parking for 12 vehicles and 13 bicycles in one basement level 12 feet below grade. The project site is located at 1145 Mission Street on Assessor's Block 3721, Lot 168. The 6,750-sf site is located on the south side of Mission Street on the block bounded by Mission Street, Julia Street, Minna Street, and 7th Street in the Western South of Market (SoMa) neighborhood and is within the Mixed Use – Office (MUO) Zoning District and the 65-X Height and Bulk District. **Figure 1** (page 2) shows the location of the project site within the Western SoMa Community Plan.

The proposed residential units would comprise 15 one-bedroom and 10 two-bedroom units in the five floors above the ground-floor retail space (for a total of six stories in the building). The ground floor and basement level would cover the entire lot, while the second through sixth floors would be set back 22.5 feet from the rear property line, where a six-story live-work building is built out to the shared lot line of the adjacent property. Private decks would be included for 10 units, and approximately 1,350 sf of common open space would be provided on the rear of the second floor and on a rooftop courtyard. Provisions for street frontage tree planting would be carried out pursuant to San Francisco requirements.



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Figure 1
Project Site Location

The City is considering significant changes to the inclusionary affordable housing requirement as currently regulated by Planning Code Section 415 and the City Charter. The proposed project would not be affected by these proposed changes because its environmental evaluation application was received prior to January 1, 2013. The proposed project must comply with affordable housing requirements in effect on January 12, 2016. These requirements are to provide one of the following: on-site (12 percent or three units), off-site (20 percent or five units), or through an in-lieu fee (20 percent).

The proposed project would include below-grade parking for 12 vehicles and 13 bicycles. The parking level would total approximately 6,380 sf, including storage areas. The garage would be accessed through a 10-foot-wide garage door separating the residential and retail entrances on Mission Street.

The project site is currently vacant; the western two-thirds (approximately 50 feet by 90 feet) of the site is excavated to a depth of approximately 14 feet below street grade, where, prior to 2006, the basement of a two-story brick commercial building constructed in 1907 existed. A previous project (Planning Case No. 2000.531E, Building Permit No. 200007145147) involved a vertical and horizontal expansion of the then-existing on-site building for the creation of live/work lofts; the project was approved in 2004 but was not constructed. In violation of the permit, the entire previously existing building was demolished in 2006.

Construction of the currently proposed project would occur over approximately 16 to 18 months. Construction equipment to be used would include backhoes, excavators, and construction cranes. In addition to the western portion of the project site that was previously excavated to 14 feet, the entire project site would be excavated to a depth of 16 feet to accommodate the foundation and the 12-foot-deep basement level. The total amount of excavation for the project would be approximately 1,300 cubic yards (cy) of soil.

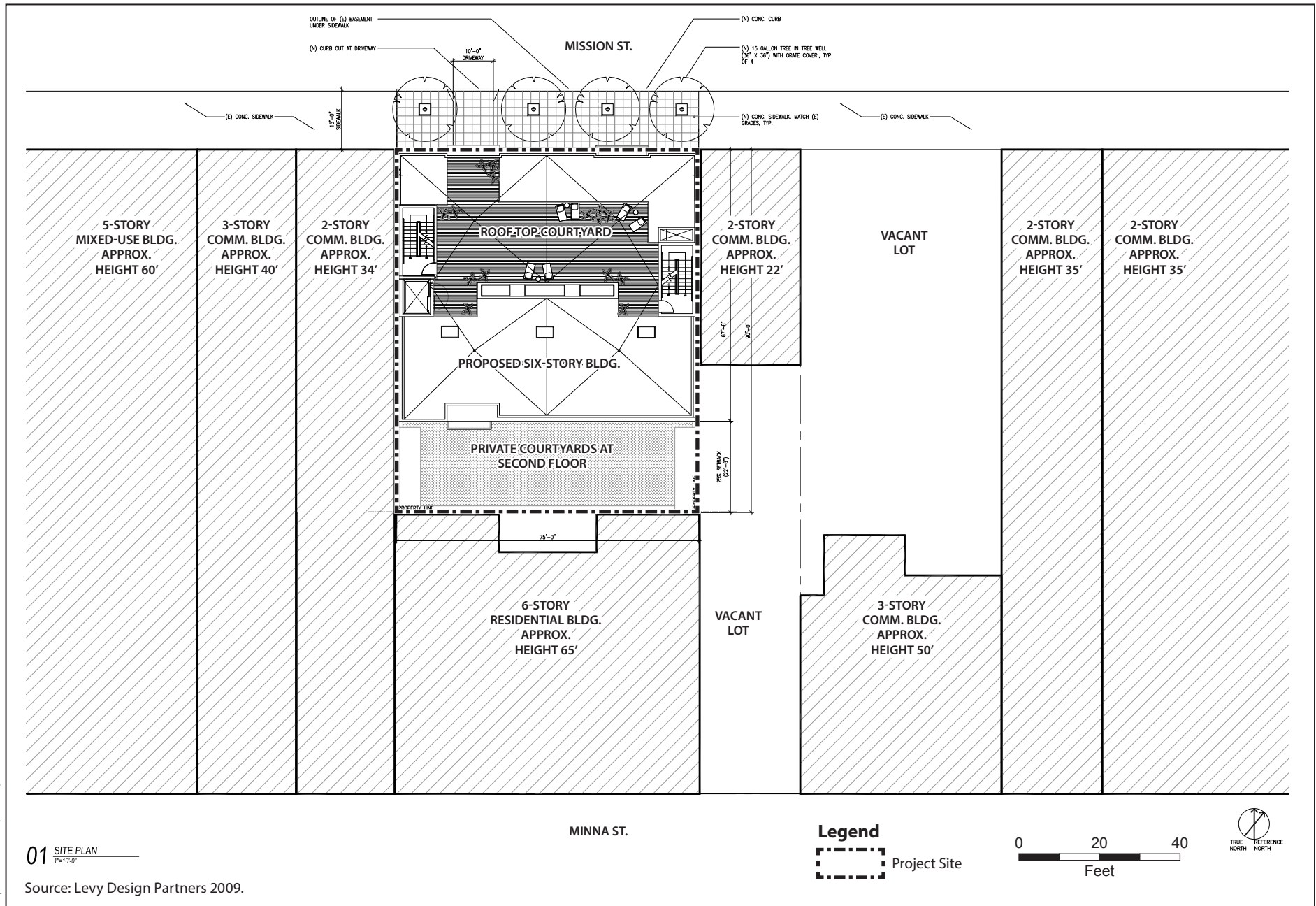
Figures 2 through 6 (pages 4 through 8) show the proposed site plan for the proposed project, and **Figures 7 through 11** (pages 9 through 13) show the floor plans, building elevations, and building sections.

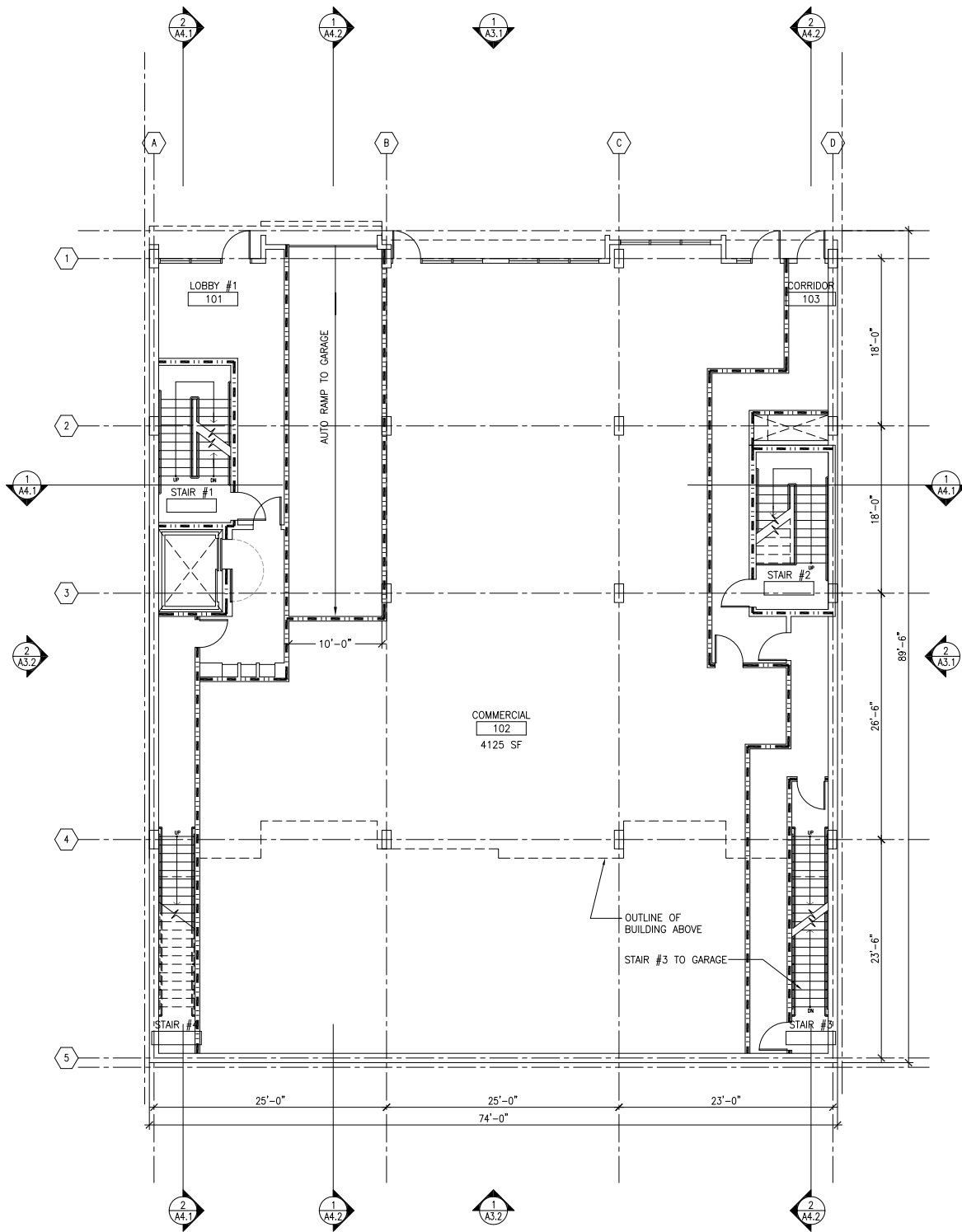
PROJECT APPROVAL

The proposed project would require the following approvals:

- **Large Project Authorization** (*Planning Commission*)
- **Building Permit** (Department of Building Inspection)

The proposed project is subject to Large Project Authorization from the Planning Commission, which 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.





STREET FLOOR PLAN

Source: Levy Design Partners 2009.

