



SAN FRANCISCO PLANNING DEPARTMENT

Community Plan Exemption Checklist

Case No.: **2009.1011E**
Project Address: **1801 and 1863 Mission Street**
Zoning: UMU (Urban Mixed Use) and Mission Street NCT
(Neighborhood Commercial Transit), respectively
68-X and 40-X/65-X, respectively
Block/Lot: 3548/039 and 3548/033, respectively
Lot Size: 3,600 square feet and 8,000 square feet, respectively
Plan Area: Eastern Neighborhoods (Mission)
Project Sponsor: Stephen Antonaros, Architect
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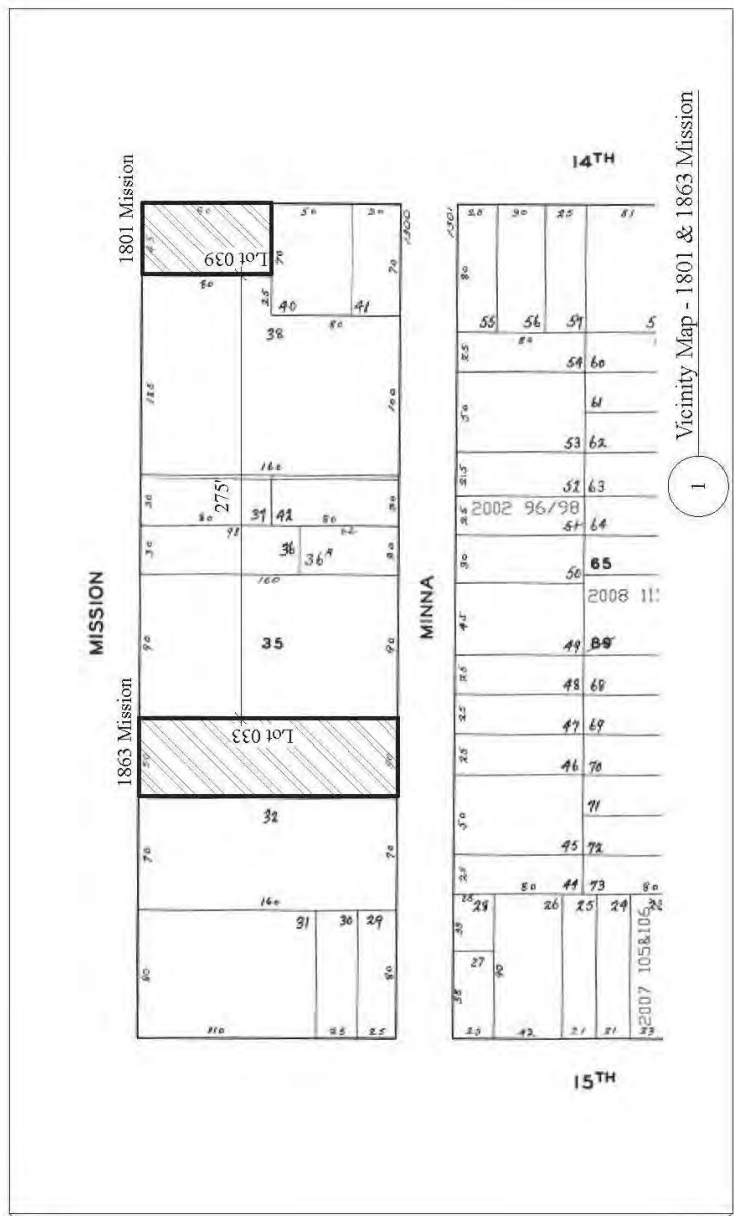
PROJECT DESCRIPTION

The project site consists of two non-contiguous parcels, 1801 Mission Street (Block 3548, Lot 039) and 1863 Mission Street (Block 3548, Lot 033), in San Francisco's Mission neighborhood (see Figure 1). Lot 039 is an approximately 3,600-square-foot (sf) rectangular parcel on the southeast corner of 14th and Mission streets, and Lot 033 is an approximately 8,000-sf rectangular parcel on the east side of Mission Street between 14th and 15th streets. Lot 033 is a through lot that has a second frontage on Minna Street. Both parcels are currently vacant, but there is a small storage shed near the southeast corner of Lot 039. Both parcels were previously used as surface parking lots.

The proposed project consists of the construction of a new mixed-use building on each of the lots. In total, the proposed project would provide 54 dwelling units (22 studios, five one-bedroom units, and 27 two-bedroom units), approximately 2,125 gross square feet (gsf) of retail space, approximately 740 gsf of office space, 25 off-street parking spaces, 68 Class 1 bicycle parking spaces, and one Class 2 bicycle parking space (see Table 1).

1801 Mission Street

At 1801 Mission Street, the project sponsor would construct a seven-story, 68-foot-tall, approximately 22,610-gsf mixed-use building containing 17 dwelling units, approximately 1,110 gsf of ground-floor retail space, approximately 740 gsf of second-floor office space, seven parking spaces, and 28 Class 1 bicycle parking spaces (see Table 1 and Figures 2 through 13). A total of approximately 2,430 sf of usable open space would be provided. The parking garage would be accessed from 14th Street. Of the seven parking spaces being provided, two would be at grade, and the other five would be housed in a mechanical stacker. The Class 1 bicycle parking spaces would be located in secure storage rooms on the first and second floors.



Vicinity Map - 1801 & 1863 Mission



Figure 1: Site Plan
1801 & 1863 Mission Street

1801 & 1863 Mission Street

The parking garage would be accessed from 14th Street. Of the seven parking spaces being provided, two would be at grade, and the other five would be housed in a mechanical stacker. The Class 1 bicycle parking spaces would be located in secure storage rooms on the first and second floors. This building would rest on a mat foundation that is supported by deep-seated piers or densified soils; pile driving could be required. Construction of this building would require the excavation and removal of approximately 1,400 cubic yards of soil.

1863 Mission Street

At 1863 Mission Street, the project sponsor would construct an approximately 35,265-gsf mixed-use building that would be four stories and 38 feet tall along Minna Street and seven stories and 65 feet tall along Mission Street. The building would contain 37 dwelling units, approximately 1,015 gsf of retail space, 18 parking spaces, 40 Class 1 bicycle parking spaces, and one Class 2 bicycle parking space (see Table 1 and Figures 14 through 23). A total of approximately 3,790 sf of usable open space would be provided. The parking garage would be accessed from Minna Street. All 18 parking spaces would be housed in a mechanical stacker. The Class 1 and Class 2 bicycle parking spaces would be inside the building on the first floor. This building would rest on a mat foundation; pile driving would not be required. Construction of this building would require the excavation and removal of approximately 4,100 cubic yards of soil.

Use	1801 Mission Street	1863 Mission Street	Total
Residential	10,860 gsf	24,105 gsf	34,965 gsf
Retail	1,110 gsf	1,015 gsf	2,125 gsf
Office	740 gsf	0 gsf	740 gsf
Circulation, Mechanical, Parking, Storage	9,900 gsf	10,145 gsf	20,045 gsf
Total Building Square Footage	22,610 gsf	35,265 gsf	57,875 gsf
Private Open Space	875 sf	480 sf	1,355 sf
Common Open Space	1,555 sf	3,310 sf	4,865 sf
Total Open Space	2,430 sf	3,790 sf	6,220 sf
Dwelling Units	17	37	54
Parking Spaces	7	18	25
Class 1 Bicycle Parking Spaces	28	40	68
Class 2 Bicycle Parking Spaces	0	1	1

