



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2013.0066E
Project Address: 520 9th Street
Zoning: UMU (Urban Mixed Use) District
40-X Height and Bulk District
Block/Lot: 3526/005
Lot Size: 4,778 square feet
Plan Area: Eastern Neighborhoods (Showplace Square/Potrero Hill Plan Area)
Project Sponsor: Gabriel Ng, Gabriel Ng + Architects, Inc., (415) 682-8060
Staff Contact: Erik Jaszewski, (415) 575-6813, Erik.Jaszewski@sfgov.org

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PROJECT DESCRIPTION:

The project site is located on the western side of 9th Street, between Brannan and Bryant Streets, within the South of Market (SoMa) neighborhood. The proposed project would remove an existing surface parking lot on the site and construct a four-story, approximately 40-foot-tall, 9,000 square-foot residential building with 12 dwelling units. Seven car parking spaces and 12 bicycle parking spaces are proposed for the building's ground floor. The existing curb cut would be reduced in width, and three new street trees would be installed along the remainder of the building's sidewalk frontage. No off-street loading is proposed.

(Continued on next page.)

EXEMPT STATUS:

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

REMARKS:

(See next page.)

DETERMINATION:

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


SARAH B. JONES
Environmental Review Officer

June 16, 2014
Date

cc: Gabriel Ng, Project Sponsor
Brittany Bendix, Current Planner
Supervisor Jane Kim, District 6

Virna Byrd, M.D.F.
Exclusion/Exemption Dist. List

PROJECT DESCRIPTION (continued):**Project Approval**

The proposed project would require the following approvals:

- **Variance** (*Zoning Administrator*). The proposed project would require a variance from the Planning Code as the project would not meet the Code-required rear yard under Section 134.
- **Building Permit** (*Department of Building Inspection*). The proposed project would require approval from DBI for a site permit.

The proposed project is subject to notification under Section 312 of the Planning Code. If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project. If no Discretionary Review is requested, the issuance of a building permit by DBI is the Approval Action. 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.

REMARKS:

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

This determination evaluates the potential project-specific environmental effects peculiar to the 482 Bryant Street project described above, and incorporates by reference information contained within the Eastern Neighborhoods Rezoning and Area Plans Final EIR (FEIR) (Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048), which is the underlying EIR for the proposed project. Project-specific studies summarized in this determination were prepared for the proposed project to determine if there would be any additional potentially significant impacts attributable to (i.e., "peculiar" to) the proposed project.

This determination assesses the proposed project's potential to cause environmental impacts and concludes that the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the FEIR. This determination does not identify new or additional information that would alter the conclusions of the FEIR. In addition, this determination identifies mitigation measures contained in the FEIR that would be applicable to the proposed project. Relevant information pertaining to prior environmental review conducted for the FEIR

as well as an evaluation of potential environmental effects are provided in the Community Plan Exemption (CPE) Checklist for the proposed project.¹

BACKGROUND:

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

During the Eastern Neighborhoods adoption phase, the Planning Commission held public hearings to consider the various aspects of the proposed area plans, and Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods FEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.^{2,3}

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods Rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

The Eastern Neighborhoods FEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a "No Project" alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the FEIR.

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

¹ The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.0629E.

² San Francisco Planning Department. Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR), Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

³ San Francisco Planning Department. San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed August 17, 2012.

APPLICABILITY:

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required.

The 520 9th Street site is located in the Showplace Square/Potrero Hill Plan Area of the Eastern Neighborhoods. As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to a 40-X Height and Bulk District, as well as an Urban Mixed Use (UMU) District. The UMU District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. The proposed project is consistent with uses permitted within the UMU District. As discussed above, the Eastern Neighborhoods FEIR determined that adoption of the Area Plan would result in an unavoidable significant impact on land use due to the cumulative loss of PDR. Although the vacant project site has the potential to accommodate future PDR uses, the 4,778-square-foot site is too small to make a considerable contribution to the loss of Plan-wide PDR opportunity areas.

This determination finds that the Eastern Neighborhoods FEIR adequately anticipated and described the impacts of the proposed 520 9th Street project, and identified the mitigation measures applicable to the 520 9th Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{4,5} Therefore, no further CEQA evaluation for the 520 9th Street project is required. In sum, the Eastern Neighborhoods FEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

As noted above, this determination concludes that the proposed project at 520 9th Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods FEIR.