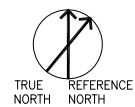
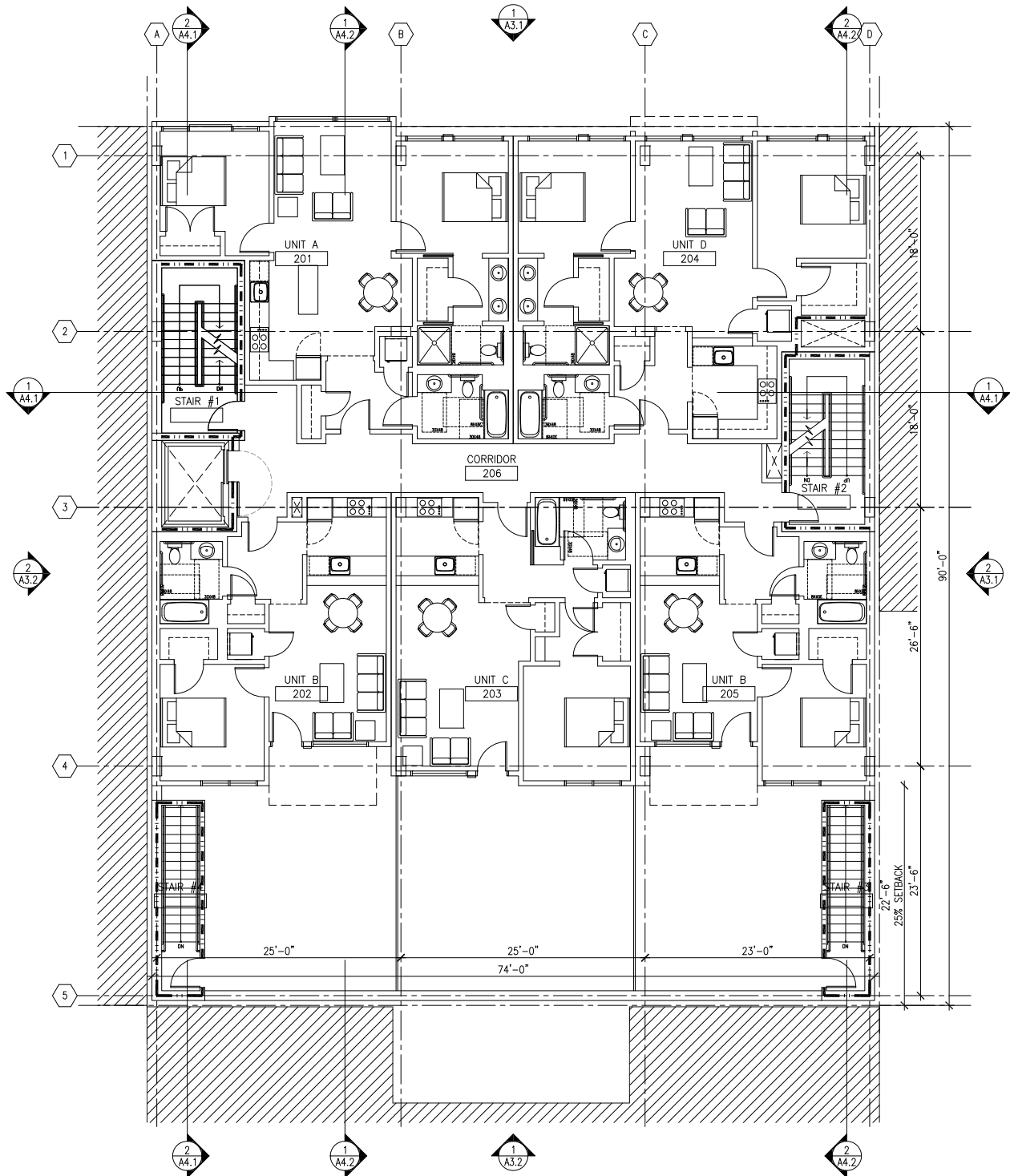


Figure 4
Proposed Street Floor Plan

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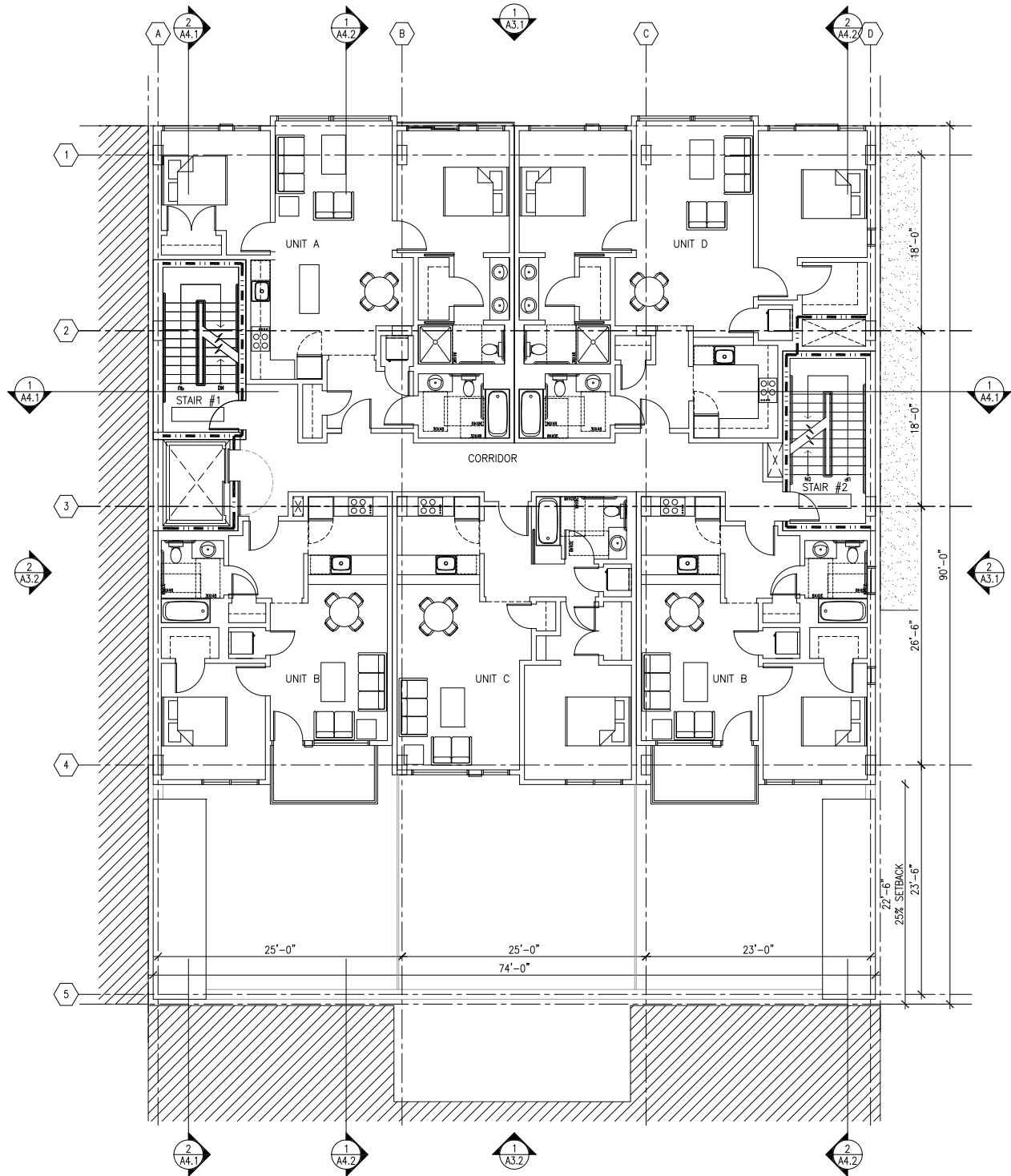
SECOND FLOOR PLAN

Source: Levy Design Partners 2009.



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Figure 5
Proposed 2nd Floor Plan



THIRD FLOOR THROUGH SIXTH FLOOR PLAN

Source: Levy Design Partners 2009.

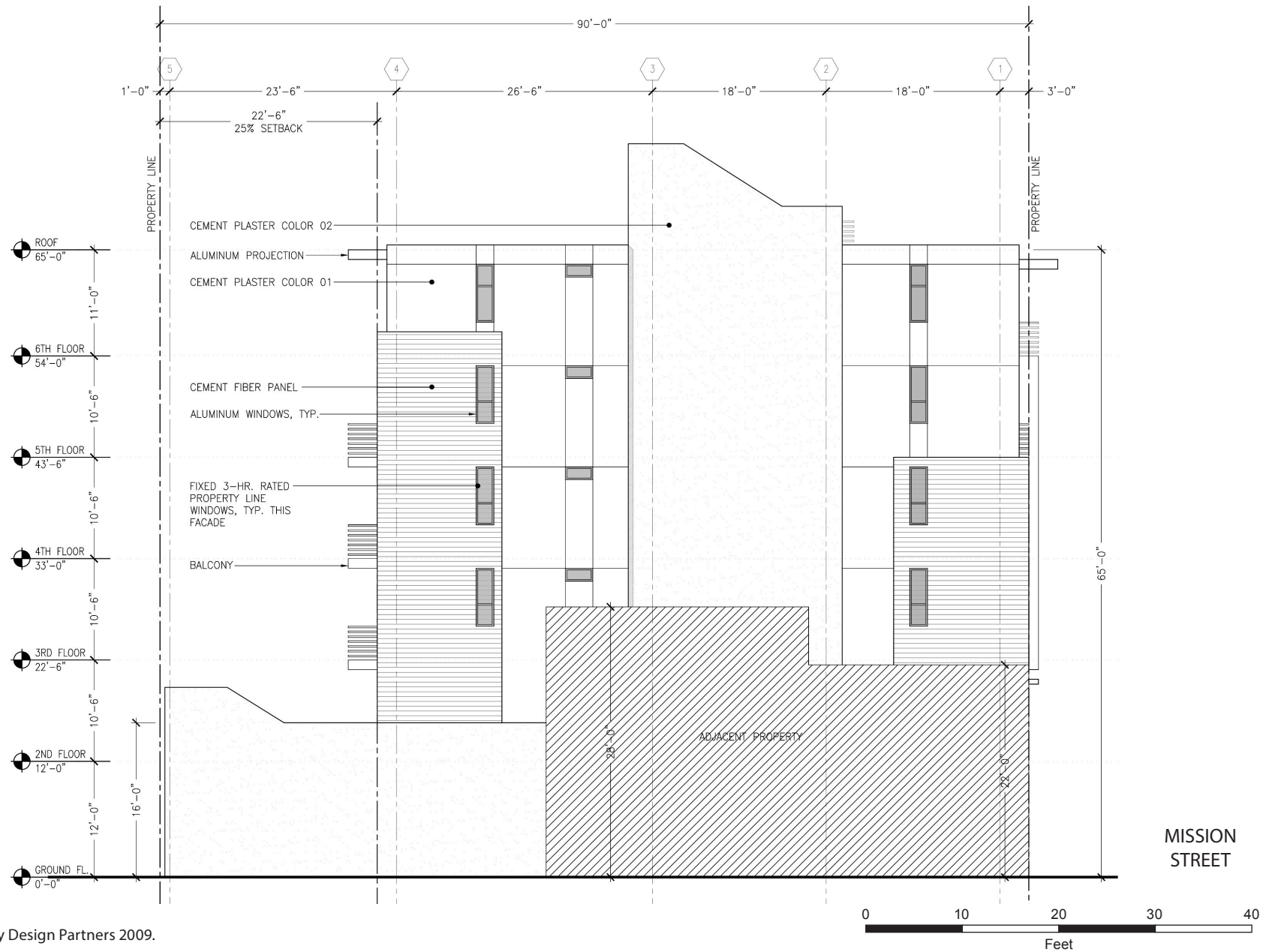
Figure 6
Proposed 3rd–6th Floor Plans

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Figure 7
Mission Street Elevation