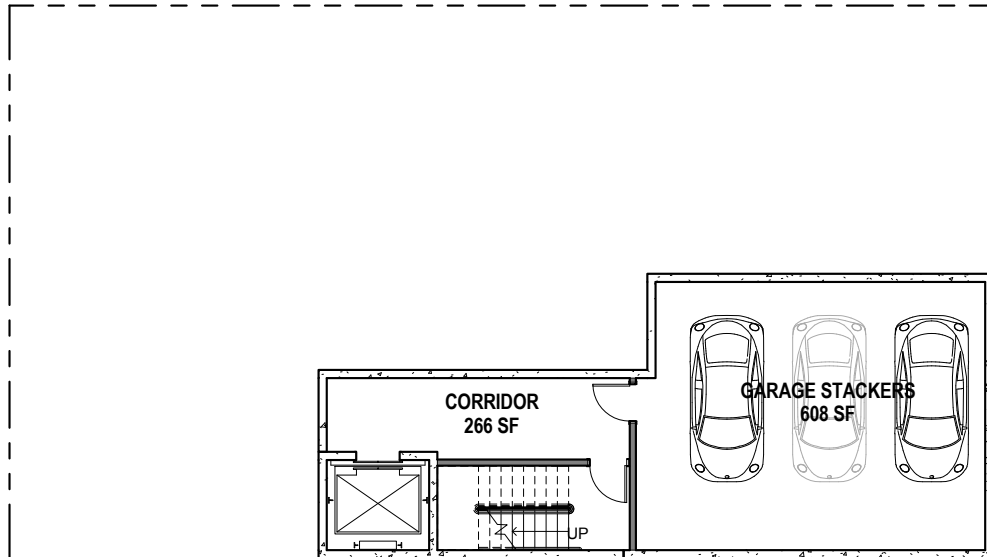


Figure 2: Level Basement

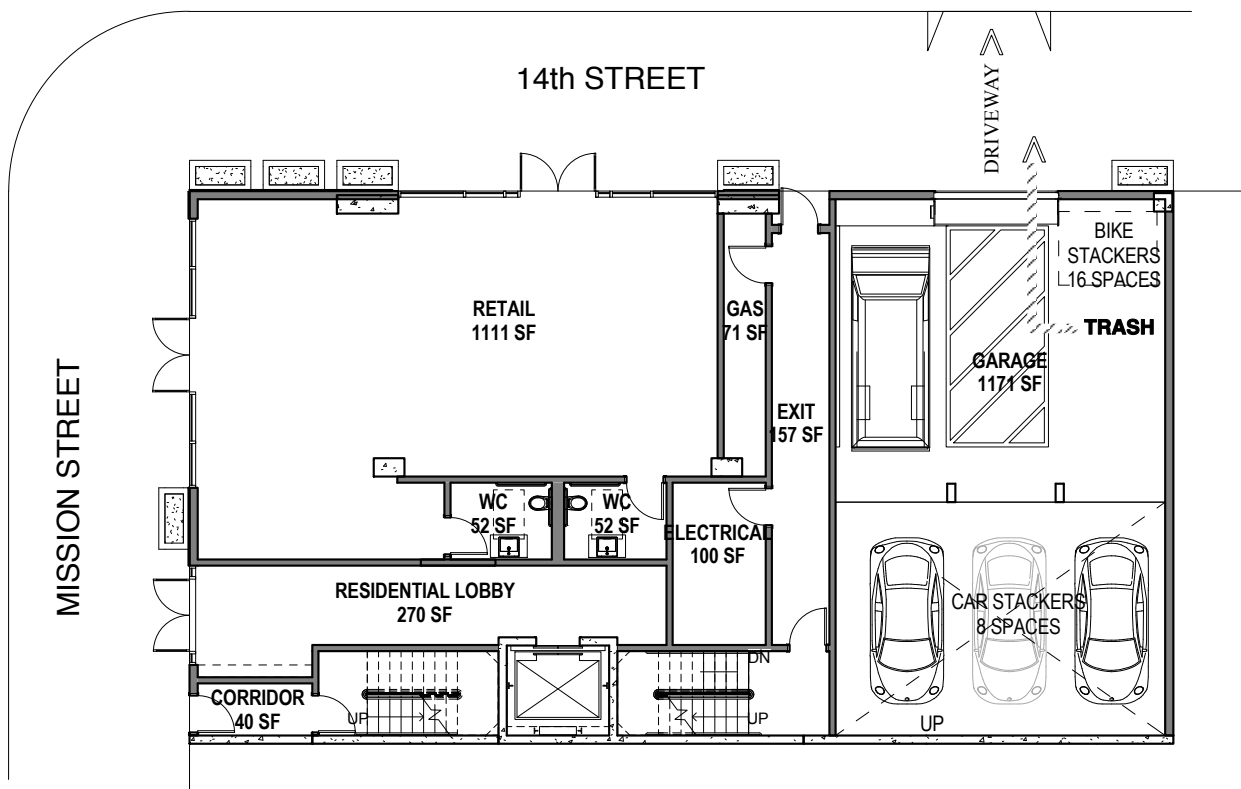


Figure 3: Level 1- Street Level

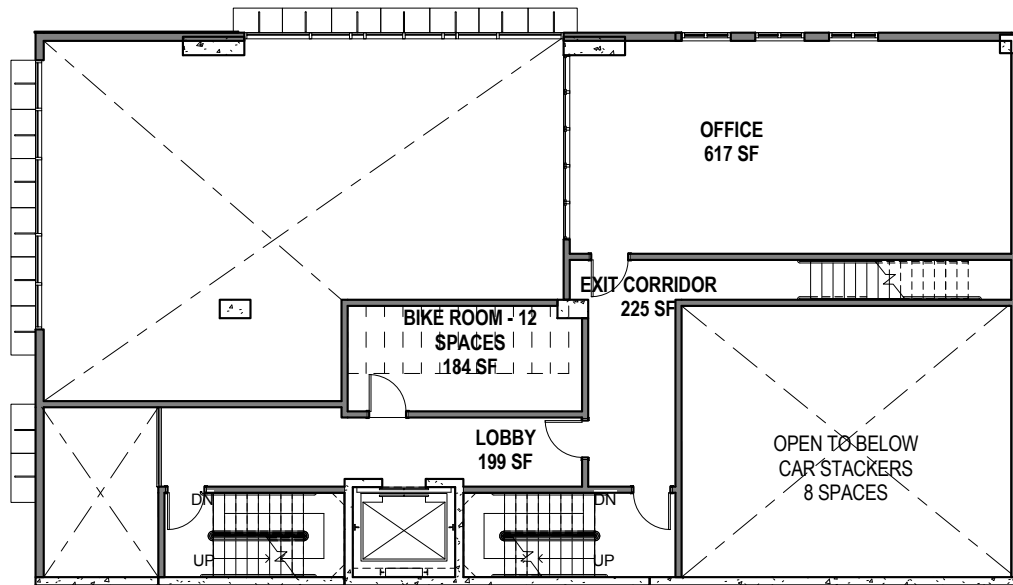


Figure 4: Level 2

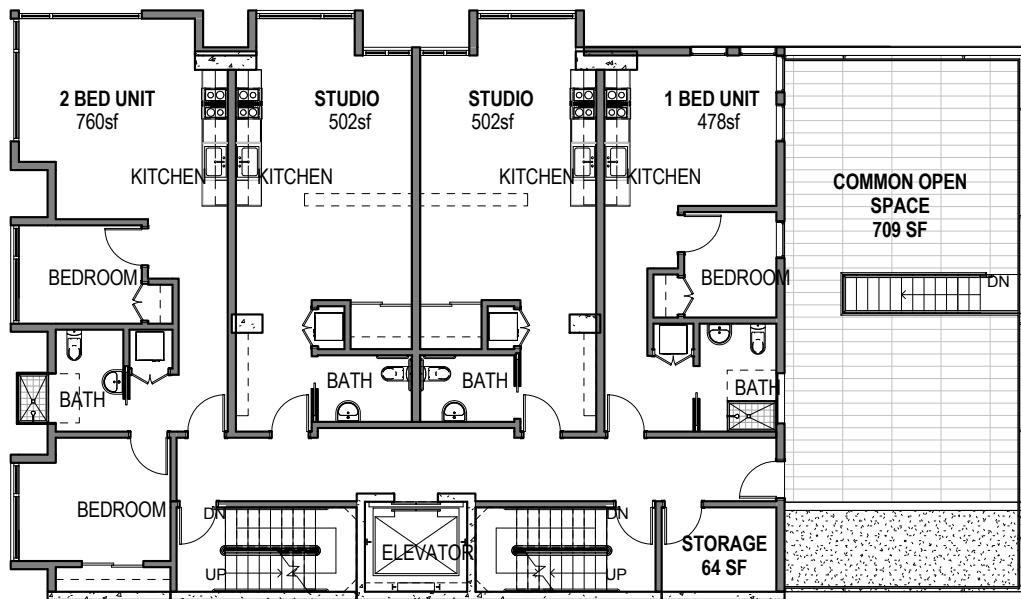


Figure 5: Level 3

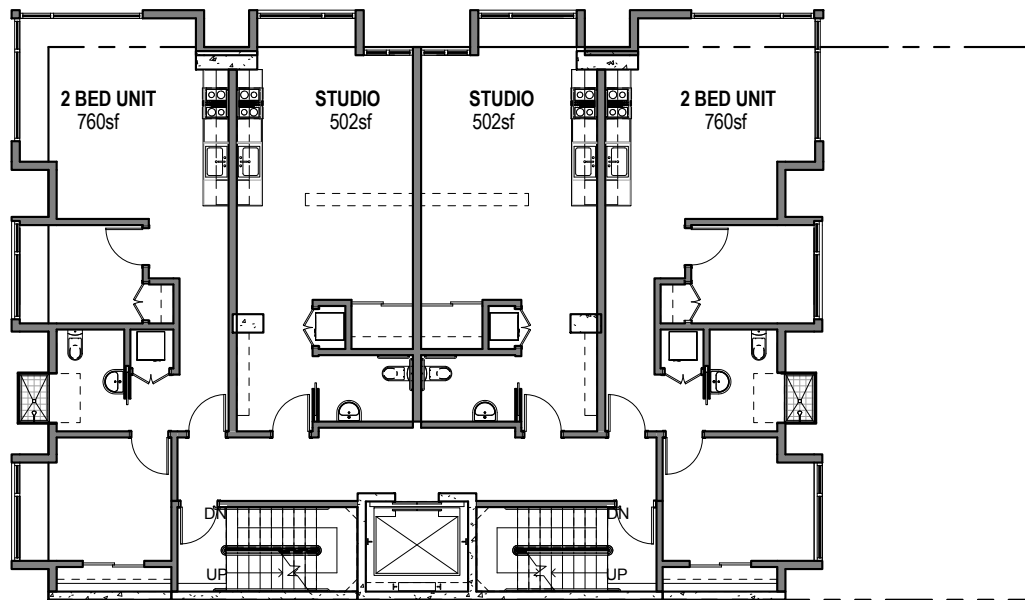


Figure 6: Level 4

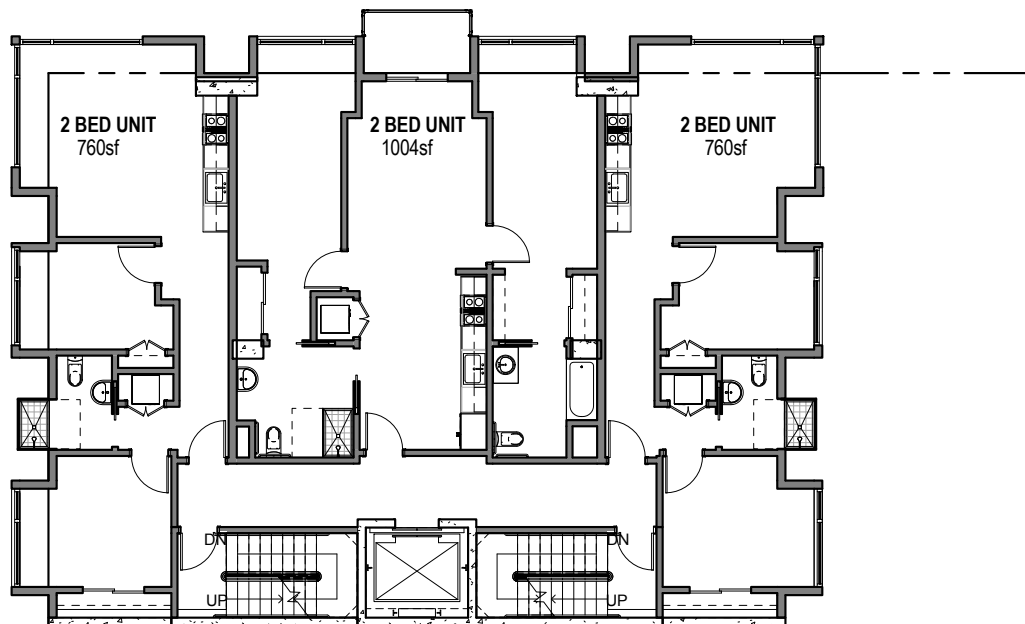


Figure 7: Level 5

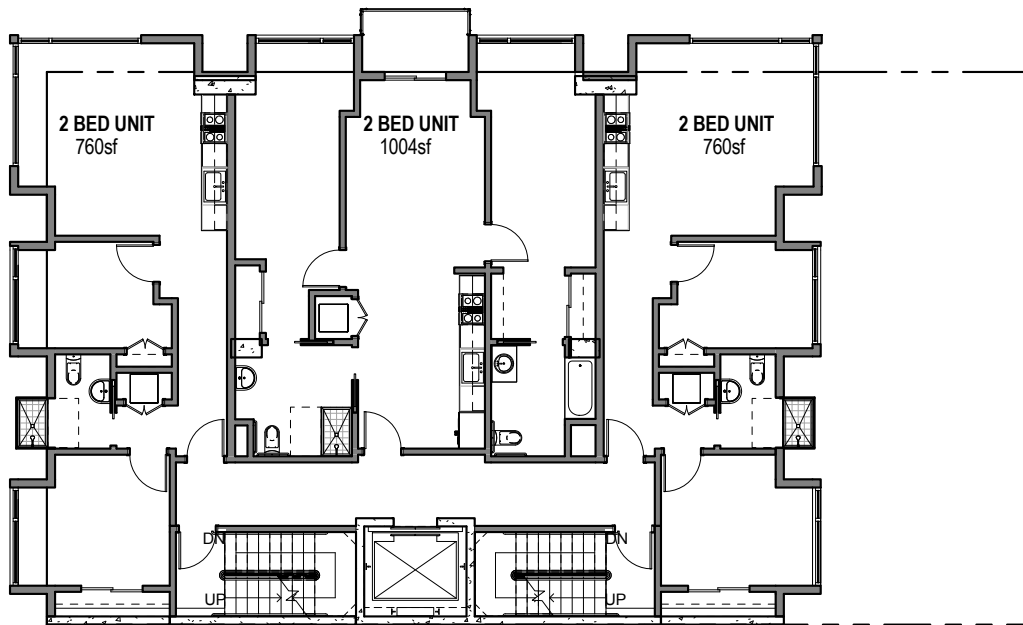


Figure 8: Level 6

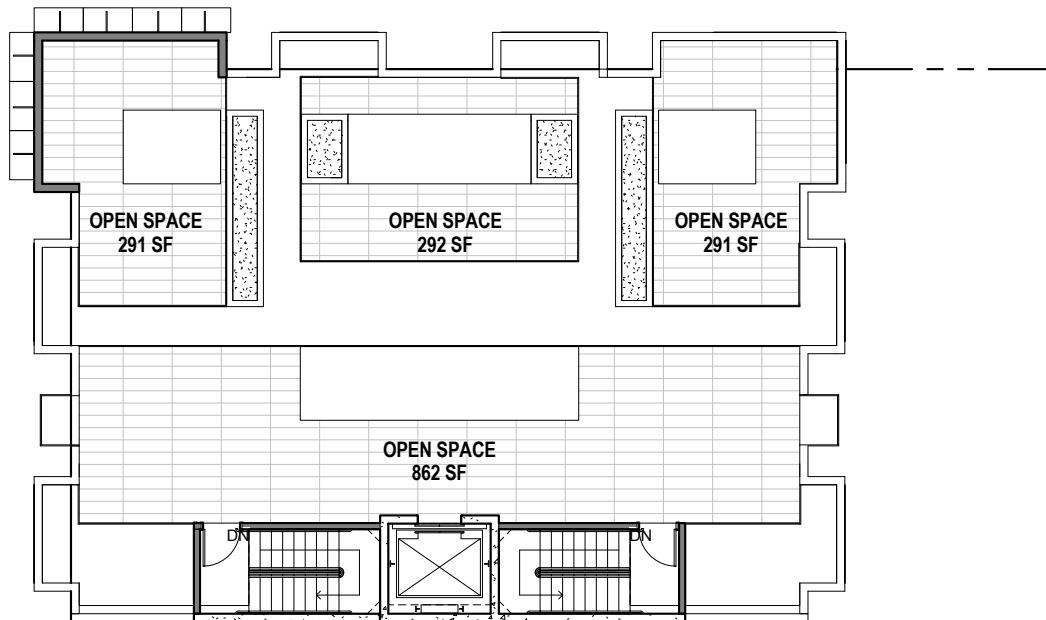


Figure 9: Roof Level



Figure 10: East Elevation



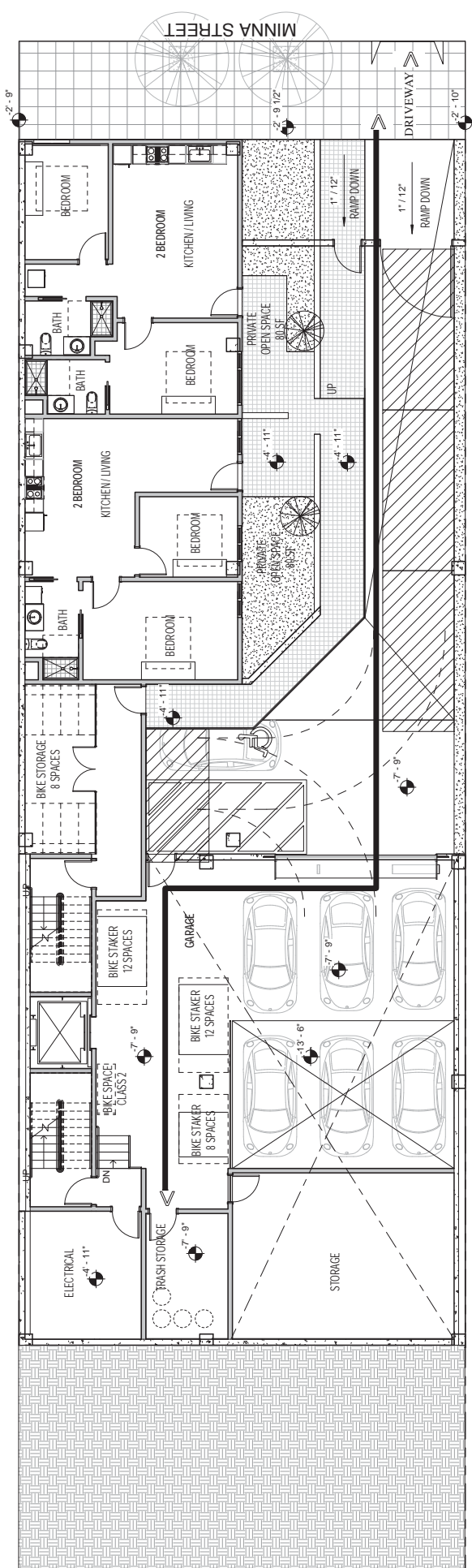
Figure 11: North Elevation



Figure 12: South Elevation



Figure 13: West Elevation



1863 Mission St.

Figure 14 - Level 1 -Ground Floor

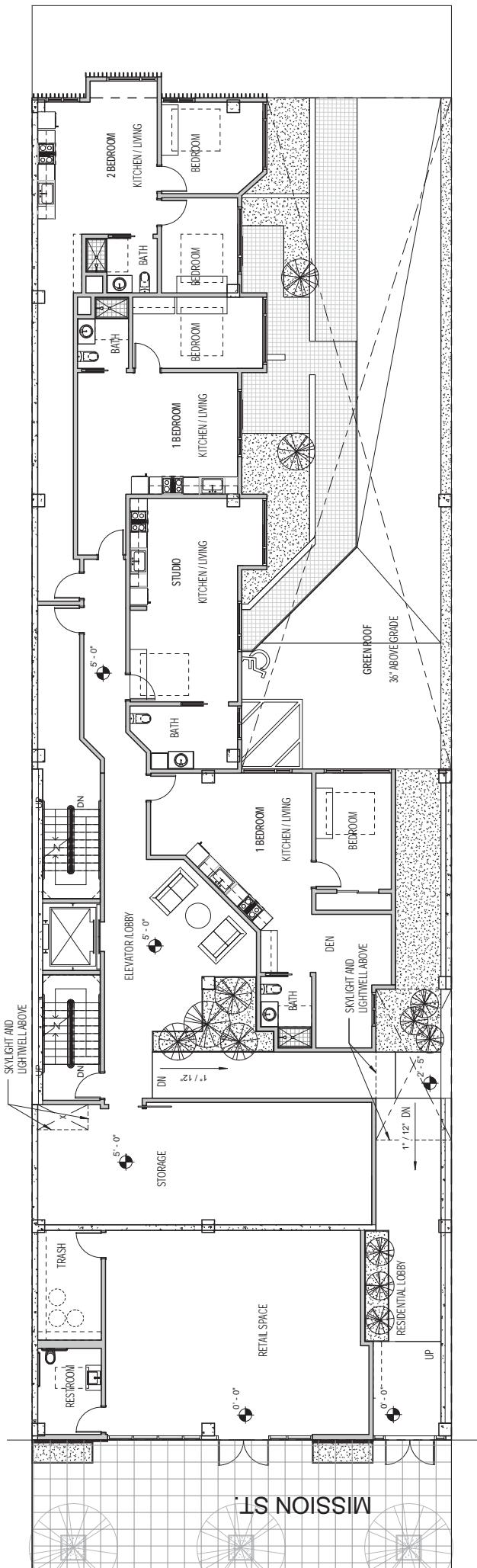


Figure 15
- Level 2 - Street Level

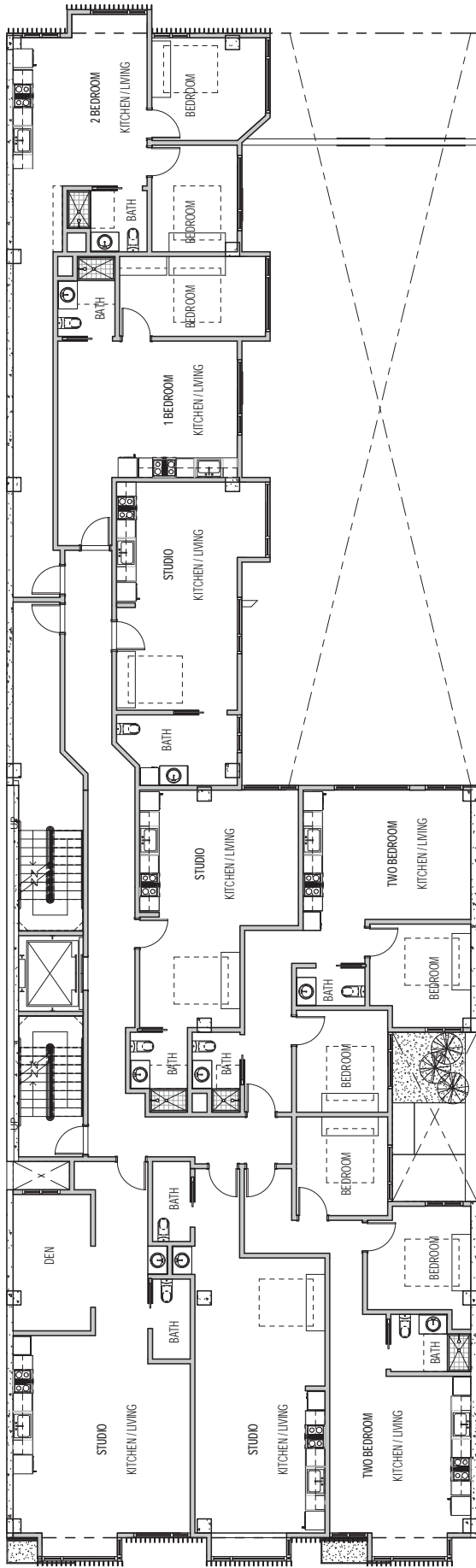


Figure 16
- Level 3 and 4

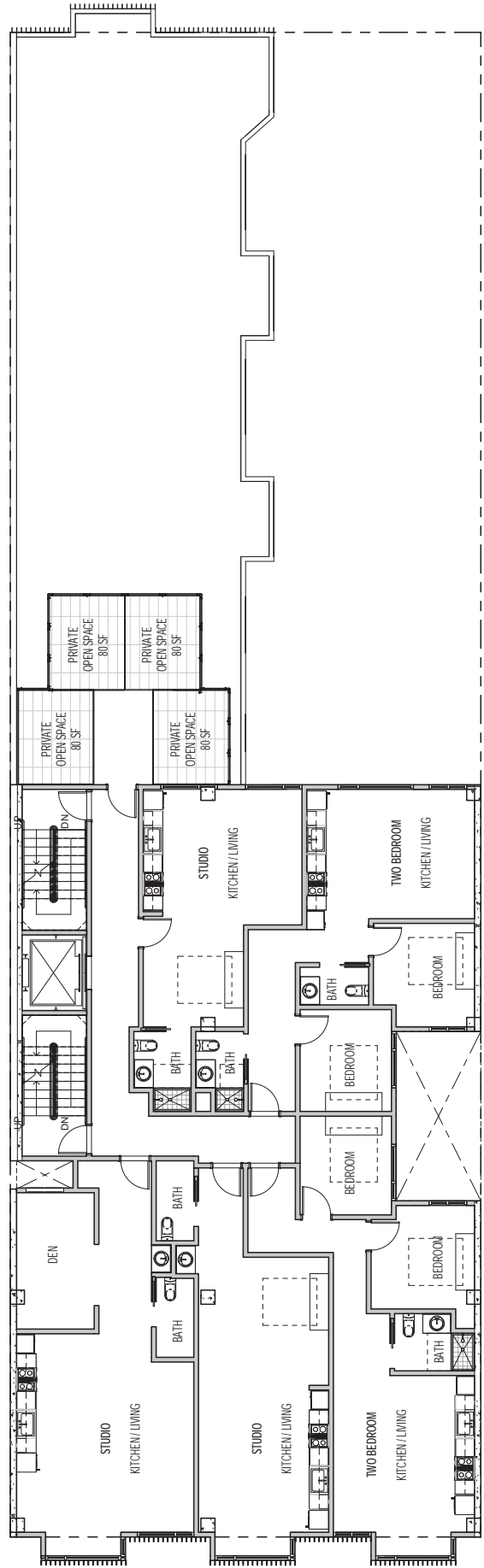


Figure 17
- Level 5

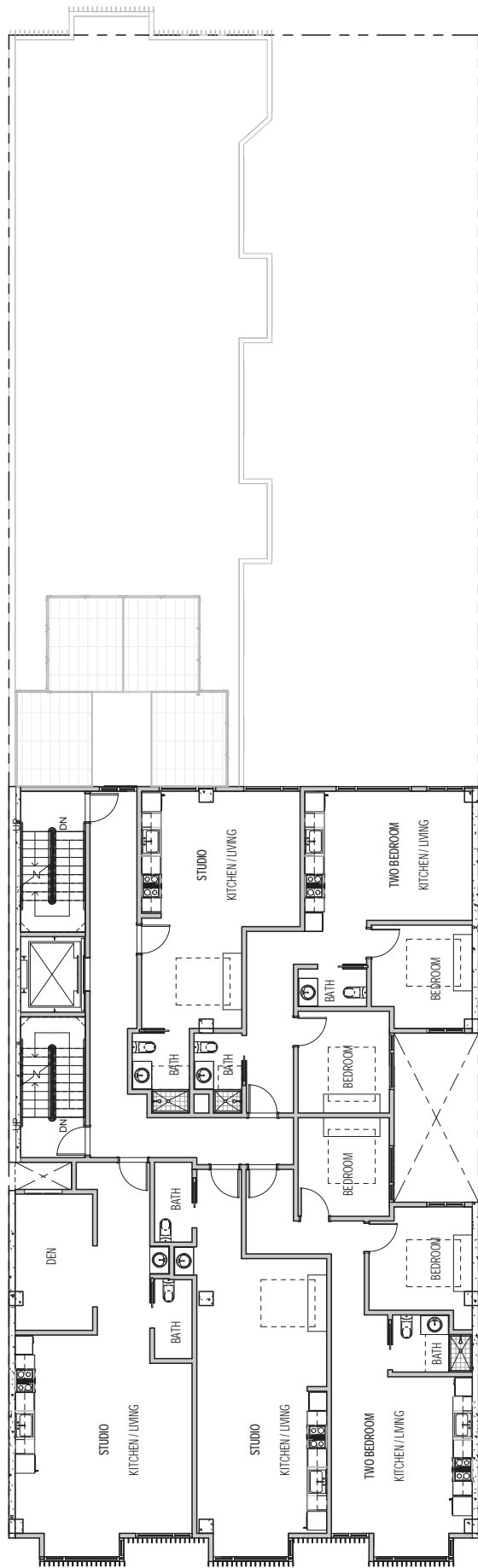


Figure 18 - Level 6 and 7

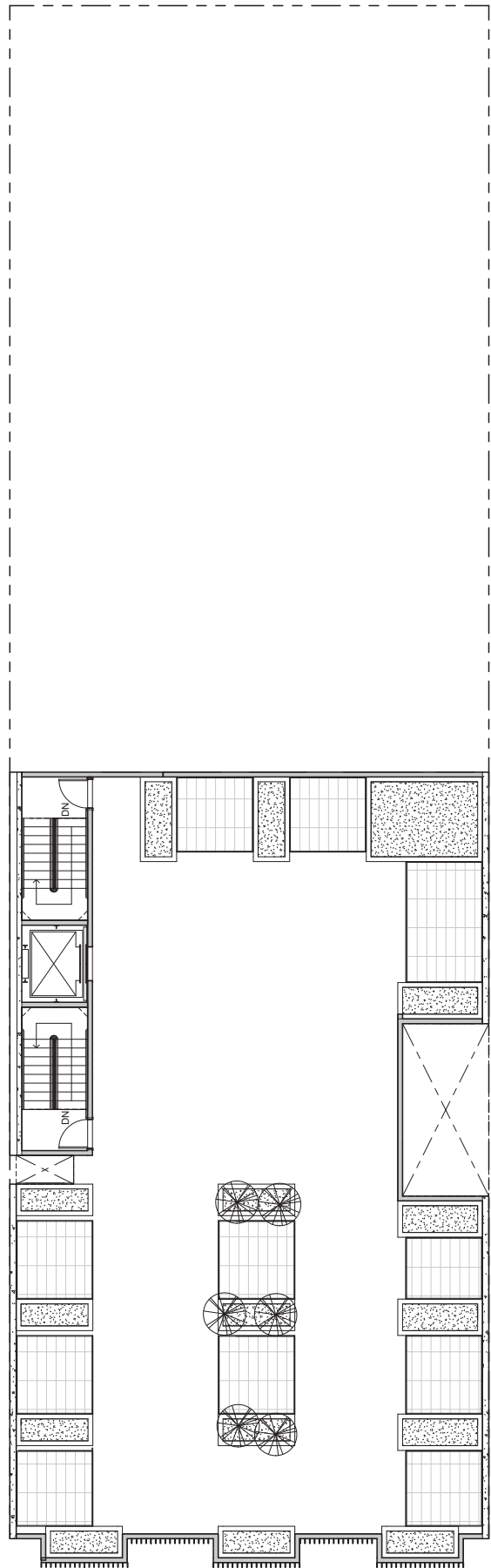


Figure 19 - Roof Level

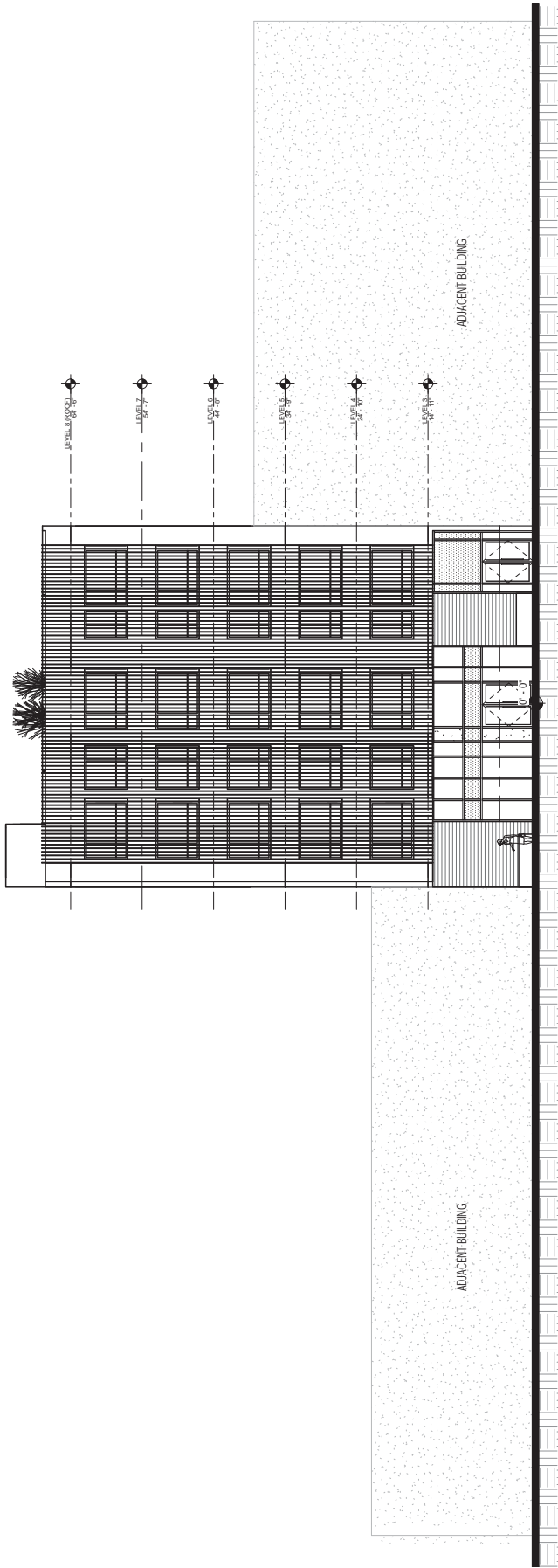


Figure 20 - West Elevation

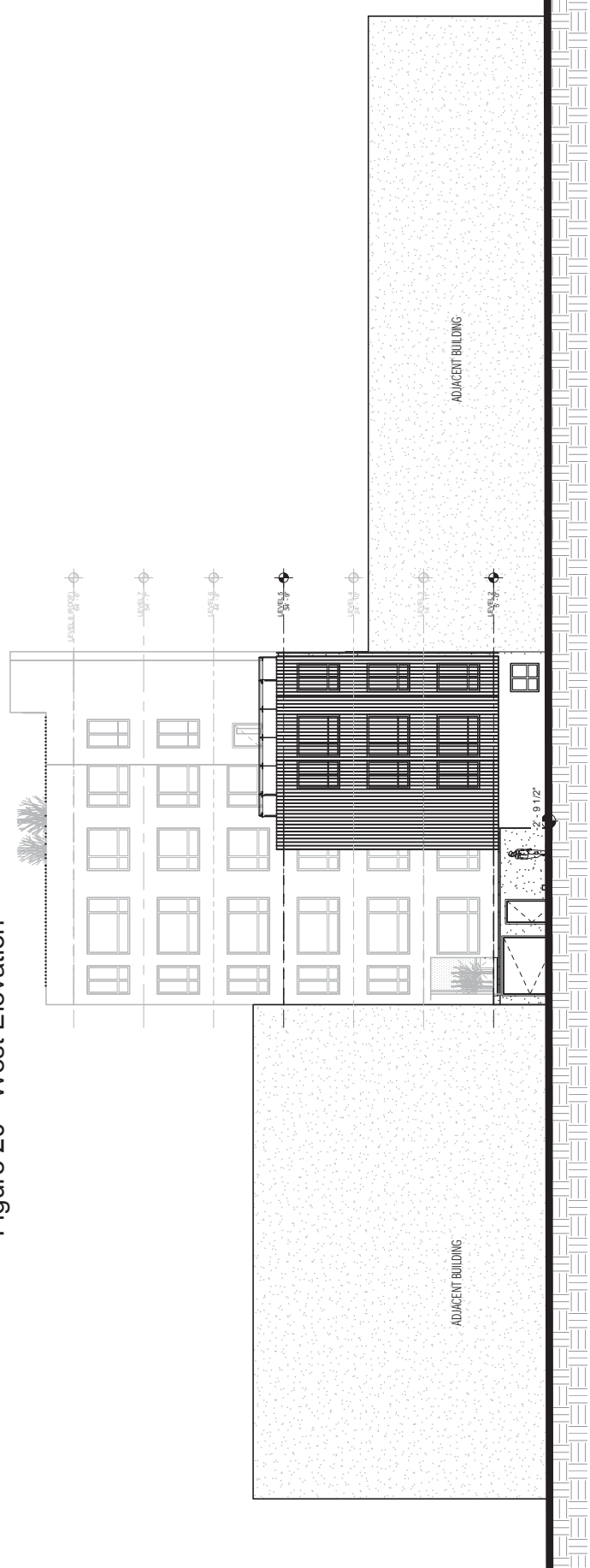


Figure 21 - East Elevation

1863 Mission St.

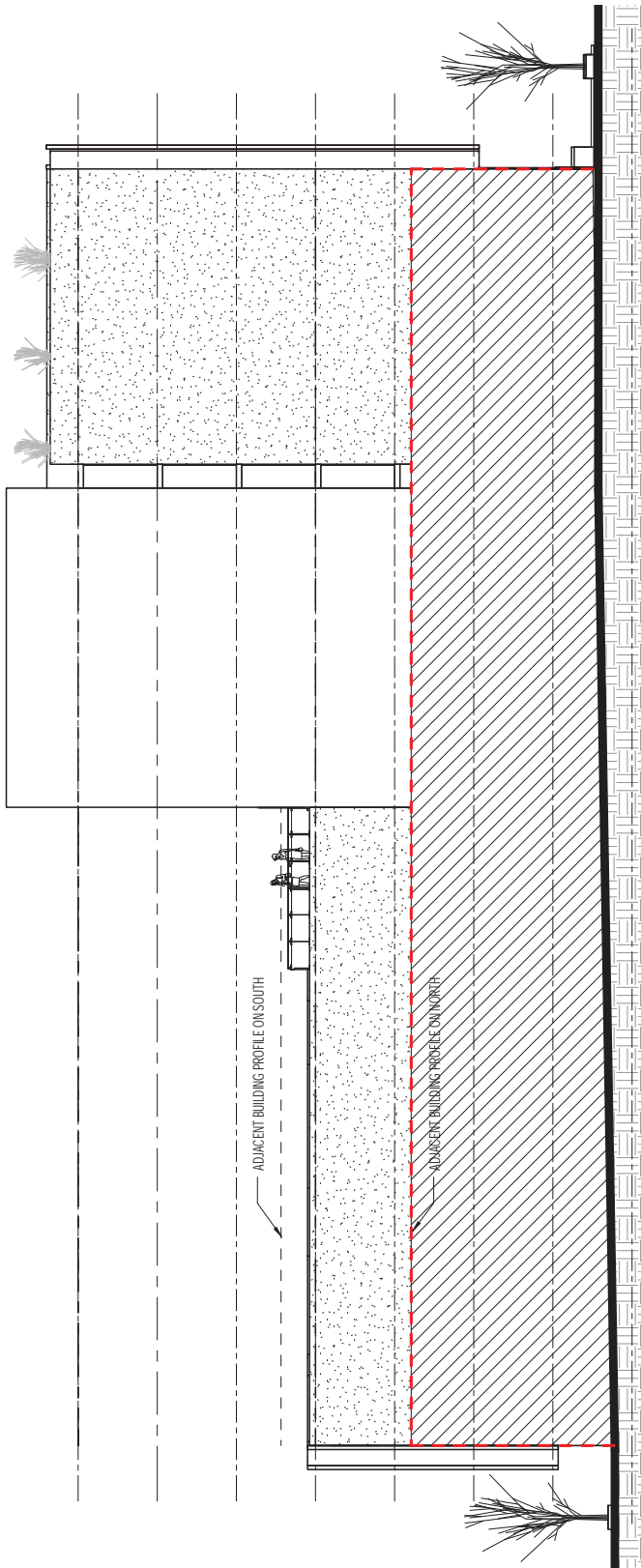


Figure 22 - North Elevation

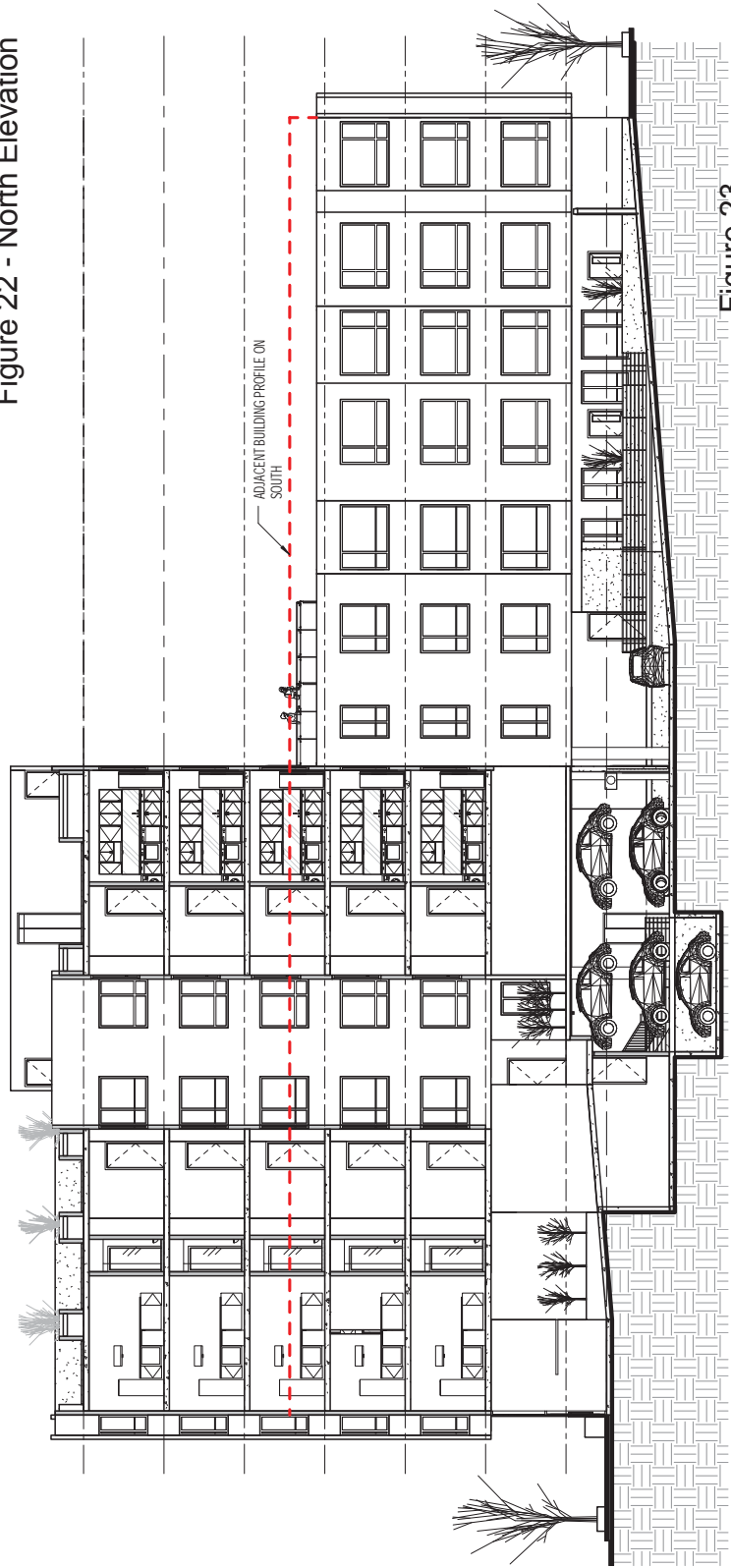


Figure 23 - South Elevation

Project Construction

Both buildings would be constructed at the same time. Construction is anticipated to begin in the spring/summer of 2015 and is expected to last 18 to 24 months, with building occupancy anticipated in late 2016 or early 2017. Work on the 1801 Mission Street