PROJECT SETTING:

The block of 9th Street between Bryant and Brannan Streets, on which the project site is located, consists of primarily commercial uses with some office uses. The surrounding buildings generally reach between two and five stories in height, and are characterized by masonry construction materials with large windows along their façades; however, a large-scale, modern commercial shopping structure faces the site. Some residential uses exist in the surrounding area, but the area is primarily commercial in character. This area of SoMa acts as a transitional area between neighborhoods, as the Mission, Showplace Square, Potrero Hill and SoMa neighborhoods intersect nearby. The site is bordered by an off-ramp from Highway 101, with Interstate 80 and Highway 101 adjacent to the subject block.

⁴ Varat, Adam, San Francisco Planning Department. Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, Case No. 2013.0066E, 520 9th Street. April 23, 2014. This document is on file and available for review as part of Case File No. 2013.0066E.

⁵ Jeff Joslin, San Francisco Planning Department. Community Plan Exemption Eligibility Determination, Current Planning, Case No. 2013.0066E, 520 9th Street. April 1, 2014. This document is on file and available for review as part of Case File No. 2013.0066E.

POTENTIAL ENVIRONMENTAL EFFECTS:

The Eastern Neighborhoods FEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods project. The proposed 520 9th Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods FEIR^{6,7} and would represent a small part of the growth that was forecast for the Eastern Neighborhoods. Thus, the project analyzed in the Eastern Neighborhoods FEIR considered the incremental impacts of the proposed 520 9th Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods FEIR.

Significant and unavoidable impacts were identified for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would not remove any existing PDR uses and would therefore not contribute to any land use impact. The project would not result in demolition, alteration, or modification of any historic resources or buildings constructed before 1964, and would not result in construction over 50 feet in height. Therefore, the project would not contribute to any historic resource impact. Traffic and transit ridership generated by the project would not considerably contribute to the traffic and transit impacts identified in the Eastern Neighborhoods FEIR. As the project would not exceed 40 feet in height, the project would not be expected to have a shadow impact on surrounding parks.

The Eastern Neighborhoods FEIR identified feasible mitigation measures to address significant impacts related to: Noise (Mitigation Measures F-1, F-2, F-3, F-4, F-5, and F-6), Air Quality (Mitigation Measures G-2, G-3, and G-4), Archeological Resources (Mitigation Measures J-1, J-2, and J-3), Historical Resources (Mitigation Measures K-1, K-2, and K-3), Hazardous Materials (Mitigation Measure L-1), and Transportation (Mitigation Measures E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-8, E-9, E-10, and E-11).

As analyzed and discussed in the CPE Checklist, the project at 520 9th Street would not result in any project-specific impacts related to noise, archeological resources, or hazardous materials. Furthermore, the proposed project would not considerably contribute to impacts related to land use, transportation or historical resources.

As discussed in the CPE Checklist, a portion of Eastern Neighborhoods FEIR Air Quality Improvement Measures G-1 and G-2 were determined to apply to the proposed project. The project's temporary and variable construction activities would result in short-term emissions of diesel particulate matter and other toxic air contaminants that would add emissions to areas already adversely affected by poor air quality, identified as an area of poor air quality. The project would also site sensitive residential uses in an area of poor air quality, necessitating the use of enhanced ventilation measures to improve interior air quality for residents. Additionally, Eastern Neighborhoods FEIR Noise Mitigation Measures F-2 and F-6 were determined to apply to the proposed project. As the site is located in an area with excessive traffic-related

⁶ Varat, Adam, San Francisco Planning Department. Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, Case No. 2013.0066E, 520 9th Street. April 23, 2014. This document is on file and available for review as part of Case File No. 2013.0066E.

⁷ Jeff Joslin, San Francisco Planning Department. Community Plan Exemption Eligibility Determination, Current Planning, Case No. 2013.0066E, 520 9th Street. April 1, 2014. This document is on file and available for review as part of Case File No. 2013.0066E.

noise levels, noise attenuation measures would be required during the construction phase to reduce construction-related noise impacts to less-than-significant levels. Furthermore, design features shielding the project's required open space are required to reduce noise effects on residents using the open space to less-than-significant. Please see the attached Mitigation Monitoring and Reporting Program (MMRP) for the complete text of applicable mitigation and improvement measures.