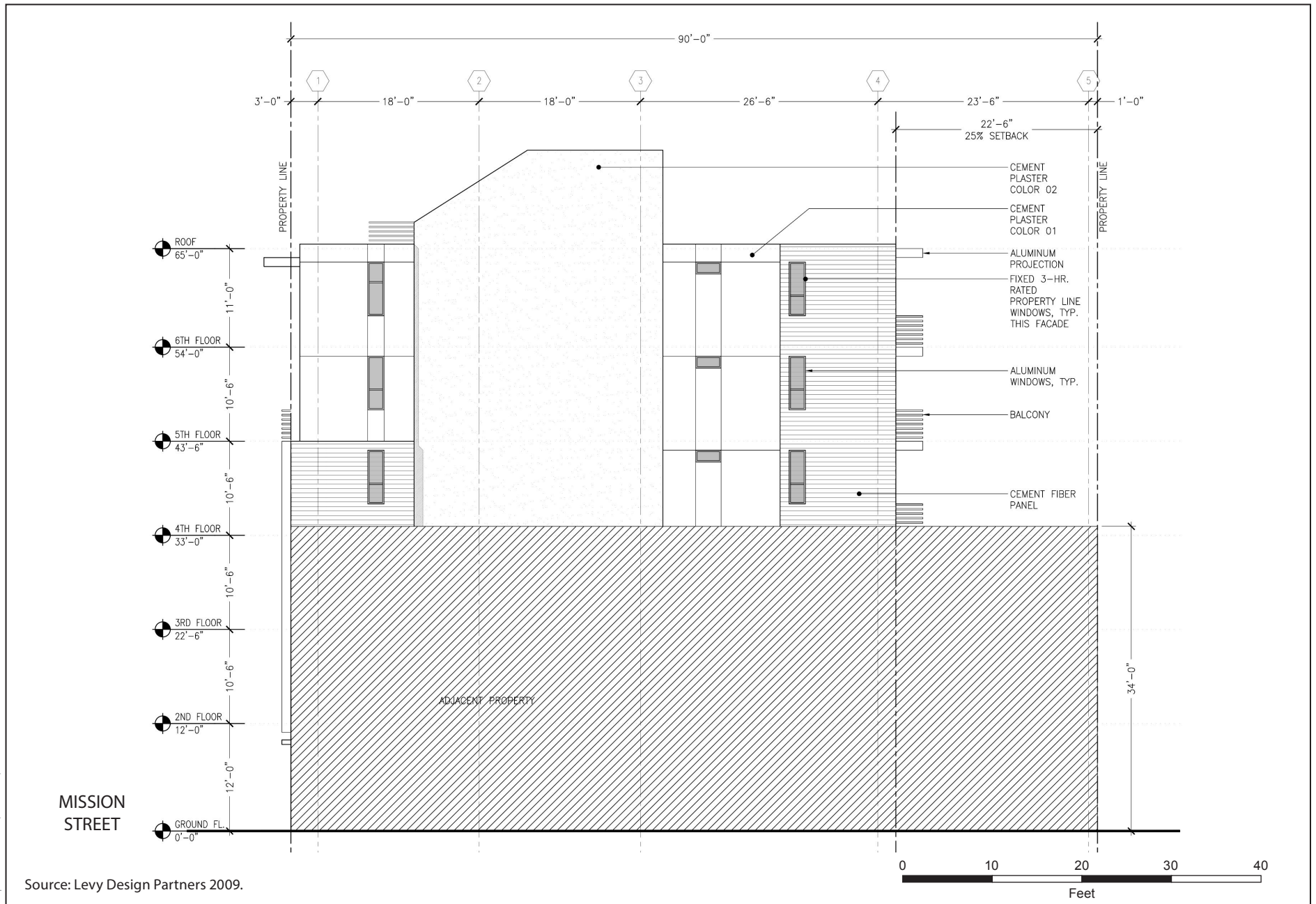
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Figure 8
East Side Elevation



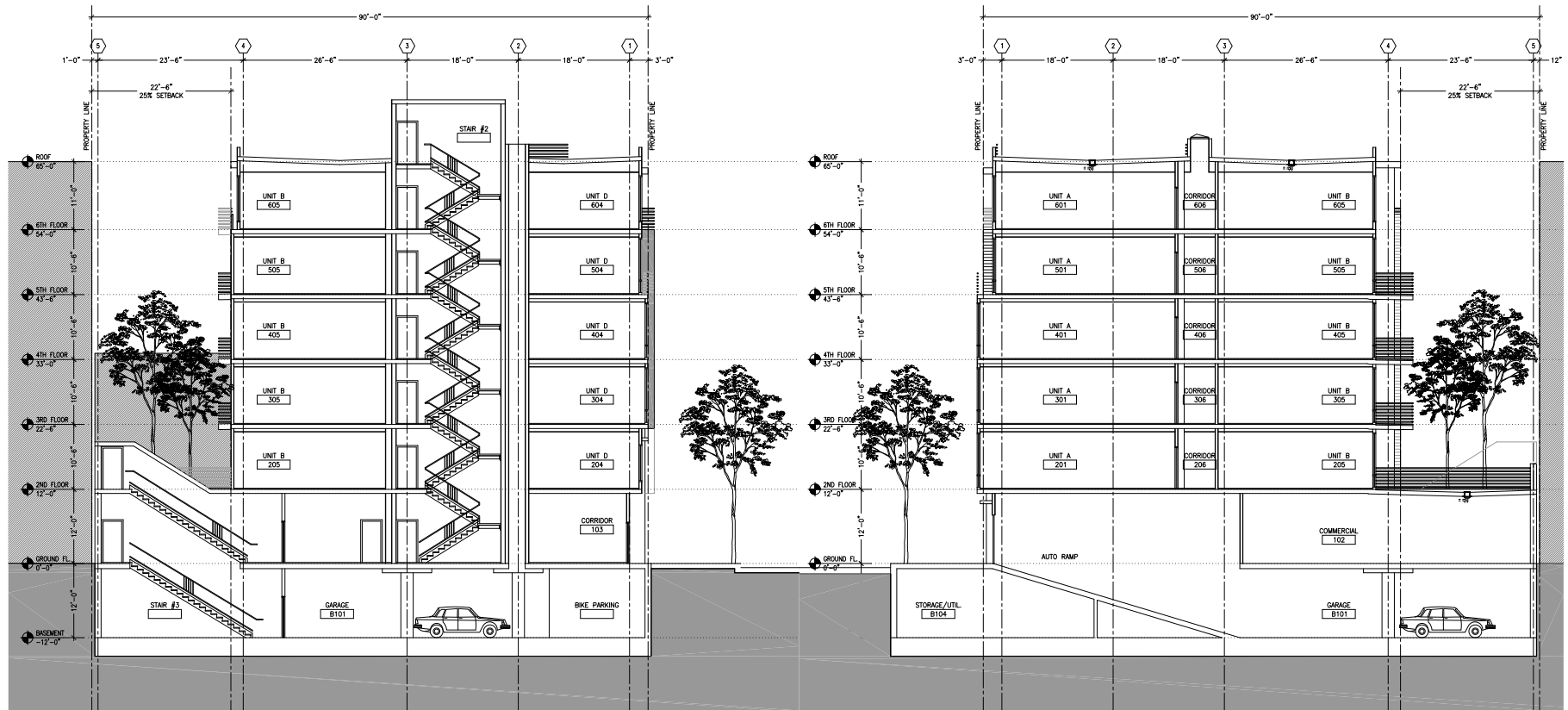
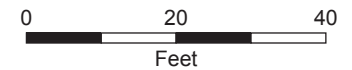
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Figure 9
Courtyard Elevation



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Figure 10
West Side Elevation

02 SECTION 2
1/8"=1'-0"01 SECTION 1
1/8"=1'-0"

Source: Levy Design Partners 2009.

EVALUATION OF ENVIRONMENTAL EFFECTS:

This Community Plan Exemption (CPE) Checklist evaluates whether the environmental impacts of the proposed project are addressed in the Programmatic Environmental Impact Report for the Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project (Western SoMa PEIR).¹ The CPE Checklist indicates whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Western SoMa PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific Mitigated Negative Declaration or Environmental Impact Report. If no such topics are identified, the proposed project is exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

Mitigation measures identified in the PEIR are discussed under each topic area, and measures that are applicable to the proposed project are listed at the end of this document.

The Western SoMa PEIR identified significant impacts related to transportation and circulation, cultural and paleontological resources, wind and shadow, noise and vibration, air quality, biological resources, and hazards and hazardous materials. Additionally, the PEIR identified significant cumulative impacts related to shadow, transportation and circulation, cultural and paleontological resources, air quality, and noise. Aside from shadow, mitigation measures were identified for the above impacts and reduced these impacts to less than significant except for those related to transportation (program-level and cumulative traffic impacts at three intersections; and cumulative transit impacts on several San Francisco Municipal Transportation Agency (Muni) lines), cultural and paleontological resources (cumulative impacts from demolition of historic resources), noise (cumulative noise impacts), air quality (program-level toxic air contaminants (TACs) and fine particulate matter (PM_{2.5}) pollutant impacts, program-level and cumulative criteria air pollutant impacts).

CHANGES IN THE REGULATORY ENVIRONMENT

Since the certification of the Western SoMa PEIR in 2012, several new policies, regulations, statutes, and funding measures have been adopted, passed, or are underway that affect the physical environment and/or environmental review methodology for projects in the Western SoMa Plan Area. As discussed in each topic area referenced below, these policies, regulations, statutes, and funding measures have implemented or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR:

- State statute regarding aesthetics and parking impacts, effective January 2014, and state statute and Planning Commission resolution regarding automobile delay, and vehicle miles traveled, (VMT), effective March 2016 (see “Senate Bill 743” and “Transportation” below);

¹ San Francisco Planning Department. 2012. Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project Final Environmental Impact Report (PEIR). Planning Department Case Nos. 2008.0877E and 2007.1035E, State Clearinghouse No. 2009082031. Certified December 6, 2012. Available: <<http://www.sf-planning.org/index.aspx?page=1893>>.

- Transit Effectiveness Project (aka “Muni Forward”) adopted in March 2014, increased transportation and transit funding through passage of Propositions A and B in November 2014, and the Transportation Sustainability Program² (see “Transportation” below);
- San Francisco ordinance establishing Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, Health Code Section 38 amended December 2014 (see “Air Quality” below); and
- San Francisco Recreation and Open Space Element of the General Plan, adopted April 2014 (see “Recreation” below); and
- Health Code Article 22A, amended August 2013 (see “Hazardous Materials” below).