portion of the project site would include the demolition of a small storage shed near the southeast corner of Lot 039. Construction of the proposed project would require the excavation of approximately 5,500 cubic yards of soil (1,400 cubic yards for 1801 Mission Street and 4,100 cubic yards for 1863 Mission Street).

Project Approval

For the purposes of environmental review, the buildings are being analyzed together as if they were a single project. For the purposes of the approval/entitlement process, the buildings are considered two separate projects.

The proposed building at 1801 Mission Street requires the following approvals:

- **Site/Building Permit** (*Planning Department and Department of Building Inspection*)
- **Condominium Map** (*Department of Public Works*)

Issuance of the building permit by the Department of Building Inspection would constitute the Approval Action for the proposed building at 1801 Mission Street. 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.

The proposed building at 1863 Mission Street requires the following approvals:

- **Site/Building Permit** (*Planning Department and Department of Building Inspection*)
- **Condominium Map** (*Department of Public Works*)

Issuance of the building permit by the Department of Building Inspection would constitute the Approval Action for the proposed building at 1863 Mission Street. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption (CPE) Checklist evaluates whether the environmental impacts of the proposed project are addressed in the Programmatic Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods PEIR).¹ The CPE Checklist indicates whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Eastern Neighborhoods PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a

¹ San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed January 26, 2015.

project-specific Mitigated Negative Declaration or Environmental Impact Report. If no such topics are identified, the proposed project is exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

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

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

The proposed project would include the demolition of an existing storage shed and the construction of two new mixed-use buildings on two, non-contiguous vacant lots. At 1801 Mission Street, the project sponsor would construct a seven-story, 68-foot-tall, approximately 22,610-gsf mixed-use building containing 17 dwelling units, approximately 1,110 gsf of ground-floor retail space, approximately 740 gsf of second-floor office space, seven parking spaces, and 28 Class 1 bicycle parking spaces. At 1863 Mission Street, the project sponsor would construct an approximately 35,265-gsf mixed-use building that would be four stories and 38 feet tall along Minna Street and seven stories and 65 feet tall along Mission Street. The building would contain 37 dwelling units, approximately 1,015 gsf of retail space, 18 parking spaces, 40 Class 1 bicycle parking spaces, and one Class 2 bicycle parking space. As discussed below in this checklist, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

AESTHETICS AND PARKING IMPACTS FOR TRANSIT PRIORITY INFILL DEVELOPMENT

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

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

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.² Project elevations

² San Francisco Planning Department, *Transit-Oriented Infill Project Eligibility Checklist for 1801 & 1837 Mission Street*, May 27, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2009.1011E.

are included in the project description, and an assessment of parking demand is included in the Transportation and Circulation section for informational purposes.

<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>
1. LAND USE AND LAND USE PLANNING—Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that implementation of the Area Plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR uses. The proposed project would not remove any existing PDR uses. The Eastern Neighborhoods PEIR determined that the rezoning under the Area Plans would result in the loss of opportunities to develop future PDR uses. Four buildout options (Options A, B, and C plus a No Project Scenario) were analyzed in the Eastern Neighborhoods PEIR. Each option would result in a different amount of lost PDR opportunities, ranging from about 524,600 sf to about 4.93 million sf. The buildout option that was adopted for implementation by the City fell in between Options B and C (lost PDR opportunities of about 2.14 million and 4.93 million sf, respectively). The loss of PDR opportunities on the two lots comprising the project site would not make a considerable contribution to the overall loss of PDR opportunities under the Area Plans. For these reasons, the proposed project would not contribute to any impact related to the loss of PDR uses that was identified in the Eastern Neighborhoods PEIR.