With implementation of Project Mitigation Measures 1 and 2, along with Improvement Measures 1 and 2, the proposed project would not result in significant impacts beyond those analyzed in the FEIR.⁸ The Eastern Neighborhoods FEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

Public Notice and Comment

A "Notification of Project Receiving Environmental Review" was mailed on January 24, 2014 to adjacent occupants and owners of properties within 300 feet of the project site. The Planning Department received one public comment in support of the project as a way to increase housing affordability through providing greater housing supply.

Conclusion

The Eastern Neighborhoods Plan FEIR incorporated and adequately addressed all potential impacts of the proposed 520 9th Street project. As described above, the proposed project would not have any project-specific significant adverse effects that are peculiar to the project or its site that were not examined in the Eastern Neighborhoods Plan FEIR, nor has any new or additional information come to light that would alter the conclusions of the Eastern Neighborhoods Plan FEIR. Thus, the proposed project would not have any new significant effects on the environment not previously identified in the Eastern Neighborhoods Plan FEIR, nor would any environmental impacts be substantially greater than described in the Eastern Neighborhoods Plan FEIR. Therefore, the proposed project is exempt from further environmental review pursuant to Section 21083.3 of CEQA and Section 15183 of the CEQA Guidelines.

⁸ Please refer the CPE Checklist for a complete discussion.



SAN FRANCISCO PLANNING DEPARTMENT

Community Plan Exemption Checklist

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Project Address: 520 9th Street
Zoning: UMU (Urban Mixed Use) District
40-X Height and Bulk District
Block/Lot: 3526/005
Lot Size: 4,778 square feet
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Project Approval

The proposed project would require the following approvals:

- **Variance** (*Zoning Administrator*). The proposed project would require a variance from the Planning Code as the project would not meet the Code-required rear yard under Section 134.
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The proposed project is subject to notification under Section 312 of the Planning Code. If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project. If no Discretionary Review is requested, the issuance of a building permit by DBI is the Approval Action. 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.

FIGURE 1 - PROJECT LOCATION



FIGURE 2 - PROPOSED ELEVATIONS



GABRIEL NG + ARCHITECTS INC.
1360 9th AVENUE, SUITE 210
SAN FRANCISCO CA 94122
415-683-8080 FAX 510-281-1359

**NEW 12-UNIT CONDO BUILDING
520 9TH STREET**
BLOCK 3526, LOT 005
SAN FRANCISCO, CA 94133

FRONT & REAR ELEVATIONS

SCALE: 1/8"=1'-0"
DATE: 8/11/2013

A-2.1

FIGURE 2 – PROPOSED ELEVATIONS (CONTINUED)



EVALUATION OF ENVIRONMENTAL EFFECTS:

This Community Plan Exemption (CPE) Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether such impacts are addressed in the applicable programmatic environmental impact report (PEIR), in this case the Eastern Neighborhoods Rezoning and Area Plans Final EIR (FEIR) (Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048).^{1,2} Items checked "Project-Specific Significant Impact Not Identified in PEIR" identify topics for which the proposed project would result in a significant impact that is peculiar to the project, i.e., the impact is not identified as significant in the PEIR. Any impacts not identified in the PEIR are addressed in the CPE Checklist below.

Items checked "Significant Unavoidable Impact Identified in PEIR" identify topics for which a significant impact is identified in the PEIR. In such cases, the analysis considers whether the proposed project would result in impacts that would contribute to the impact identified in the PEIR. Mitigation measures identified in the PEIR are discussed under each topic area, and mitigation measures that are applicable to the proposed project are identified under each topic area and on page 40.

For any topic that was found to result in less-than-significant (LTS) impacts in the PEIR and for the proposed project, or would have no impacts, the topic is marked "No Significant Impact (Project or PEIR)" and is discussed in the CPE Checklist below.