The proposed project would include construction of 65-foot-tall, 30,674-square-foot (sf) mixed-use building containing 25 dwelling units (18,725 sf), 4,125 sf of ground-floor retail, and a basement parking garage. As discussed in this checklist below, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Western SoMa PEIR.

SENATE BILL 743

Aesthetics and Parking

In accordance with CEQA Section 21099 – Modernization of Transportation Analysis for Transit Oriented Projects – aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets all of the following three criteria:

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

The proposed project meets each of the above three criteria and, thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.³ Project design details, including parking, are included in the project description.

Automobile Delay and Vehicle Miles Traveled

CEQA Section 21099(b)(1) requires that the State Office of Planning and Research (OPR) develop revisions to the CEQA Guidelines establishing criteria for determining the significance of transportation impacts of projects that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA Section 21099(b)(2) states that upon certification of the revised guidelines for determining transportation impacts pursuant to Section 21099(b)(1), automobile delay, as described solely by level of service or similar measures of vehicular

² San Francisco Planning Department. “Transportation Sustainability Program.” Available: <<http://tsp.sfplanning.org>>.

³ San Francisco Planning Department. 2016. CEQA Section 21099 – Modernization of Transportation Analysis for 1145 Mission Street. April 5, 2016. This document (and all other documents cited in this report, unless otherwise noted) is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2007.0604E.

capacity or traffic congestion shall not be considered a significant impact on the environment under CEQA.

In January 2016, OPR published for public review and comment a *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*⁴ recommending that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted OPR's recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution 19579). (Note: the VMT metric does not apply to the analysis of project impacts on non-automobile modes of travel such as riding transit, walking, and bicycling.) Therefore, impacts and mitigation measures from the Western SoMa PEIR associated with automobile delay are not discussed in this checklist, including PEIR Mitigation Measure M-TR-1c: Traffic Signal Optimization (8th/Harrison/I-80 WB off-ramp). Instead, a VMT impact analysis is provided in the Transportation section.

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

The Western SoMa PEIR determined that adoption of the Western SoMa Community Plan would not result in a significant impact related to land use and would not result in a cumulative loss of production, distribution, and repair (PDR) uses. The Western SoMa PEIR anticipated that future development under the Community Plan would result in more cohesive neighborhoods and would include more clearly defined residential, commercial, and industrial areas. No mitigation measures were identified in the PEIR.

An EIR Addendum for Rezoning of Adjacent Parcels (Addendum) was adopted in October 2013. The project evaluated in the Addendum included rezoning for a cluster of parcels along Mission Street and 10th Street (referred to as the Adjacent Parcels) that were analyzed in the Western SoMa Community Plan Final EIR (FEIR), but not included within the Western SoMa Plan Area or rezoning. The 1145 Mission Street project site is included in the FEIR as one of these Adjacent Parcels. Changes addressed in the

⁴ The Governor's Office of Planning and Research. "Updating the Analysis of Transportation Impacts Under CEQA." Available: <https://www.opr.ca.gov/s_sb743.php>

Addendum did not result in changes to the analysis, conclusions, or mitigation measures presented in the Western SoMa FEIR.⁵

When the rezoning occurred, the project site was rezoned from SLR (Service/Light-Industrial/Residential) to MUO (Mixed-Use Office). As currently presented, the proposed project meets the development density for the project site as proposed under the Western SoMa Community Plan. The Citywide Planning and Neighborhood Planning Divisions of the Planning Department have determined that the proposed project is permitted in the MUO Zoning District and is consistent with the height, density, and land uses as specified in the Western SoMa Community Plan, maintaining the mixed character of the area by encouraging residential and commercial development.^{6,7}

The project would not physically divide an established community, conflict with applicable land use regulations, or have a substantial impact upon the existing character of the vicinity. For these reasons, implementation of the proposed project would not result in significant impacts that were not identified in the Western SoMa PEIR related to land use and land use planning.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
2. POPULATION AND HOUSING— Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

One of the objectives of the Western SoMa Community Plan was to identify appropriate locations for housing to meet the Citywide demand for additional housing. The Western SoMa PEIR concluded that an increase in population in the Plan Area is expected to occur as a secondary effect of the rezoning and that any population increase would not, in itself, result in adverse physical effects, but would serve to advance key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City's Transit First policies. It was anticipated that the rezoning would result in an increase in both housing development and population in

⁵ San Francisco Planning Department. 2013. Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project, Final Environmental Impact Report (FEIR). Planning Department Case No. 2008.0877E. Certified December 6, 2012. Addendum certified October 10, 2013. Available: <<http://www.sf-planning.org/index.aspx?page=1893>>.

⁶ San Francisco Planning Department. 2014. Community Plan Exemption Eligibility Determination, Citywide Planning Analysis. 1145 Mission Street. May 15, 2014.

⁷ Jeff Joslin, Director of Current Planning. 2015. Community Plan Exemption Eligibility Determination, Current Planning. September 1.

all of the Community Plan project area. The Western SoMa PEIR determined that the anticipated increase in population and density would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the Western SoMa PEIR.

The proposed 30,674-sf mixed-use building would contain 25 dwelling units (18,725 sf) and ground-floor retail (4,125 sf). These uses would be expected to add approximately 57 residents⁸ and approximately 10 employees⁹ to the site. These direct effects of the proposed project on population and housing are within the scope of the population growth anticipated under the Western SoMa Community Plan, and were evaluated in the Western SoMa PEIR. The proposed project will comply with affordable housing requirements in effect on January 12, 2016. These requirements are to provide one of the following: on-site (12 percent or three units), off-site (20 percent or five units), or through an in-lieu fee (20 percent).

For the above reasons, the proposed project would not result in significant impacts on population and housing that were not identified in the Western SoMa PEIR.

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

Historic Architectural Resources

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The Western SoMa PEIR identified significant and unavoidable impacts related to causing a substantial adverse change in the significance of a historic resource through demolition.

The project site is currently vacant; approximately two-thirds (50 feet by 90 feet) of the site, in the western portion, has been previously excavated to a depth of approximately 14 feet below street grade. Prior to 2006, the project site contained a two-story brick commercial building constructed in 1907. A previous project (Planning Case No. 2000.531E, Building Permit No. 200007145147) involved a vertical and

⁸ Based on an average household size of 2.26 persons per household in the City (2010 Census).

⁹ Based on a standard generation rate of 450 gsf of retail space per employee.

horizontal expansion of the previously existing building for the creation of live/work lofts. This project was approved in 2004 but was not constructed. In violation of the permit, the entire previously existing building was demolished in 2006, and the site is currently vacant. Because no structures are present at the site, the mitigation measures outlined in the Western SoMa PEIR related to historic resources would not be required.

The Western SoMa PEIR anticipated that project-specific construction activity could result in substantial damage to adjacent properties identified as historic resources. PEIR Mitigation Measures M-CP-7a (Protect Historical Resources from Adjacent Construction Activities) and M-CP-7b (Construction Monitoring Program for Historical Resources) require project sponsors, in consultation with the Planning Department, to determine whether historic buildings are within 100 feet (if pile driving is proposed) or 25 feet (if heavy equipment is proposed) of a construction site. If so, the project sponsor must ensure that contractors use all feasible means to avoid damage to those historic buildings during demolition and construction (PEIR Mitigation Measure M-CP-7a), and undertake a monitoring program to ensure that any such damage is documented and repaired (PEIR Mitigation Measure M-CP-7b). Pile driving would not be used for construction of the proposed project, but heavy equipment would be used for portions of the construction. The building immediately west of the project site (1151-1153 Mission Street) is designated as a Category A historic resources and is within 25 feet of excavation for the proposed project. The building immediately east of the project site (1139 Mission Street) is designated as a Category B historic resources and is within 25 feet of excavation for the proposed project. Accordingly and pursuant to PEIR Mitigation Measure M-CP-7a and PEIR Mitigation Measure M-CP-7b (identified as Project Mitigation Measures 1 and 2 under Mitigation Measures at the end of this checklist), the project sponsor shall:

1. Incorporate into construction specifications a requirement that contractors use all feasible means to avoid damage to the structures at 1151-1153 Mission Street and 1139 Mission Street, including use of construction techniques that reduce vibration, use of appropriate excavation shoring methods, and use of adequate security to minimize risks of vandalism and fire; and
 1. Prepare and implement a monitoring program to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired.

With implementation of Mitigation Measures M-CP-7a and M-CP-7b (identified in this document as **Project Mitigation Measures 1** and **2**, respectively, on page 45) the proposed project would not contribute to construction-related historic architectural resource impacts. In compliance with the mitigation measures, the proposed project would require implementation of protection methods and a monitoring program during construction in order to reduce these impacts to a less-than-significant level.

For these reasons, the proposed project would not result in significant impacts on historic architectural resources that were not identified in the Western SoMa Community Plan PEIR.

Archeological Resources

The Western SoMa PEIR determined that implementation of the Community Plan could result in significant impacts on archeological resources and identified two mitigation measures that would reduce these potential impacts to a less than-significant level. Western SoMa PEIR Mitigation Measure M-CP-4a:

Project-Specific Preliminary Archeological Assessment and M-CP-4b: Procedures for Accidental Discovery of Archeological Resources apply to projects involving any soils-disturbing or soils-improving activities including excavation to a depth of five or more feet below grade.

A portion of the project site had been previously excavated to a depth of approximately 14 feet below street grade. However, additional excavation would occur for the below-grade parking area and/or for foundation support. As part of the project, the portion of the project site that has not previously been excavated would be excavated to a depth of 16 feet below street grade. Therefore, Mitigation Measure M-CP-4a would apply to the project. The archeological testing program required as part of Mitigation Measure M-CP-4a, as discussed below, would nullify the need for an accidental discovery program; therefore, Mitigation Measure M-CP-4b would not apply to the project.

As part of project implementation of Mitigation Measure M-CP-4a, the Planning Department's archeologists conducted a Preliminary Archeology Review (PAR) of the project site and the proposed project.¹⁰ The PAR determined that the potential of the project to adversely affect archeological resources would be avoided by implementation of the Planning Department's Third Standard Archeological Mitigation Measure (Archeological Testing). Therefore, in accordance with Mitigation Measure M-CP-4a (**Project Mitigation Measure 3** on page 45), the project sponsor would be required to retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List maintained by the Planning Department archeologists, and the selected archeological consultant would be required to undertake an archeological testing program as specified in **Project Mitigation Measure 3** on page 45. The project would not result in significant impacts related to archeological resources with implementation of this mitigation measure.