Furthermore, the Citywide Planning and Current Planning divisions of the Planning Department have determined that the proposed project is permitted in the UMU and Mission Street NCT zoning districts and is consistent with the height, density, and land uses as specified in the Mission Area Plan of the Eastern Neighborhoods Rezoning and Area Plans, maintaining the mixed character of the area by encouraging transit-oriented neighborhood commercial uses on the ground-floor and residential and small offices on the floors above ground.^{3,4}

³ Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, *Citywide Planning and Policy Analysis, Case No. 2009.1011E, 1801 & 1837 Mission Street*, March 19, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2009.1011E.

⁴ Jeff Joslin, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Current Planning Analysis, Case No. 2009.1011E, 1801 and 1863 Mission Street*, January 28, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2009.1011E.

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

Topics:	<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 Eastern Neighborhoods Rezoning and Area Plans is to identify appropriate locations for housing in the City’s industrially zoned land to meet the citywide demand for additional housing. The PEIR concluded that an increase in population in the Plan Areas is expected to occur as a secondary effect of the proposed rezoning and that any population increase would not, in and of itself, result in adverse physical effects, but would serve to advance key City policy objectives, such as providing housing in appropriate locations next to downtown and other employment generators and furthering the City’s Transit First policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the Area Plan neighborhoods. The Eastern Neighborhoods PEIR determined that the anticipated increase in population and density would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the PEIR.

The proposed project involves the construction of 54 dwelling units, 25 parking spaces, 69 bicycle parking spaces, approximately 2,125 sf of retail space, and approximately 740 sf of office space on two non-contiguous vacant lots. These direct effects of the proposed project on population and housing are within the scope of the population growth anticipated under the Eastern Neighborhoods Rezoning and Area Plans and evaluated in the Eastern Neighborhoods PEIR.

For these reasons, the proposed project would not result in significant impacts on population and housing that were not identified in the Eastern Neighborhoods PEIR.

<u>Topics:</u>	<u>Significant Impact Peculiar to Project or Project Site</u>	<u>Significant Impact not Identified in PEIR</u>	<u>Significant Impact due to Substantial New Information</u>	<u>No Significant Impact not Previously Identified in PEIR</u>
3. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<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 (CRHR) or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The Eastern Neighborhoods PEIR determined that future development facilitated through the changes in use districts and height limits under the Eastern Neighborhoods Area Plans could have substantial adverse changes on the significance of both individual historical resources and on historical districts within the Plan Areas. The PEIR determined that approximately 32 percent of the known or potential historical resources in the Plan Areas could potentially be affected under the preferred alternative. The Eastern Neighborhoods PEIR found this impact to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the approval of the Eastern Neighborhoods Rezoning and Area Plans on January 19, 2009.

The project site, two non-contiguous vacant lots along Mission Street, is neither considered a historic resource nor located within a designated historic district. Furthermore, the proposed project would not result in the demolition or alteration of an historic resource. Therefore, the proposed project would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR, and no historic resource mitigation measures would apply to the proposed project. For these reasons, the proposed project would not result in significant impacts on historic architectural resources that were not identified in the Eastern Neighborhoods PEIR.

Archeological Resources

The Eastern Neighborhoods PEIR determined that implementation of the Area Plans could result in significant impacts on archeological resources and identified three mitigation measures that would reduce these potential impacts to less than significant levels. Eastern Neighborhoods PEIR Mitigation Measure J-1 applies to properties for which a final archeological research design and treatment plan is on file at the Northwest Information Center and the Planning Department. Mitigation Measure J-2 applies to

properties for which no archeological assessment report has been prepared or for which the archeological documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological resources under CEQA. Mitigation Measure J-3, which applies to properties in the Mission Dolores Archeological District, requires that a specific archeological testing program be conducted by a qualified archeological consultant with expertise in California prehistoric and urban historical archeology.

The PEIR anticipated that development at the project site would have the potential to disturb archeological deposits, and that Eastern Neighborhoods PEIR Mitigation Measures J-2 and J-3 would apply to the proposed project. Based on a review of San Francisco Planning Department records, no previous archeological investigations have occurred on the project site. However, pursuant to Eastern Neighborhoods PEIR Mitigation Measures J-2 and J-3, a Preliminary Archeological Review (PAR) was prepared for the proposed project.⁵ As described in the PAR, the project site is highly sensitive for prehistoric and historical archeological resources, specially associated with the first and second Mission, with the prehistoric site of the Costanoan village of Chutchui, and with the house site of Jose de Jesus Noe.

Because both lots comprising the project site may harbor previously undiscovered CRHR-eligible prehistoric and/or historic-era archeological resources and would require excavation to depths of approximately eight to 12 feet below ground surface, project ground-disturbing activities would have the potential to affect previously undocumented CRHR-eligible resources, were they to occur on the project site.

Based on the PAR, it has been determined that the Planning Department's third standard archeological mitigation measure (testing) would apply to the proposed project. The PAR and its requirements (e.g., testing) are consistent with Eastern Neighborhoods PEIR Mitigation Measures J-2 and J-3. With implementation of this mitigation measure, impacts related to archeological resources would be less than significant. In accordance with the Eastern Neighborhoods PEIR requirements, the project sponsor has agreed to implement Project Mitigation Measure M-CP-1: Archeological Testing, listed in the Mitigation and Improvement Measures section below. With compliance with Project Mitigation Measures M-CP-1, the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to archeological resources.

⁵ San Francisco Planning Department, 2005 Preliminary Archeological Review, 1801, 1863, and 1875 Mission Street Project, San Francisco, California, March 2005.

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

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

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

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

Trip Generation

The proposed project involves the construction of 54 dwelling units, 25 parking spaces, 69 bicycle parking spaces, approximately 2,125 sf of retail space, and approximately 740 sf of office space on two non-contiguous vacant lots.

Trip generation for the proposed project was calculated using information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review (Transportation Guidelines)* developed by the San Francisco Planning Department.⁶ The proposed project would generate an estimated 951 person trips (inbound and outbound) on a weekday daily basis, consisting of 424 person trips by auto, 249 transit trips, 219 walk trips, and 59 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 34 vehicle trips (accounting for vehicle occupancy data for this census tract).

Traffic

The proposed project's vehicle trips would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco. The intersections near the project site (within approximately 800 feet) include Mission/Otis/13th Street and Valencia/15th Street. Table 1 provides existing and cumulative LOS data gathered for these intersections, per the *Eastern Neighborhoods Rezoning and Area Plans Transportation Study*.⁷

Table 1

<u>Intersection</u>	<u>Existing LOS (2006)</u>	<u>Cumulative LOS (2025)</u>
Mission/Otis/13th Street	E	E
Valencia/15th Street	B	B

Sources: Wilbur Smith Associates, June 2007.

The proposed project would generate an estimated 34 new p.m. peak-hour vehicle trips that could travel through surrounding intersections. This amount of new p.m. peak-hour vehicle trips would not substantially increase traffic volumes at these or other nearby intersections, would not substantially increase average delay that would cause intersections that currently operate at acceptable LOS to deteriorate to unacceptable LOS, or would not substantially increase average delay at intersections that currently operate at unacceptable LOS.

The proposed project would not contribute considerably to LOS delay conditions as its contribution of an estimated 34 new p.m. peak-hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by Eastern Neighborhoods projects. The proposed project would also not contribute considerably to 2025 cumulative conditions, and thus, the proposed project would not have any significant cumulative traffic impacts.

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

⁶ San Francisco Planning Department, Transportation Calculations for 1801 and 1863 Mission Street, July 3, 2014. These calculations are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2009.1011E.

⁷ The *Eastern Neighborhoods Rezoning and Area Plans Transportation Study* is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2004.0160E.

Transit

The project site is located within a quarter-mile of several local transit lines, including the 9-San Bruno, 14-Mission, 14L-Mission Limited, 22-Fillmore, 27-Bryant, 33-Stanyan, 48-Quintara, and 49-VanNess/Mission Muni bus lines. The proposed project would be expected to generate 249 daily transit trips, including 38 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 38 p.m. peak-hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, six operate within a quarter-mile of the project site: the 9-San Bruno, 22-Fillmore, 27-Bryant, 33-Stanyan, 48-Quintara, and 49-VanNess/Mission. Mitigation measures proposed to address these impacts related to pursuing enhanced transit funding; conducting transit corridor and service improvements; and increasing transit accessibility, service information, and storage/maintenance capabilities for Muni lines in the Eastern Neighborhoods. Even with mitigation, however, cumulative impacts on the above lines were found to be significant and unavoidable, and a Statement of Overriding Considerations related to the significant and unavoidable cumulative transit impacts was adopted as part of the PEIR Certification and project approval.

The proposed project would not contribute considerably to these conditions as its minor contribution of 38 p.m. peak-hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhoods projects. The proposed project would also not contribute considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

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

Parking

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

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

The proposed project meets each of the above three criteria and thus, this determination does not consider the adequacy of parking in determining the significance of project impacts under CEQA.⁸ The Planning Department acknowledges that parking conditions may be of interest to the public and City decision-makers. Therefore, the following parking demand analysis is provided for informational purposes only.

The parking demand for the new residential, office, and retail uses associated with the proposed project was determined based on the methodology presented in the *Transportation Guidelines*. On an average weekday, the parking demand would be 91 spaces. The proposed project would provide 25 off-street spaces. Thus, as proposed, the project would have an unmet parking demand of about 66 spaces. At this location, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces within a reasonable distance of the project vicinity. Additionally, the project site is well served by public transit and bicycle facilities. Therefore, any unmet parking demand associated with the project would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays would be created.

Furthermore, the project site is located in the UMU and Mission Street NCT zoning districts, under Planning Code Section 151.1, the proposed project would not be required to provide any off-street parking spaces. It should be noted that the Planning Commission has the discretion to adjust the number of on-site parking spaces included in the proposed project, typically at the time that the project entitlements are sought. The Planning Commission may not support the parking ratio proposed. In some cases, particularly when the proposed project is in a transit-rich area, the Planning Commission may not support the provision of any off-street parking spaces. This is, in part, owing to the fact that the parking spaces are not 'bundled' with the residential units. In other words, residents would have the option to rent or purchase a parking space, but one would not be automatically provided with the residential unit.

If the proposed project were ultimately approved with no off-street parking spaces, the proposed project would have an unmet demand of 91 spaces. As mentioned above, the unmet parking demand could be accommodated within existing, nearby on- and off-street parking spaces and through alternative travel modes such as public transit and biking. Given that the unmet demand could be met by existing facilities and given that the proposed project site is well served by transit and bicycle facilities, a reduction in the number of off-street parking spaces associated with the proposed project, even if no off-street spaces are provided, would not result in significant delays or hazardous conditions.

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel. While parking conditions change over time, a substantial shortfall in parking caused by a project that creates hazardous conditions or significant delays to traffic, transit, bicycles, or pedestrians could adversely affect the physical environment. Whether a shortfall in parking creates such conditions will depend on the magnitude of the shortfall and the ability of drivers to change travel patterns or switch to

⁸ San Francisco Planning Department, *Transit-Oriented Infill Project Eligibility Checklist for 1801 and 1863 Mission Street*, May 27, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2009.1011E.

other travel modes. If a substantial shortfall in parking caused by a project creates hazardous conditions or significant delays in travel, such a condition could also result in secondary physical environmental impacts (e.g., air quality or noise impacts caused by congestion), depending on the project and its setting.

The absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles, or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service or other modes (walking and biking) would be in keeping with the City’s Transit First policy and numerous *San Francisco General Plan (General Plan)* polices, including those in the Transportation Element. The City’s Transit First Policy, established in the City Charter, Article 8A, Section 8A.115, provides that “parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation.”

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. The secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area, and thus choose to reach their destination by other modes (e.g., walking, biking, transit, taxi). If this occurs, any secondary environmental impacts that may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise, and pedestrian safety analyses, would reasonably address potential secondary effects.

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

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Construction Impacts

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile driving). The proposed project could include pre-cast pier driving or soil densification activities; thus Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 apply as Project Mitigation Measures M-NO-1 and M-NO-2. Implementation of project Mitigation Measures M-NO-1 and M-NO-2 would reduce noise impacts associated with pile driving and other noisy construction procedures to less-than-significant levels. The project sponsor has agreed to implement Mitigation Measures M-NO-1 and M-NO-2, discussed in the Mitigation and Improvement Measures section below.

In addition, all construction activities for the proposed project (approximately 18 to 24 months) would be subject to and would comply with the San Francisco Noise Ordinance (Noise Ordinance), which is codified as Article 29 of the San Francisco Police Code. The Noise Ordinance regulates construction noise and requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) or the Director of the Department of Building Inspection (DBI) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of the DPW authorizes a special permit for conducting the work during that period.

The 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 18- to 24-month 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, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with the Noise Ordinance.

Operational Impacts

Eastern Neighborhoods PEIR Mitigation Measures F-3 and F-4 require that a detailed analysis of noise reduction requirements be conducted for new development that includes noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn). Accordingly, the project sponsor has conducted an environmental noise study demonstrating that the proposed project can feasibly attain acceptable interior noise levels.^{9,10}

Ambient noise levels in San Francisco are largely influenced by traffic. An approximate doubling in traffic volumes in the area would be necessary to produce an increase in ambient noise levels barely perceptible to most people (a 3-dB increase). As discussed under CPE Checklist Topic 4, Transportation and Circulation, the proposed project would generate 34 vehicle trips during the p.m. peak hour. Even if all of the 34 p.m. peak hour vehicle trips associated with the proposed project are added to Mission Street, the proposed project would not double the traffic volumes in the area. Therefore, the proposed project would not double traffic volumes, and would not result in a perceptible noise increase from project-related traffic.

The project includes mechanical equipment that could produce operational noise, such as that from heating and ventilation systems. These operations would be subject to Section 2909 of the Noise Ordinance. The proposed project would comply with Section 2909 by including acoustical construction improvements to achieve an interior day-night equivalent sound level of 45 dBA. Compliance with Section 2909 would minimize noise from building operations. Therefore, noise effects related to building operation would be less than significant, and the proposed building would not contribute considerably to any cumulative noise impacts from mechanical equipment.

Based on expected implementation of noise study recommendations with respect to controlling exterior noise intrusion, acceptable interior noise levels would be attained by the proposed project. During review of the building permit, the DBI would review project plans for compliance with applicable noise standards. Compliance with applicable standards and with the *General Plan* would ensure that effects from exposure to ambient noise would result in less-than-significant impacts.

Eastern Neighborhoods PEIR Mitigation Measure F-5 addresses impacts related to individual projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise in the project site vicinity. The proposed project includes the construction of two mixed-use buildings that are not expected to generate noise levels in excess of existing ambient levels. Therefore, Eastern Neighborhoods PEIR Mitigation Measures F-5 does not apply to the proposed project.

⁹ Wilson Ihrig & Associates, *Preliminary Noise Study for 1801 Mission Street*, August 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2009.1011E.

¹⁰ Wilson Ihrig & Associates, *Preliminary Noise Study for 1863 Mission Street*, August 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2009.1011E.

Mitigation Measure F-6 addresses impacts from existing ambient noise levels on open space required under the Planning Code for new development that includes noise-sensitive uses. Eastern Neighborhoods PEIR Mitigation Measure F-6 applies as Project Mitigation Measure M-NO-3, discussed in the Mitigation and Improvement Measures section below. To achieve the objectives of the *General Plan's* Environmental Protection Element pertaining to lessening noise intrusion and development of appropriate uses that are compatible with the noise guidelines (Objectives 10 and 11), projects that are in noisy areas should protect open space, to the maximum feasible extent, from existing ambient noise levels. The proposed third-floor open space at 1801 Mission Street would be protected from traffic noise. The open space would be at the rear of the proposed building, and it would be shielded from Mission Street by the proposed building. The proposed roof terraces at 1801 and 1863 Mission Street would be shielded by roof screens.

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, CPE Checklist Topics 5e and 5f are not applicable.

For these reasons, the proposed project would not result in significant noise impacts that were not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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 Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses¹¹ as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-

¹¹ The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as children, adults, or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, p. 12.

significant levels and stated that with implementation of identified mitigation measures, the Area Plan would be consistent with the Bay Area 2005 Ozone Strategy, the applicable air quality plan at that time. All other air quality impacts were found to be less than significant.

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

Construction Dust Control

Eastern Neighborhoods PEIR Mitigation Measure G-1: Construction Air Quality, requires individual projects involving construction activities to include dust control measures and to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. The San Francisco Board of Supervisors subsequently approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance No. 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, sweeping streets and sidewalks, and other measures.

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

Criteria Air Pollutants

While the Eastern Neighborhoods PEIR determined that at a program-level, the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states that “Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the BAAQMD’s quantitative thresholds for individual projects.”¹² The BAAQMD’s *CEQA Air Quality Guidelines (Air Quality Guidelines)* provide screening criteria¹³ for determining whether a project’s criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the *Air Quality Guidelines*, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. Criteria air pollutant emissions during construction and operation of the proposed project would meet the *Air Quality Guidelines* screening criteria. The proposed project, with a total of 54 dwelling units, is below both the construction screening criterion (“apartment, high-rise, 249 dwelling units” land use type) and the

¹² San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, p. 346. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=4003>. Accessed January 30, 2015.

¹³ Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, updated May 2011, pp. 3-2 to 3-3.

operational screening criterion (“apartment, high-rise, 510 dwelling units” land use type). Therefore, the proposed project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

Health Risk

Subsequent to certification of the Eastern Neighborhoods PEIR, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes (Ordinance No. 224-14, effective December 8, 2014), generally referred to as Health Code Article 38: Enhanced Ventilation Required for Urban Infill Sensitive Use Developments (Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone (APEZ) and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the APEZ. The APEZ, as defined in Article 38, consists of areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM_{2.5} concentration and cumulative excess cancer risk. The APEZ incorporates health vulnerability factors and proximity to freeways. Projects within the APEZ require special consideration to determine whether the project’s activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

Construction

The project site is located within an identified APEZ; therefore, the ambient health risk to sensitive receptors from air pollutants is considered substantial. The proposed project would require heavy-duty off-road diesel vehicles and equipment during the first six months of the anticipated 18- to 24-month construction period. Thus, Project Mitigation Measure M-AQ-1: Construction Air Quality, has been identified to implement the portions of Eastern Neighborhoods PEIR Mitigation Measure G-1 related to emissions exhaust by requiring engines with higher emissions standards on construction equipment. Project Mitigation Measure M-AQ-1 would reduce DPM exhaust from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment.¹⁴ Therefore, impacts related to construction health risks would be less than significant through implementation of Project Mitigation Measure M-AQ-1. The full text of Project Mitigation Measure M-AQ-1 is provided in the Mitigation and Improvement Measures section below.

Siting Sensitive Land Uses

For sensitive use projects within the APEZ 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

¹⁴ PM emissions benefits are estimated by comparing off-road PM emission standards for Tier 2 with Tier 1 and Tier 0. Tier 0 off-road engines do not have PM emission standards, but the United States Environmental Protection Agency’s *Exhaust and Crankcase Emissions Factors for Nonroad Engine Modeling – Compression Ignition* has estimated Tier 0 engines between 50 and 100 hp to have a PM emission factor of 0.72 g/hp-hr and greater than 100 hp to have a PM emission factor of 0.40 g/hp-hr. Therefore, requiring off-road equipment to have at least a Tier 2 engine would result in between a 25 percent and 63 percent reduction in PM emissions, compared to off-road equipment with Tier 1 or Tier 0 engines. The 25 percent reduction comes from comparing the PM emission standards for off-road engines between 25 hp and 50 hp for Tier 2 (0.45 g/bhp-hr) and Tier 1 (0.60 g/bhp-hr). The 63 percent reduction comes from comparing the PM emission standards for off-road engines above 175 hp for Tier 2 (0.15 g/bhp-hr) and Tier 0 (0.40 g/bhp-hr). In addition to the Tier 2 requirement, ARB Level 3 VDECSs are required and would reduce PM by an additional 85 percent. Therefore, the mitigation measure would result in between an 89 percent (0.0675 g/bhp-hr) and 94 percent (0.0225 g/bhp-hr) reduction in PM emissions, as compared to equipment with Tier 1 (0.60 g/bhp-hr) or Tier 0 engines (0.40 g/bhp-hr).

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. The 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 enhanced ventilation proposal for 1801 Mission Street, which was reviewed and approved by the DPH.¹⁵ 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 Eastern Neighborhoods PEIR Mitigation Measure G-2: Air Quality for Sensitive Land Uses. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-2 is no longer applicable to the proposed project, and impacts related to siting new sensitive land uses would be less than significant through compliance with Article 38.

Siting New Sources

The proposed project would not be expected to generate 100 trucks per day or 40 refrigerated trucks per day. In addition, the proposed project would not include a backup diesel generator. Therefore, Eastern Neighborhoods PEIR Mitigation Measures G-3: Siting of Uses that Emit DPM, and Mitigation Measure G-4: Siting of Uses that Emit Other TACs, are not applicable to the proposed project.

Conclusion

The portion of Eastern Neighborhoods PEIR Mitigation Measure G-1: Construction Air Quality, that addresses exhaust emissions from construction equipment is the only Eastern Neighborhoods PEIR air quality mitigation measure that is applicable to the proposed project. The proposed project is required to comply with the provisions of the Construction Dust Control Ordinance and Health Code Article 38. For these reasons, the proposed project would not result in significant air quality impacts that were not identified in the 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>
7. GREENHOUSE GAS EMISSIONS—				
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR assessed the GHG emissions that could result from the three rezoning options under the Eastern Neighborhoods Rezoning and Area Plans. The Eastern Neighborhoods

¹⁵ San Francisco Department of Public Health, Certification that Enhanced Ventilation Proposal for 1801 Mission Street Meets Performance Standard, September 24, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2009.1011E.

Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO₂E¹⁶ per service population,¹⁷ respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three options analyzed would be less than significant, and no mitigation measures were identified in the PEIR.

Regulations outlined in San Francisco’s Strategies to Address Greenhouse Gas Emissions have proven effective as San Francisco’s GHG emissions have been measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded Executive Order S-3-05, Assembly Bill 32, and the *Bay Area 2010 Clean Air Plan’s* GHG reduction goals for the year 2020. The proposed project was determined to be consistent with San Francisco’s GHG Reduction Strategy. Other existing regulations, such as those implemented through Assembly Bill 32, will continue to reduce a proposed project’s contribution to climate change. Therefore, the proposed project’s GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and the proposed project’s contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment.