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 in determining the significance of project impacts under CEQA.³

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¹ In this CPE Checklist, the acronyms "FEIR" and "PEIR" both refer to the Eastern Neighborhoods Plan FEIR and are used interchangeably.

² San Francisco Planning Department, Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR), Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

³ San Francisco Planning Department. Transit-Oriented Infill Project Eligibility Checklist for 520 9th Street, 4/7/2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2013.0066E.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or 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 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 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Eastern Neighborhoods FEIR determined that adoption of the Area Plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR. Although the vacant project site has the potential to accommodate future PDR uses, the 4,778-square-foot site is too small to make a considerable contribution to the loss of Plan-wide PDR opportunity areas. Therefore, the project would not contribute to any impact related to loss of PDR uses that was not identified in the Eastern Neighborhoods FEIR. Furthermore, the Citywide Planning and Neighborhood Planning Divisions of the Planning Department have determined that the proposed project is permitted in the UMU District and is consistent with the height, density, and land uses as specified in the Showplace Square/Potrero Hill Subarea of the Eastern Neighborhoods Area Plan, maintaining the mixed-use character of the area by encouraging commercial and service-related development.^{4,5}

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

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⁴ Varat, Adam, San Francisco Planning Department. Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, Case No. 2013.0066E, 520 9th Street. April 23, 2014. This document is on file and available for review as part of Case File No. 2013.0066E

⁵ Jeff Joslin, San Francisco Planning Department. Community Plan Exemption Eligibility Determination, Current Planning, Case No. 2013.0066E, 520 9th Street. April 1, 2014. This document is on file and available for review as part of Case File No. 2013.0066E

Topics:	Project-Specific Significant Impact Not Identified in PEIR	Significant Unavoidable Impact Identified in PEIR	Mitigation Identified in PEIR	PEIR Mitigation Applies to Project	PEIR Mitigation Does Not Apply to Project	No Significant Impact (Project or PEIR)
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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The proposed project’s residential use would be expected to add approximately 28 tenants to the site. These direct effects of the proposed project on population and housing are within the scope of the population growth anticipated under the Eastern Neighborhoods Rezoning and Area Plans, and evaluated in the Eastern Neighborhoods FEIR

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

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<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
3. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:						
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco <i>Planning Code</i> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input checked="" 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Historic Architectural Resources

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The Eastern Neighborhoods FEIR determined that future development facilitated through the changes in use districts and height limits under the Eastern Neighborhoods Area Plan could have substantial adverse changes on the significance of both individual historical resources and on historical districts within the Plan Area. The FEIR determined that approximately 32 percent of the known or potential historical resources in the Plan Area could potentially be affected under the preferred alternative. The Eastern Neighborhoods FEIR found this impact to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

The project site is currently a vacant, fully-paved lot which is neither considered an historic resource, nor is it located within a designated historic district. Furthermore, the proposed project would not result in the demolition or alteration of any historic resource. Therefore, it would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods FEIR, 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 FEIR.

Archeological Resources

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

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

The proposed project at 520 9th Street would involve soil disturbance and approximately two feet of below-grade excavation in an area where no previous archeological studies have been prepared. Therefore the project would be subject to Mitigation Measure J-2. The Department conducted a Preliminary Archeological Review (PAR) of the project and determined that it would not have the potential to adversely affect archeological resources on the site.⁶ The PAR fulfills Mitigation Measure J-2, and no additional review or project mitigation is required. Therefore, the proposed project would not result in any significant impacts on archeological resources that were not identified in the Eastern Neighborhoods FEIR.

For these reasons, the proposed project would not result in significant impacts on cultural and paleontological resources that were not identified in the Eastern Neighborhoods FEIR.

Topics:	Project-Specific Significant Impact Not Identified in PEIR	Significant Unavoidable Impact Identified in PEIR	Mitigation Identified in PEIR	PEIR Mitigation Applies to Project	PEIR Mitigation Does Not Apply to Project	No Significant Impact (Project or PEIR)
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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

⁶ Allison Vanderslice, San Francisco Planning Department. *Environmental Planning Preliminary Archeological Review: 520 9th Street*. March 27, 2014. This report is available for review as part of Case No. 2013.0066E.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
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 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 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Eastern Neighborhoods FEIR 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 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 FEIR.