For the reasons above, the proposed project would not result in significant impacts on cultural resources that were not identified in the Western SoMa PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
4. TRANSPORTATION AND CIRCULATION— Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

¹⁰ San Francisco Planning Department. 2015. Archeological Review. September 22, 2015.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Western SoMa PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, emergency access, or construction. Because the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on pedestrians, bicyclists, emergency access, or construction beyond those analyzed in the Western SoMa PEIR. Transportation system improvements included as part of the Western SoMa Plan were identified to have significant impacts related to loading, but the impact was reduced to less than significant with mitigation. There are no impacts particular to the project or the project site. Accordingly, consistent with the Western SoMa PEIR, the proposed project would not conflict with any applicable transportation plans, ordinances, policies, or programs.

The Western SoMa PEIR anticipated that adoption of the Western SoMa Community Plan could result in significant impacts on traffic, transit, and loading, and identified four transportation mitigation measures. One mitigation measure reduced loading impacts to less than significant. Even with mitigation, however, it was anticipated that the significant adverse traffic impacts and the cumulative impacts on transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable.

As discussed above under “SB 743,” in response to state legislation that called for removing automobile delay from CEQA analysis, the Planning Commission adopted resolution 19579 replacing automobile delay with a VMT metric for analyzing transportation impacts of a project. Therefore, impacts and mitigation measures from the Western SoMa PEIR associated with automobile delay are not discussed in this checklist.

The Western SoMa PEIR did not evaluate vehicle miles traveled or the potential for induced automobile travel. The VMT Analysis presented below evaluates the project’s transportation effects using the VMT metric.

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

Vehicle Miles Traveled (VMT) Analysis

Many factors affect travel behavior. These factors include density, diversity of land uses, design of the transportation network, access to regional destinations, distance to high-quality transit, development scale, demographics, and transportation demand management. Typically, low-density development at great distance from other land uses, located in areas with poor access to non-private vehicular modes of travel, generate more automobile travel compared to development located in urban areas, where a higher density, mix of land uses, and travel options other than private vehicles are available.

Given these travel behavior factors, San Francisco has a lower VMT ratio than the nine-county San Francisco Bay Area region. In addition, some areas of the City have lower VMT ratios than other areas of the City. These areas of the City can be expressed geographically through transportation analysis zones. Transportation analysis zones are used in transportation planning models for transportation analysis and other planning purposes. The zones vary in size from single city blocks in the downtown core, multiple blocks in outer neighborhoods, to even larger zones in historically industrial areas like the Hunters Point Shipyard.

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010-2012, Census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area's actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from the project. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.^{11,12}

For residential development, the existing regional average daily VMT per capita is 17.2.¹³ For retail development, regional average daily retail VMT per employee is 14.9.¹⁴ Average daily VMT for all three land uses is projected to decrease in future 2040 cumulative conditions. Refer to Table 1: Daily Vehicle Miles Traveled, which includes the transportation analysis zone in which the project site is located, 623.

¹¹ To state another way: a tour-based assessment of VMT at a retail site would consider the VMT for all trips in the tour, for any tour with a stop at the retail site. If a single tour stops at two retail locations, for example, a coffee shop on the way to work and a restaurant on the way back home, then both retail locations would be allotted the total tour VMT. A trip-based approach allows us to apportion all retail-related VMT to retail sites without double-counting.

¹² San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

¹³ Includes the VMT generated by the households in the development.

¹⁴ Retail travel is not explicitly captured in SF-CHAMP, rather, there is a generic "Other" purpose which includes retail shopping, medical appointments, visiting friends or family, and all other non-work, non-school tours. The retail efficiency metric captures all of the "Other" purpose travel generated by Bay Area households. The denominator of employment (including retail; cultural, institutional, and educational; and medical employment; school enrollment, and number of households) represents the size, or attraction, of the zone for this type of "Other" purpose travel.

Table 1: Daily Vehicle Miles Traveled

Land Use	Existing			Cumulative 2040		
	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 623	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 623
Households (Residential)	17.2	14.6	2.0	16.1	13.7	1.8
Employment (Retail)	14.9	12.6	8.2	14.6	12.4	8.0

A project would have a significant effect on the environment if it would cause substantial additional VMT. The State Office of Planning and Research's (OPR) *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA* ("proposed transportation impact guidelines") recommends screening criteria to identify types, characteristics, or locations of projects that would not result in significant impacts to VMT. If a project meets screening criteria, then it is presumed that VMT impacts would be less than significant for the project and a detailed VMT analysis is not required.

Table 1 identifies the regional VMT, 15 percent below the regional average VMT, and the VMT in the transportation analysis zone (TAZ) in which the project site is located (623). In TAZ 623, the existing average daily household VMT per capita is 2.0 and the existing average daily retail employee VMT per capita is 8.2. The TAZ 623 VMT averages are more than 15 percent below the existing regional VMT averages of 17.2 and 14.9, respectively, and the proposed project would not result in substantial additional VMT.¹⁵ Table 1 also identifies the future 2040 regional average VMT, 15 percent below the regional average VMT, and the VMT in the TAZ in which the project is located. In TAZ 623, the future 2040 average daily household VMT per capita is 1.8 and the future 2040 average daily retail employee VMT per capita is 8.0. These averages are more than 15 percent below the future 2040 regional VMT averages of 16.1 and 14.6, respectively, and the proposed project would not result in substantial additional VMT.¹⁶ Therefore, the proposed project would not cause substantial additional VMT and impacts would be less than significant.

Trip Generation

The proposed project involves construction of a 30,674-sf mixed-use building containing 25 dwelling units (18,725 sf) and ground-floor retail (4,125 sf). The proposed residential units would be comprised of 15 one-bedroom and 10 two-bedroom units in the five floors above ground level (for a total of six stories in the building). The project would provide up to 12 vehicle and 13 bicycle parking spaces in a below-grade garage.

Localized trip generation of the proposed project was calculated using a trip-based analysis and information in the 2002 *Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.¹⁷ The proposed project would generate an

¹⁵ San Francisco Planning Department, *Eligibility Checklist for CEQA Section 21099: Modernization of Transportation Analysis*, 1601 Mission Street, March 14, 2016.

¹⁶ *Ibid.*

¹⁷ San Francisco Planning Department. 2013. Transportation Calculations for 1145 Mission Street. June 6, 2013.

estimated 867 person trips (inbound and outbound) on a weekday daily basis, consisting of 280 person trips by auto, 195 transit trips, 300 walking trips and 93 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 96 person trips, consisting of 29 person trips by auto (15 vehicle trips accounting for vehicle occupancy data for this Census Tract), 24 transit trips, 33 walk trips, and 9 trips by other modes.

Transit

Western SoMa Mitigation Measure M-C-TR-2: Impose Development Impact Fees to Offset Transit Impacts was adopted to address significant transit impacts. Subsequently, as part of the Transportation Sustainability Program the San Francisco Board of Supervisors approved amendments to the San Francisco Planning Code, referred to as the Transportation Sustainability Fee (Ordinance 200-154, effective December 25, 2015).¹⁸ The Transportation Sustainability Fee updated, expanded, and replaced the prior Transit Impact Development Fee.

The SFMTA is implementing the Transit Effectiveness Project (TEP), which was approved by the SFMTA Board of Directors in March 2014. The TEP (now called Muni Forward) involved system-wide review and evaluation, and made recommendations to improve service and increase transportation efficiency. Service improvements have been made along several routes with the Western SoMa Plan Area, including the 14 and 14R transit lines.

San Francisco Transportation and Road Improvement Bond, Proposition A, approved in November 2014, authorized the city to borrow \$500 million through issuing general obligation bonds in order to meet transportation infrastructure needs of the city. The projects to be funded include Muni Forward projects; pedestrian, bicycle, and vehicle, safety programs; transit vehicle maintenance. San Francisco Adjusting Transportation Funding for Population Growth, Proposition B, also approved in November 2014, increases the base contribution to SFMTA by a percentage equal to the city's annual population increase.

The project site is located within 0.25 mile of several local transit lines, including Muni bus lines 12, 14, and 19; Muni Rapid bus lines 9R and 14R; Muni Metro lines J, K, L, M, N, and T; and the Civic Center BART and Muni station. The proposed project would be expected to generate 195 daily transit trips, including 24 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 24 p.m. peak hour transit trips would be accommodated by existing capacity. Accordingly, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

The Western SoMa Community Plan PEIR identified less-than-significant impacts relating to exceedance of the capacity utilization standards for Muni lines or regional transit providers, or a substantial increase in delays or operating costs. However, the Western SoMa Community Plan PEIR identified significant cumulative (2030) transit impacts for the "Other Lines" corridor, which includes the J Church, 10 Townsend, 12 Folsom-Pacific, 19 Polk, and 27 Bryant routes within the Southeast Screenline related to additional programmatic growth. The Western SoMa PEIR identified Mitigation Measure M-C-TR-2 to impose development impact fees. Even with this mitigation, however, the cumulative transit impact of

¹⁸ Two additional files were created at the Board of Supervisors for TSF regarding hospitals and health services, grandfathering, and additional fees for larger projects: see Board file nos. 151121 and 151257.

the Western SoMa Plan Area development was found to be significant and unavoidable and a Statement of Overriding Considerations related to this impact was adopted as part of the PEIR Certification and Plan approval. The proposed project's 24 p.m. peak hour transit trips would represent a less than one percent contribution to both the "Other Lines" corridor and the Southeast Screenline. As such, the proposed project would not make a cumulatively considerable contribution to the unacceptable levels of cumulative transit service identified in the Western SoMa PEIR. Mitigation Measure M-C-TR-2 is, therefore, not applicable to the proposed project. However, as discussed above, the proposed project would be subject to the Transportation Sustainability Fee.

Conclusion

For the above reasons, the proposed project would not result in significant impacts that were not identified in the Western SoMa Community Plan PEIR related to transportation and circulation and would not contribute considerably to cumulative transportation and circulation impacts that were identified in the Western SoMa PEIR. No mitigation would be warranted.

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

The Western SoMa PEIR determined that implementation of the Western Soma Area Plan would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to traffic-generated noise levels along major streets throughout the plan area. The Western SoMa PEIR identified six noise mitigation measures, three of which may be applicable to subsequent

development projects.¹⁹ These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

The proposed project would be subject to the following interior noise standards, which are described for informational purposes. The California Building Standards Code (Title 24) establishes uniform noise insulation standards. The Title 24 acoustical requirement for residential structures is incorporated into Section 1207 of the San Francisco Building Code and requires these structures be designed to prevent the intrusion of exterior noise so that the noise level with windows closed, attributable to exterior sources, shall not exceed 45 dBA in any habitable room. Title 24 allows the project sponsor to choose between a prescriptive or performance-based acoustical requirement for non-residential uses. Both compliance methods require wall, floor/ceiling, and window assemblies to meet certain sound transmission class or outdoor-indoor sound transmission class ratings to ensure that adequate interior noise standards are achieved. In compliance with Title 24, DBI would review the final building plans to ensure that the building wall, floor/ceiling, and window assemblies meet Title 24 acoustical requirements. If determined necessary by DBI, a detailed acoustical analysis of the exterior wall and window assemblies may be required.