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

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

Wind

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. Although the heights of the proposed buildings would be 40 to 68 feet¹⁸ and the buildings would be taller than the immediately adjacent buildings, they would be similar in height to existing buildings in the surrounding area. For these reasons, the proposed project is

¹⁶ CO₂E, defined as equivalent carbon dioxide, is a quantity that describes other greenhouse gases in terms of the amount of carbon dioxide that would have an equal global warming potential.
¹⁷ Memorandum from Jessica Range to Environmental Planning Division staff, Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods PEIR and provides an analysis of the emissions using a service population (equivalent of total number of residents and employees) metric.
¹⁸ 1801 Mission Street is within a 68-X Height and Bulk District, and 1863 Mission Street is within 40-X and 65-X Height and Bulk Districts.

not anticipated to cause significant wind impacts that were not identified in the Eastern Neighborhoods PEIR.

Shadow

Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Under the Eastern Neighborhoods Rezoning and Area Plans, sites surrounding parks could be redeveloped with taller buildings without triggering Planning Code Section 295, because certain parks are not subject to Section 295 (i.e., they are under the jurisdiction of government agencies other than the Recreation and Park Commission or privately owned). The Eastern Neighborhoods PEIR could not conclude if the implementation of the Area Plans would result in less-than-significant shadow impacts, because the feasibility of complete mitigation for potential new shadow impacts of unknown proposals could not be determined at that time. Therefore, the PEIR determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the PEIR.

The proposed project would construct two buildings on non-contiguous vacant lots. The heights of the proposed buildings would be 40 to 68 feet; therefore, the Planning Department prepared a preliminary shadow fan analysis to determine whether the proposed project would have the potential to cast new shadow on nearby parks. The shadow fan analysis prepared by the Planning Department determined that the project as proposed would not cast shadow on any nearby parks.¹⁹

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

For these reasons, the proposed project would not result in significant shadow impacts that were not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
9. RECREATION—Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

¹⁹ San Francisco Planning Department, Shadow Fan Analysis for 1801, 1863, and 1875 Mission Street, January 22, 2010. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2009.1011E.

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

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

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

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

<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 Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a significant impact to public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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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"/> |

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

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

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

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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"/>

<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>
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 Eastern Neighborhoods PEIR concluded that implementation of the Eastern Neighborhoods Rezoning and Area Plans would indirectly increase the population that would be subject to an earthquake, including seismically induced ground shaking, liquefaction, and landslides. The PEIR also noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risks, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Thus, the PEIR concluded that implementation of the Eastern Neighborhoods Rezoning and Area Plans would not result in significant impacts related to geology, and no mitigation measures were identified in the Eastern Neighborhoods PEIR.

Because the project site consists of two non-contiguous lots along Mission Street, two geotechnical investigations were prepared for the proposed project.

1801 Mission Street

The geotechnical report recommends that the proposed building be supported on a mat foundation and supported by deep-seated piers or densified soils. If excavations are made below the footings of adjacent buildings and city sidewalks, shoring underpinning will be required. Retaining walls must be designed to resist lateral earth pressures and additional lateral pressures that may be caused by surcharge loads applied at the ground surface behind the walls. Adequate drainage systems should be provided and connected to the City's sewer system in accordance with City requirements. An approximately 2.5-foot-thick mat concrete slab foundation would be constructed, requiring eight to 12 feet of excavation. If the

soil densification option is chosen to support the mat foundation, soil densification to a depth of 18 feet below existing grade would be required.²⁰

1863 Mission Street

The geotechnical report recommends that the proposed building be supported on a mat foundation on the dense underlying sand material. The foundation should extend into the bearing material a minimum of 18 inches. Imported material shall be compacted to a minimum of 95 percent relative compaction. If excavations are made below the footings of adjacent buildings and city sidewalks, shoring underpinning will be required. Retaining walls must be designed to resist lateral earth pressures and additional lateral pressures that may be caused by surcharge loads applied at the ground surface behind the walls. Adequate drainage systems should be provided and connected to the City’s sewer system in accordance with City requirements. As discussed in the project description, an approximately 2.5-foot-thick mat concrete slab foundation would be constructed, requiring eight to 12 feet of excavation.²¹

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

For these reasons, the proposed project would not result in significant impacts related to geology and soils that were not identified in the Eastern Neighborhoods PEIR, and no mitigation measures are necessary.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
14. HYDROLOGY AND WATER QUALITY—Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

²⁰ P. Whitehead and Associates Consulting Engineers, *Geotechnical Report for 1801 Mission Street*, February 28, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2009.1011E.

²¹ P. Whitehead and Associates Consulting Engineers, *Geotechnical Report for 1863 Mission Street*, February 10, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2009.1011E.

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

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

Both of the existing lots are completely paved, so construction of the proposed project would not increase the area of impervious surfaces. As a result, the proposed project would not increase stormwater runoff.

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

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
15. HAZARDS AND HAZARDOUS MATERIALS—Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input 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"/>
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

During operations, the PEIR found that businesses that use or generate hazardous substances (cleaners, solvents, etc.), would be subject to existing regulations that would protect workers and the community from exposure to hazardous materials during operations. In addition, compliance with existing building and fire codes would reduce impacts related to potential fire hazards, emergency response, and evacuation hazards to less-than-significant levels.

Hazardous Building Materials

The Eastern Neighborhoods PEIR determined that future development in the Plan Area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the PEIR include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead-based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. The Eastern Neighborhoods PEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that that Mitigation Measure L-1: Hazardous Building Materials, would reduce effects to less-than-significant levels. Because the proposed development includes demolition of an existing building located at 1801 Mission Street, Mitigation Measure L-1 applies to the proposed project as Project Mitigation Measure M-HZ-1. The full text of Mitigation Measure M-HZ-1 is provided in the Mitigation and Improvement Measures section below.

Soil and Groundwater Contamination

A portion of the project site, 1801 Mission Street, is located in a Maher Area.^{22, 23} The proposed project would require excavation to depths varying from eight to 12 feet below ground surface. In total, approximately 5,500 cubic yards of soil would be excavated at the project site. The soil would either be used at the project site or disposed of in accordance with current regulations. For these reasons, the proposed project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the proposed project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal 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 entered the project into the Maher program and submitted Phase I ESAs and Phase II Subsurface Investigation reports to the DPH; these reports are summarized below.

Previous activities on the project site used or likely used hazardous materials. The lot at 1801 Mission Street was previously used for automobile parking and automobile storage. Previous uses of the lot at

²² A site in a Maher Area is known or suspected to contain contaminated soil and/or groundwater.

²³ According to the San Francisco Planning Department's GIS database, 1863 Mission Street is not located within a Maher Area. Database accessed on January 30, 2015.

1863 Mission Street include a lumber mill, automobile parking, and automobile storage.^{24, 25} The subsurface investigation conducted at 1801 and 1863 Mission Street to evaluate soil, soil vapor, and groundwater conditions indicated that concentrations of tetrachloroethene, trichloroethene, and cis-1,2-Dichloroethene in groundwater are below the environmental screening levels (ESLs) established by the San Francisco Bay Regional Water Quality Control Board.²⁶ Concentrations of phenol in soil are below established ESLs. The results also indicated that the following chemicals were encountered in concentrations above established ESLs: arsenic in soil; cyanide, methane, and nickel in groundwater; and ethylbenzene and benzene in soil vapor.^{27, 28}

The proposed project is not on a site that is included on any list compiled pursuant to Section 65962.5 of the Government Code. However, there are reports of off-site spills that could have significant impacts on the soil or groundwater beneath the project site. The proposed project would be required to remediate potential soil contamination described above in accordance with Article 22A of the Health Code. Therefore, the proposed project would not result in any significant impacts related to hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

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

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

²⁴ AEI Consultants, *Phase I Environmental Site Assessment for 1801 Mission Street*, March 18, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2009.1011E.

²⁵ AEI Consultants, *Phase I Environmental Site Assessment for 1863 Mission Street*, March 18, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2009.1011E.

²⁶ ESLs provide conservative screening levels for over 100 chemicals commonly found at sites with contaminated soil and groundwater. They are intended to help expedite the identification and evaluation of potential environmental concerns at contaminated sites. ESLs address a range of media (soil, groundwater, soil gas, and indoor air) and a range of concerns (e.g., impacts to drinking water, vapor intrusion, and impacts to aquatic life). http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/esl.shtml, accessed January 30, 2015.

²⁷ AEI Consultants, *Phase II Subsurface Investigation for 1801 Mission Street*, April 18, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2009.1011E.

²⁸ AEI Consultants, *Phase II Subsurface Investigation for 1863 Mission Street*, April 18, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2009.1011E.

The Eastern Neighborhoods PEIR determined that the Eastern Neighborhoods Rezoning and Area Plans would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy in a wasteful manner or in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by the Department of Building Inspection. The Plan Area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the Eastern Neighborhoods PEIR concluded that implementation of the Eastern Neighborhoods Rezoning and Area Plans 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 scope of development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on mineral and energy resources beyond those analyzed in the Eastern Neighborhoods PEIR.

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

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

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

MITIGATION AND IMPROVEMENT MEASURES

Project Mitigation Measure M-CP-1: Archeological Testing

Based on a reasonable presumption that archeological resources may be present on 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 archeological consultant from the rotational Department Qualified Archeological Consultants List (QACL) maintained by the Planning Department archeologist. The project sponsor shall contact the Planning 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 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 4 weeks. At the direction of the ERO, the suspension of construction can be extended beyond 4 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 Section 15064.5 (a)(c).

Consultation with Descendant Communities. On discovery of an archeological site²⁹ associated with descendant Native Americans, the Overseas Chinese, or other descendant group, an appropriate representative³⁰ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site, and to consult with ERO regarding appropriate archeological treatment of the site; of recovered data from the site; and if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archeological 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

²⁹ The term "archeological site" is intended to minimally include any archeological deposit, feature, burial, or evidence of burial.

³⁰ An "appropriate representative" of the descendant group is defined, in the case of Native Americans, as 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 Planning Department archeologist.

archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.

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

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

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

The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to the commencement of any project-related soils-disturbing activities. The ERO, in consultation with the archeological consultant, shall determine which 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.), or site remediation shall require archeological monitoring because of the risk these activities pose to potential archeological 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 the 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 accordance 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. 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 De-accession Policy.** Description of and rationale for field and post-field discard and de-accession 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, who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines, Section 15064.5[d]). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

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

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one copy, and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the 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/CRHR. 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 M-NO-1: Construction Noise from Pile Driving (Mitigation Measure F-1 of the Eastern Neighborhoods PEIR)

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

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

The project sponsor shall develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection (DBI) to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;

- Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;
- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements; and
- Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.

Project Mitigation Measure M-NO-3: Open Space in Noisy Environments (Mitigation Measure F-6 of the Eastern Neighborhoods PEIR)

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

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

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

A. Engine Requirements.

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

operators of the two-minute idling limit.

4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. Waivers.

1. The Planning Department's Environmental Review Officer (ERO) or designee may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for on-site power generation meets the requirements of Subsection (A)(1).
2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to the table below.

Table – Off-Road Equipment Compliance Step-down Schedule

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

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

** Alternative fuels are not a VDECS.

- C. Construction Emissions Minimization Plan.** Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.

1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every

construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.

2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.
 3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.
- D. *Monitoring.* After start of construction activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.

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

The project sponsor shall ensure that any equipment containing polychlorinated biphenyls (PCBs) or di (2 ethylhexyl) phthalate (DEHP), such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.