Mitigation Measure M-NO-1c: Siting of Noise-Generating Uses requires a noise analysis for new development including commercial, industrial, or other uses that would be expected to generate noise levels in excess of ambient noise in the project vicinity in order to reduce potential conflicts between existing sensitive receptors and new noise-generating uses. The proposed project includes retail use on the ground floor that could be considered a noise-generating use. However, the proposed retail use would comply with the land use noise compatibility requirements in the San Francisco General Plan and Police Code Section 2909, would not adversely affect nearby noise-sensitive uses, and there would be no particular circumstances about the project site that appear to warrant heightened concern about noise levels that would be generated by the proposed retail use. Therefore, Mitigation Measure M-NO-1c would not apply to the proposed project.

Mitigation Measures M-NO-2a: General Construction Noise Control Measures and M-NO-2b: Noise Control Measures during Pile Driving require implementation of noise controls during construction in order to reduce construction-related noise impacts. The proposed project would involve construction of a six-story mixed-use building and, therefore, would contribute to construction-related noise impacts. The project would be subject to Mitigation Measures M-NO-2a—detailed under **Project Mitigation Measure 4** on page 49—in order to reduce these impacts to a less-than-significant level. The foundation may require pile driving, although if needed, the project sponsor would utilize pre-drilled piers to reduce the

¹⁹ Western SoMa PEIR Mitigation Measures M-NO-1a, M-NO-1b, and M-NO-1d address the siting of sensitive land uses in noisy environments. 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. Available at: <<http://www.courts.ca.gov/opinions/documents/S213478.PDF>>). As noted above, the *Western SoMa PEIR* determined that incremental increases in traffic-related noise attributable to implementation of the Western SoMa Area Plan would be less than significant, and thus would not exacerbate the existing noise environment. Therefore, Western SoMa PEIR Mitigation Measures M-NO-1a, M-NO-1b, and M-NO-1d are not applicable. Nonetheless, for all noise sensitive uses, the general requirements for adequate interior noise levels of Mitigation Measures M-NO-1a, M-NO-1b are met by compliance with the acoustical standards required under the California Building Standards Code (California Code of Regulations Title 24).

resulting noise and groundborne vibration created by this construction activity. Therefore, since the foundation may require pile driving and could potentially result in vibration effects typically generated by pile-driving activities, Mitigation Measure M-NO-2b would apply to the proposed project and is included as **Project Mitigation Measure 5** on page 50, and would reduce the construction noise and vibration impacts to less-than-significant levels.

In addition, all construction activities for the proposed project (occurring over the course of approximately 16 to 18 months) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). The Noise Ordinance requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA²⁰ (L_{dn} ²¹) at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) or the Director of the Department of Building Inspection (DBI) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of DPW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary (approximately 18 months), intermittent, and restricted in occurrence and level, because the contractor would be subject to and would comply with the Noise Ordinance. Compliance with the Noise Ordinance would reduce any construction-related noise effects on nearby residences to the greatest extent feasible.

The project site is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, the Community Plan Exemption Checklist topics 5e and 5f are not applicable.

For the above reasons, the proposed project would not result in significant noise impacts that were not identified in the Western SoMa PEIR.

²⁰ The dBA, or A-weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sounds of different frequencies. On this scale, the normal range of human hearing extends from about 0 dBA to about 140 dBA. A 10-dBA increase in the level of a continuous noise represents a perceived doubling of loudness.

²¹ The L_{dn} is the L_{eq} , or Energy Equivalent Level, of the A-weighted noise level over a 24-hour period with a 10 dB penalty applied to noise levels between 10:00 p.m. to 7:00 a.m. The L_{eq} is the level of a steady noise which would have the same energy as the fluctuating noise level integrated over the time period of interest.

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

The Western SoMa PEIR identified significant and unavoidable impacts related to violation of an air quality standard, uses that emit Diesel Particulate Matter (DPM), and construction emissions. The Western SoMa PEIR identified five mitigation measures that would help reduce air quality impacts; however, they would not be able to reduce these impacts to a less-than-significant level.

Construction Dust Control

To reduce construction dust impacts, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and avoid orders to stop work by DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. The proposed project would disturb less than a half of an acre. Therefore, in compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, street and sidewalk sweeping, and other measures. Compliance with the regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that construction dust impacts would not be significant.

Criteria Air Pollutants

The Bay Area Air Quality Management District's (BAAQMD) *CEQA Air Quality Guidelines* (Air Quality Guidelines)²² provide screening criteria for determining whether a project's criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the

²² Bay Area Air Quality Management District. CEQA Air Quality Guidelines. Updated May 2011.

Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. Because 25 dwelling units and 4,125 sf of retail space are proposed, criteria air pollutant emissions during construction and operation of the proposed project would be below the Air Quality Guidelines screening criteria. Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

Mitigation Measure M-AQ-2: Transportation Demand Management Strategies for Future Development Projects is required for projects generating more than 3,500 vehicle trips resulting in excessive criteria pollutant emissions. The proposed project would generate approximately 317 daily vehicle trips. Therefore, Mitigation Measure M-AQ-2 would not apply to the proposed project.

Health Risk

Subsequent to certification of the Western SoMa PEIR, San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (amended December 8, 2014) (Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. The Air Pollutant Exposure Zone as defined in Article 38 are areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM_{2.5} concentration, cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. Projects within the Air Pollutant Exposure Zone, such as the proposed project, require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

Construction

Mitigation Measures M-AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants and M-AQ-7: Construction Emissions Minimization Plan for Health Risks and Hazards require projects to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. For projects with construction activities located in an Air Pollutant Exposure Zone, compliance with Mitigation Measures M-AQ-6 and M-AQ-7 would require submittal of a Construction Emissions Minimization Plan to the Environmental Review Officer for review and approval. Construction activities from the proposed project would result in DPM and other TACs from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction would last approximately 18 months, and diesel-generating equipment would be required for the duration of the proposed project's construction phase. However, construction of the proposed project would generate criteria air pollutant emissions below applicable thresholds, and Mitigation Measure M-AQ-6 would not apply to the proposed project. Nonetheless, the project site is located within an identified Air Pollutant Exposure Zone; therefore, Mitigation Measure M-AQ-7 would apply to the proposed project. Mitigation Measure M-AQ-7 is detailed in **Project Mitigation Measure 6** on page 50. Compliance with this mitigation measure would result in less-than-significant air quality impacts from project-related construction vehicles and equipment.

Sensitive Land Uses

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

In compliance with Article 38, the project sponsor submitted an initial application to the DPH.²³ The regulations and procedures set forth in Article 38 would ensure that exposure to sensitive receptors would not be significant. These requirements supersede the provisions of PEIR Mitigation Measure M-AQ-3: Reduction in Exposure to Toxic Air Contaminants for New Sensitive Receptors. Therefore, PEIR Mitigation Measure M-AQ-3 is not applicable to the proposed project, and impacts related to siting new sensitive land uses would be less than significant through compliance with Article 38.

Siting New Sources

Mitigation Measure M-AQ-4: Siting of Uses that Emit PM_{2.5} or DPM and Other TACs involves the siting of commercial, industrial, or other uses that emit TACs as part of everyday operations. The project proposes construction of a six-story, mixed-use building containing 25 dwelling units, 4,125 sf of retail space, and a basement parking garage. The project would not generate more than 10,000 vehicle trips per day, 1,000 truck trips per day, or include a new stationary source, such as a diesel emergency generator, that would emit TACs as part of everyday operations. The project site is located within an identified Air Pollutant Exposure Zone and would result in an increase in construction- and operational-related criteria air pollutants including from the generation of daily vehicle trips and energy demand. The proposed project is below the screening criteria provided in the Air Quality Guidelines for construction- and operational-related criteria air pollutants. Thus, the ambient health risk to sensitive receptors from air pollutants is not considered substantial. Therefore, Mitigation Measure M-AQ-4 is not applicable to the proposed project.

For the above reasons, the proposed project would not result in significant impacts on air quality that were not identified in the Western SoMa PEIR.

²³ City and County of San Francisco Department of Public Health. 2015. Application for Article 38 Compliance Assessment. December 10, 2015.

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

The 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. San Francisco's *Strategies to Address Greenhouse Gas Emissions*²⁴ 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. These GHG reduction actions have resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,²⁵ exceeding the year 2020 reduction goals outlined in the BAAQMD's *2010 Clean Air Plan*,²⁶ Executive Order S-3-05,²⁷ and Assembly Bill 32 (also known as the Global Warming Solutions Act).^{28,29} In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05³⁰ and B-30-15.^{31,32} Therefore, projects that are consistent with San Francisco's GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would increase the intensity of use of the site by constructing a new building with 25 dwelling units over ground-floor retail. Therefore, the proposed project would contribute to annual

²⁴ San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf, accessed March 3, 2016.

²⁵ ICF International, *Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco*, January 21, 2015.

²⁶ Bay Area Air Quality Management District, *Clean Air Plan*, September 2010. Available at: <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>. Accessed March 3, 2016.

²⁷ Office of the Governor, *Executive Order S-3-05*, June 1, 2005. Available at <https://www.gov.ca.gov/news.php?id=1861>, accessed March 3, 2016.

²⁸ California Legislative Information, *Assembly Bill 32*, September 27, 2006. Available at http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf, accessed March 3, 2016.

²⁹ Executive Order S-3-05, Assembly Bill 32, and the Bay Area 2010 Clean Air Plan set a target of reducing GHG emissions to below 1990 levels by year 2020.

³⁰ Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million MTCO₂E); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO₂E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO₂E).

³¹ Office of the Governor, *Executive Order B-30-15*, April 29, 2015. Available at <https://www.gov.ca.gov/news.php?id=18938>, accessed March 3, 2016. Executive Order B-30-15 sets a state GHG emissions reduction goal of 40 percent below 1990 levels by the year 2030.

³² San Francisco's GHG reduction goals are codified in Section 902 of the Environment Code and include: (i) by 2008, determine City GHG emissions for year 1990; (ii) by 2017, reduce GHG emissions by 25 percent below 1990 levels; (iii) by 2025, reduce GHG emissions by 40 percent below 1990 levels; and by 2050, reduce GHG emissions by 80 percent below 1990 levels.

long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential and commercial operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

The proposed project would be subject to regulations adopted to reduce GHG emissions as identified in the GHG reduction strategy. As discussed below, compliance with the applicable regulations would reduce the project's GHG emissions related to transportation, energy use, waste disposal, wood burning, and use of refrigerants.

Compliance with the City's Commuter Benefits Program, Emergency Ride Home Program, transportation management programs, Transportation Sustainability Fee, Jobs-Housing Linkage Program, bicycle parking requirements, low-emission car parking requirements, and car sharing requirements would reduce the proposed project's transportation-related emissions. These regulations reduce GHG emissions from single-occupancy vehicles by promoting the use of alternative transportation modes with zero or lower GHG emissions on a per capita basis.

The proposed project would be required to comply with the energy efficiency requirements of the City's Stormwater Management Ordinance and Residential Energy Conservation Ordinance, thereby reducing the proposed project's energy-related GHG emissions.³³ The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Composting Ordinance, which would reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. This regulation also promotes reuse of materials, conserving their embodied energy,³⁴ and reducing the energy required to produce new materials. Compliance with the City's street tree planting requirements would serve to increase carbon sequestration. Other regulations, including those limiting refrigerant emissions, would reduce emissions of GHGs. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).³⁵ Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.³⁶

Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations. Furthermore, the proposed project is within the scope of the development evaluated in the Western SoMa PEIR and would not result in impacts associated with GHG emissions beyond those disclosed in the PEIR. For the above reasons, the proposed project would not result in significant GHG emissions that were not identified in the PEIR and no mitigation measures are necessary.

³³ Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

³⁴ Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

³⁵ While not a GHG, VOCs are precursor pollutants that form ground level ozone. Increased ground level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.

³⁶ San Francisco Planning Department. 2016. Compliance Checklist Table for Greenhouse Gas Analysis: Table 1. Private Development Projects. June 21, 2016.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
8. WIND AND SHADOW—Would the project:				
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Wind

The Western SoMa PEIR determined that implementation of the Western SoMa Community Plan would have a potentially significant impact related to the alteration of wind in a manner that would substantially affect public areas. However, the PEIR determined that this impact could be reduced to a less-than-significant level with implementation of Mitigation Measure M-WS-1: Screening-Level Wind Analysis and Wind Testing, which would require a wind analysis for any new structures within the Community Plan Area that have a proposed height of 80 feet or taller.

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally the case that projects under 80 feet in height would not have the potential to generate significant wind impacts. The proposed 65-foot-tall mixed-use building would be similar in height to existing buildings in the area, and thus the project would not contribute to the significant wind impact identified in the Western SoMa PEIR because the proposed structure would not rise substantially above nearby buildings and would not exceed 80 feet in height. Therefore, Mitigation Measure M-WS-1 would not apply to the proposed project.

For the above reasons, the proposed project is not anticipated to cause significant impacts that were not identified in the Western SoMa PEIR related to wind.

Shadow

The Western SoMa PEIR determined that implementation of the Plan and Rezoning of the Adjacent Parcels would have a significant and unavoidable impact related to the creation of new shadows in a manner that would substantially affect outdoor recreation facilities or other public areas. No mitigation measures were identified in the PEIR.

Planning Code Section 295 generally prohibits new buildings that would cast new shadow on open space that is under the jurisdiction of the San Francisco Recreation and Parks Department between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. The proposed project would construct a building 65 feet in height. To determine whether the proposed project would conform to Section 295, the Planning Department conducted a preliminary shadow fan analysis. The preliminary shadow fan analysis determined that the project would not cast shadows on any public open spaces or recreational resources, including but not limited to parks under the jurisdiction of the San Francisco Recreation and Parks

Department.³⁷ Therefore, the project would not contribute to the significant shadow impact identified in the Western SoMa Community Plan PEIR.

For the above reasons, the proposed project is not anticipated to cause significant impacts that were not identified in the Western SoMa Community Plan PEIR related to shadow.

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

The Western SoMa PEIR determined that implementation of the Western SoMa Community Plan would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures were identified in the PEIR.

The Recreation and Open Space Element (ROSE) of the San Francisco General Plan was updated in April 2014. Policy 2.1 of the ROSE prioritizes acquisition of open space in high needs areas, and the Western SoMa neighborhood is recognized in the ROSE as a high needs area. Policy 2.11 of the ROSE encourages that privately developed residential open spaces, including common spaces, in the downtown and multi-family zoning districts be increased.

The project would result in approximately 57 new on-site residents and approximately 10 retail employees. The limited increase of population in to the proposed project would not substantially increase the use and deterioration of the local recreational facilities nor require construction of new or expansion of facilities. Furthermore, the Planning Code requires a specified amount of new usable open space (either private or common) for each new residential unit. Some developments are also required to provide privately owned, publicly accessible open spaces. The Planning Code open space requirements would help offset some of the additional open space needs generated by increased residential population to the project area.

As the proposed project would not degrade recreational facilities and is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on recreation beyond those analyzed in the Western SoMa PEIR.

³⁷ San Francisco Planning Department. 2013. 1145 Mission Street Shadow Fan. July 13, 2013.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
10. UTILITIES AND SERVICE SYSTEMS—Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

As the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on utilities and service systems beyond those analyzed in the Western SoMa PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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11. PUBLIC SERVICES—Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The Western SoMa PEIR determined that the anticipated increase in population in the Plan area would not result in a significant impact to public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

As the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on public services beyond those analyzed in the Western SoMa PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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12. BIOLOGICAL RESOURCES—Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

As discussed in the Western SoMa PEIR, the Western SoMa Community Plan Area is almost fully developed with buildings and other improvements such as streets and parking lots. Most of the project area consists of structures that have been industrial uses for many years. As a result, landscaping and other vegetation is sparse, except for a few parks. Because future development projects in the Western SoMa Community Plan would largely consist of new construction of mixed uses in these heavily built-out former industrial neighborhoods, vegetation loss or disturbance of wildlife other than common urban species would be minimal. Therefore, the Western SoMa PEIR concluded that implementation of the Plan would not result in any significant effects related to riparian habitat, wetlands, movement of migratory species, local policies or ordinances protecting biological resources, or habitat conservation plans.

The Western SoMa PEIR determined that the Western SoMa Community Plan would result in significant but mitigable impacts on special-status birds and bats that may be nesting in trees or roosting in buildings that are proposed for removal/demolition as part of an individual project. As described above, the previously existing building was demolished in 2006. Therefore, there are no buildings at the project site that could provide habitat for nesting birds or roosting bats. In addition, no large trees (those with trunks over 12 inches in diameter) are located at the project site. Therefore, Mitigation Measure M-BI-1b, which requires pre-construction special-status bat surveys, would not be applicable to the proposed project.

Although no large trees are located at the project site, shrubs and other vegetation could provide habitat for nesting birds. As identified in the PEIR, Mitigation Measures M-BI-1a: Pre-Construction Special-Status Bird Surveys would reduce these impacts to a less-than-significant level. Mitigation Measure M-BI-1a requires that conditions of approval for building permits issued for construction of projects within the Western SoMa Community Plan Area include a requirement for pre-construction special-status bird surveys when trees or shrub would be removed. The project would be subject to Mitigation Measures M-BI-1a, as detailed in **Project Mitigation Measure 7** on page 51, requiring pre-construction special-status bird surveys.

Because the proposed project would be subject to the above mitigation measure and is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on biological resources beyond those analyzed in the Western SoMa PEIR.

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

The Western SoMa PEIR concluded that implementation of the Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced groundshaking, liquefaction, and landslides. The PEIR also noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risk, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Therefore, the PEIR concluded that the project would not result in significant impacts related to geological hazards. No mitigation measures were identified in the PEIR.

The project would be required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. Therefore, potential damage to structures from geologic hazards such as landslide hazards and seismic stability of the project site would be addressed through the DBI requirement for a geotechnical or other subsurface report and review of the building permit application pursuant to its implementation of the Building Code. A geotechnical report was prepared for the

proposed project which provided recommendations for final building design.^{38,39} The report concluded that there were no unusual geology and soil conditions at the project site. The proposed project would comply with the recommendations of this geotechnical review by incorporating the recommendations into the final building design subject to DBI review.

In light of the above, the proposed project would not result in a significant effect related to seismic and geologic hazards. Therefore, the proposed project would not result in significant impacts related to geology and soils that were not identified in the Western SoMa PEIR, and no mitigation measures are necessary.

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

³⁸ Earth Mechanics Consulting Engineers. 2000. Report Geotechnical Investigation Planned Development at 1145 Mission Street, San Francisco, California. July 8, 2000.

³⁹ H. Allen Gruen, Geotechnical Engineer. 2014. Geotechnical Report Updated Proposed Development at 1145 Mission Street San Francisco, California. March 19, 2014.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The project site is currently almost entirely covered by pervious surfaces, and the proposed building and courtyard areas would fully occupy the project site. As a result, the proposed project would result in an increase in the amount of impervious surface area on the site, which in turn would increase the amount of runoff and drainage. In accordance with the Stormwater Management Ordinance (Ordinance No. 83-10), the proposed project would be subject to and would comply with the Stormwater Design Guidelines, incorporating Low Impact Design (LID) approaches and stormwater management systems into the project. Adherence to the City and County of San Francisco drainage requirements in accordance with the Stormwater Management Ordinance would also ensure that stormwater is managed and that the project provides adequate retention or detention capacity to minimize potential sources of pollution. Therefore, the proposed project would not adversely affect runoff and drainage.

The project site is in an area that is prone to flooding during storms, especially where ground stories are located below an elevation of 0.0 San Francisco City Datum⁴⁰ or, more importantly, below the hydraulic grade line or water level of the sewer. The City has implemented a review process to avoid flooding problems caused by the relative elevation of the structure to the hydraulic grade line in the sewers. The project sponsor would coordinate with the San Francisco Public Utilities Commission (SFPUC) prior to construction for a review to determine whether the project has the potential to result in ground-level flooding during storms. It is currently anticipated that the project site would be designed to manage flooding through planters on the rear deck, the podium, and the roof. These planters would collect and store stormwater runoff, reducing the likelihood of on-site flooding. The SFPUC and/or its delegate would review the permit application and comment on the proposed application and potential for flooding during wet weather. The project sponsor would incorporate any recommended design measures, as applicable.

For the above reasons, the proposed project would not result in any significant impacts related to hydrology and water quality that were not identified in the Western SoMa PEIR.

⁴⁰ San Francisco City Datum establishes the City's zero point for surveying purposes at approximately 8.6 feet above the mean sea level established by 1929 U.S. Geological Survey datum, and approximately 11.3 feet above the current 1988 North American Vertical Datum. Because tides are measured from mean lower low water, which is about 3.1 feet below mean sea level (MSL), an elevation of 0, SFD, is approximately 8.2 feet above MSL.

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

The Western SoMa PEIR identified less-than-significant impacts related to the routine transport, use, or disposal of hazardous materials, the potential for the Plan or subsequent development projects within the Plan Area to interfere with an adopted emergency response plan, and the potential for subsequent projects to expose people or structures to a significant risk with respect to fires. In addition, the project site is currently vacant; therefore, hazardous building materials do not exist on-site and Western SoMa PEIR Mitigation Measure M-HZ-2, which pertains to hazardous building materials abatement, does not apply to the proposed project.

The Western SoMa PEIR identified potentially significant impacts related to exposing the public or the environment to unacceptable levels of hazardous materials as a result of subsequent projects within the Plan Area. The PEIR determined that Mitigation Measure M-HZ-3: Site Assessment and Corrective Action would reduce these impacts to a less-than-significant level.

Subsequently, the San Francisco Board of Supervisors amended Health Code Article 22A, which is administered and overseen by the Department of Public Health (DPH) and is also known as the Maher Ordinance. Amendments to the Maher Ordinance became effective August 24, 2013, and require sponsors of projects that disturb more than 50 cubic yards of soil to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code

Section 22.A.6. Mitigation Measure M-HZ-3 of the Western SoMa PEIR related to contaminated soil and groundwater is therefore superseded by the Maher Ordinance and, accordingly, does not apply to the proposed project.

The project site is underlain by artificial fill, often a source of contaminants in San Francisco. The proposed project would disturb more than 50 cubic yards of soil and, therefore, would be subject to soil and/or groundwater testing requirements of the Maher Ordinance.⁴¹ The Phase I ESA developed in accordance with the Maher Ordinance determined the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor submitted an initial Maher Application to DPH,⁴² and a Phase I ESA was prepared to assess the potential for site contamination.⁴³ According to the Phase I ESA, the project site at 1145 Mission Street was identified in the regulatory database as a Facility Inventory Database Underground Storage Tank (CA FID UST) site, a California Statewide Environmental Evaluation and Planning System UST (CA SWEEPS UST) site, a Statewide Underground Storage Tank (CA UST) site, a Historic "Cortese" Hazardous Waste and Substances Sites List (CA HIST CORTESE), a Leaking Underground Storage Tank (CA LUST) site, and a Historic Underground Storage Tank (CA HIST UST) site. Under this Historically Recognized Environmental Condition, a UST was removed in 1990 from beneath the sidewalk on Minna Street at the adjacent site to the east. This location was part of a larger parcel encompassing the current project site that has since been subdivided. During the UST removal, a release of gasoline was documented and soil samples were tested to determine the level of contamination. Testing indicated levels of petroleum-related contaminants present in the soil as being within federal standards for safety. Due to the low levels detected in the soil at the time of excavation, in 1995, the Regional Water Quality Control Board granted case closure to the site and required no corrective action. However, based on the historical presence of a UST and the documented release of gasoline into soil during the UST removal, the requirements of the Maher Ordinance should be considered during development of the proposed project as noted below.

The Phase I ESA also noted an environmental issue at the site located at 1127 Mission Street, 300 feet northeast of the project site. This site, based on topographic map interpretation inferred to be hydrologically cross-gradient from the project site, was formerly developed with an auto repair station. Based on the nature of operations and documented release of gasoline, this site is a source of volatile contaminants of concern (COCs). Based on the facility's close proximity and documented COCs, a vapor encroachment condition (VEC) cannot be ruled out. The Phase I ESA states that further investigation under the Maher Ordinance may be required during development of the proposed project, as noted below.

⁴¹ The Maher Map identifies sites that are known or suspected to contain contaminated soil and/or groundwater.

⁴² Weden, Martita Lee, San Francisco Department of Health. "1145 Mission Street." December 7, 2015.

⁴³ AEI Consultants. 2014. Phase I Environmental Site Assessment Report, 1145-1149 Mission Street, City and County of San Francisco, CA 94103. January 13, 2014.

The groundwater under the project site, the Downtown Basin, has low quality because of the high number of leaking USTs in the area and other naturally occurring factors. However, because the groundwater is not considered a source of drinking water for the project, the low quality is not expected to present a human health risk.

While no Recognized Environmental Conditions (RECs) (indicating known current contamination with hazardous materials) and Non-ASTM Considerations (such as asbestos-containing materials, lead-based paint, radon, and indoor mold) were identified on site, the Historically Recognized Environmental Condition and the environmental issue mentioned above both indicate a need for further consideration under the Maher Ordinance to investigate potentially hazardous conditions. The Maher Ordinance requires that, if the project site has a record of hazardous substances in the ground or soil water, a work plan be submitted to the Department of Public Health, including soil and groundwater sampling. If concerns are identified during sampling and testing, a site mitigation plan may be required as part of approval by the Department of Public Health for issuance of an approval to commence the project. Through compliance with the Maher Ordinance, Article 22A of the Health Code, as explained above, the proposed project would not result in significant impacts that were not identified in the Western SoMa PEIR related to hazardous soil and/or groundwater.

Therefore, the proposed project would not result in significant impacts related to hazards or hazardous materials that were not identified in the Western SoMa PEIR.

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

The Western SoMa PEIR determined that the Community Plan would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in the use of large amounts of fuel, water, or energy in a wasteful manner or in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by DBI. The Plan Area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the Western SoMa PEIR concluded that implementation of the

Community Plan would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the PEIR.

As the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on mineral and energy resources beyond those analyzed in the Western SoMa PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
17. AGRICULTURE AND FOREST RESOURCES— Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Western SoMa PEIR determined that no agricultural or forest resources exist in the Plan Area; therefore, the Western SoMa Community Plan would have no effect on agricultural and forest resources. No mitigation measures were identified in the PEIR.

As the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on agriculture and forest resources beyond those analyzed in the Western SoMa PEIR.

MITIGATION MEASURES

Project Mitigation Measure 1 - Protect Historical Resources from Adjacent Construction Activities (Mitigation Measure M-CP-7a of the Western SoMa PEIR)

The project sponsor shall incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings. Such methods may include maintaining a safe distance between the construction site and the historic buildings at 1151-1153 Mission Street and 1139 Mission Street, using construction techniques that reduce vibration, appropriate excavation shoring methods to prevent movement of adjacent structures, and providing adequate security to minimize risks of vandalism and fire.

Project Mitigation Measure 2 - Construction Monitoring Program for Historical Resources (Mitigation Measure M-CP-7b of the Western SoMa PEIR)

The project sponsor shall undertake a monitoring program to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired. The monitoring program, which shall apply within 25 feet, shall include the following components. Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of historical resource(s) identified by the San Francisco Planning Department within 125 feet of planned construction to document and photograph the buildings' existing conditions. Based on the construction and condition of the resource(s), the consultant shall also establish a maximum vibration level that shall not be exceeded at each building, based on existing condition, character-defining features, soils conditions, and anticipated construction practices (a common standard is 0.2 inch per second, peak particle velocity). To ensure that vibration levels do not exceed the established standard, the project sponsor shall monitor vibration levels at each structure and shall prohibit vibratory construction activities that generate vibration levels in excess of the standard.

Should vibration levels be observed in excess of the standard, construction shall be halted and alternative construction techniques put in practice, to the extent feasible. (For example, pre-drilled piles could be substituted for driven piles, if feasible based on soils conditions; smaller, lighter equipment might be able to be used in some cases.) The consultant shall conduct regular periodic inspections of each building during ground-disturbing activity on the project site. Should damage to either building occur, the building(s) shall be remediated to its pre-construction condition at the conclusion of ground-disturbing activity on the site.

Project Mitigation Measure 3 – Archeological Testing Program (Mitigation Measure M-CP-4a of the Western SoMa PEIR)

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological

testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a) and (c).

Consultation with Descendant Communities: On discovery of an archeological site⁴⁴ associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative⁴⁵ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

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

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

⁴⁴ By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

⁴⁵ An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

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

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

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

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

Archeological Data Recovery Program. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the

proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

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

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days of 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, custodianship, curation, 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.

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

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

Project Mitigation Measure 4 - General Construction Noise Control Measures (Mitigation Measure M-NO-2a of the Western SoMa PEIR)

To ensure that project noise from construction activities is minimized to the maximum extent feasible, the sponsor of a subsequent development project shall undertake the following:

- The sponsor of a subsequent development project shall require the general contractor to ensure that equipment and trucks used for project construction use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible).
- The sponsor of a subsequent development project shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible.
- The sponsor of a subsequent development project shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA.
- The sponsor of a subsequent development project shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to: performing all work in a manner that minimizes noise to the extent feasible; undertaking the noisiest activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible.
- Prior to the issuance of each building permit, along with the submission of construction documents, the sponsor of a subsequent development project shall submit to the San Francisco Planning

Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise-generating activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity.

Project Mitigation Measure 5 – Noise Control Measures During Pile Driving (Mitigation Measure M-NO-2b of the Western SoMa PEIR)

For individual projects within the Draft Plan Area and Adjacent Parcels that require pile driving, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. These attenuation measures shall include as many of the following control strategies as feasible:

- The sponsor of a subsequent development project shall require the construction contractor to erect temporary plywood noise barriers along the boundaries of the project site to shield potential sensitive receptors and reduce noise levels by 5 to 10 dBA, although the precise reduction is a function of the height and distance of the barrier relative to receptors and noise source(s);
- The sponsor of a subsequent development project shall require the construction contractor to implement “quiet” pile-driving technology (such as pre-drilling of piles, sonic pile drivers, and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;
- The sponsor of a subsequent development project shall require the construction contractor to monitor the effectiveness of noise attenuation measures by taking noise measurements; and
- The sponsor of a subsequent development project shall require that the construction contractor limit pile-driving activity to result in the least disturbance to neighboring uses.

Additionally, if pile driving would occur within proximity to historical resources, project sponsors would be required to incorporate Mitigation Measures M-CP-7a, Protect Historical Resources from Adjacent Construction Activities, (**Project Mitigation Measure 1**, above on page 45) and Mitigation Measure M-CP-7b, Construction Monitoring Program for Historical Resources (**Project Mitigation Measure 2**, above on page 45).

Project Mitigation Measure 6 – Construction Emissions Minimization Plan for Health Risks and Hazards (Mitigation Measure M-AQ-7 of the Western SoMa PEIR)

To reduce the potential health risk resulting from project construction activities, the project sponsor of each development project in the Draft Plan Area and on the Adjacent Parcels shall undertake a project-specific construction health risk analysis to be performed by a qualified air quality specialist, as appropriate and determined by the Environmental Planning Division of the San Francisco Planning Department, for diesel-powered and other applicable construction equipment, using the methodology

recommended by the Bay Area Air Quality Management District (BAAQMD) and/or the San Francisco Planning Department. If the health risk analysis determines that construction emissions would exceed health risk significance thresholds identified by the BAAQMD and/or the San Francisco Planning Department, the project sponsor shall develop a Construction Emissions Minimization Plan for Health Risks and Hazards designed to reduce health risks from construction equipment to less-than-significant levels.

All requirements in the Construction Emissions Minimization Plan must be included in contract specifications.

Project Mitigation Measure 7 – Pre-Construction Special-Status Bird Surveys (Mitigation Measure M-BI-1a of the Western SoMa PEIR)

Conditions of approval for building permits issued for construction within the Draft Plan Area or on the Adjacent Parcels shall include a requirement for pre-construction special-status bird surveys when trees would be removed or buildings demolished as part of an individual project. Pre-construction special-status bird surveys shall be conducted by a qualified biologist between February 1 and August 15 if tree removal or building demolition is scheduled to take place during that period. If bird species protected under the Migratory Bird Treaty Act or the California Fish and Game Code are found to be nesting in or near any work area, an appropriate no-work buffer zone (e.g., 100 feet for songbirds) shall be designated by the biologist. Depending on the species involved, input from the California Department of Fish and Game (CDFG) and/or United States Fish and Wildlife Service (USFWS) may be warranted. As recommended by the biologist, no activities shall be conducted within the no-work buffer zone that could disrupt bird breeding. Outside of the breeding season (August 16 – January 31), or after young birds have fledged, as determined by the biologist, work activities may proceed. Special-status birds that establish nests during the construction period are considered habituated to such activity and no buffer shall be required, except as needed to avoid direct destruction of the nest, which would still be prohibited.

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