However, the Eastern Neighborhoods FEIR 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 at certain local intersections and the cumulative impacts on certain transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable.

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, the Community Plan Exemption Checklist topic 5c is not applicable.

Trip Generation

The proposed project involves construction of a four-story, approximately 9,000 square-foot residential building. Seven car parking and 12 bicycle parking spaces are included as part of the 520 9th Street project.

Trip generation of the proposed project was calculated using information in the 2002 *Transportation Impact Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department. The proposed project would generate an estimated 19 p.m. peak-hour person-trips (inbound and outbound) on a weekday daily basis, consisting of eight person-trips by auto, seven transit trips, three walking trips and two trips by other modes (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 1,500 feet) include the Harrison/8th Street, Bryant/8th Street, Bryant/9th Street, Brannan/8th Street, and Brannan/10th Street intersections. Table 1 provides existing and cumulative LOS data gathered for these intersections, per the *Eastern Neighborhoods Rezoning and Area Plans Final EIR*.⁷

Table 1

<u>Intersection</u>	<u>Existing LOS (2000)</u>	<u>Cumulative LOS (2025)</u>
Harrison/8 th Street	D	F
Bryant/8 th Street	D	F
Bryant/9 th Street	D	F
Bryant/10 th Street	B	C
Brannan/8 th Street	C	E
Brannan/10 th Street	E	F

Source: 801 Brannan & 1 Henry Adams Transportation Study.

The proposed project would generate an estimated 19 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, and would not substantially increase average delay at intersections that currently operate at unacceptable LOS.

The Eastern Neighborhoods FEIR determined that each of the rezoning options would have significant and unavoidable cumulative (2025) impacts relating to weekday p.m. peak hour traffic conditions, with the Preferred Project having significant impacts at several intersections near the project site. Those intersections include Harrison/8th Street, Bryant/8th Street, Bryant/9th Street, Brannan/8th Street, and Brannan 10th Street. Specific mitigation measures were not proposed for the above intersections, but general mitigation measures were proposed for the entire Plan Area, which include intelligent traffic management, enhanced transportation funding, and parking management to discourage driving.

The proposed project would not contribute considerably to these conditions as its contribution of an estimated 19 new p.m. peak-hour vehicle trips would not be a substantial proportion of the overall traffic volume or of the new vehicle trips generated by Eastern Neighborhoods' Plan projects. The proposed project would also not contribute considerably to 2025 cumulative conditions and thus, the proposed project would not have any significant cumulative traffic impacts.

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

Transit

The project site is located within a quarter mile of several local transit lines including Muni lines 8AX, 8BX, 8X, 12, 30, 45, and 91. The proposed project would be expected to generate 123 daily transit trips, including 11 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 11 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.

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

Each of the rezoning options in the Eastern Neighborhoods FEIR 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, the project site is located within a quarter-mile of Muni lines 9, 12, 27, and 47. Mitigation Measures E-5, E-6, E-7, E-8, and E-9 would address these impacts for Muni lines in the Eastern Neighborhoods by pursuing enhanced transit funding; conducting transit corridor and service improvements; increasing transit accessibility; expanding storage/maintenance capabilities; and providing service information. 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 identified significant and unavoidable cumulative transit impacts was adopted as part of the FEIR Certification and project approval.

The proposed project would not contribute considerably to these conditions as its minor contribution of 7 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood 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 the above reasons, the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods FEIR related to transit and would not contribute considerably to cumulative transit impacts that were identified in the Eastern Neighborhoods FEIR.

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 the decision makers. Therefore, this determination presents a parking demand analysis for informational purposes.

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

⁸ San Francisco Planning Department, Transit-Oriented Infill Project Eligibility Checklist for 520 9th Street, 4/7/2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0066E.

depend on the magnitude of the shortfall and the ability of drivers to change travel patterns or switch to 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 Polices, including those in the Transportation Element. The City's Transit First Policy, established in the City's 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 (i.e. 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.

The parking demand for the new uses associated with the proposed project was determined based on the methodology presented in the Transportation Guidelines. On an average weekday, the demand for parking would be for 17 spaces. The proposed project would provide seven off-street spaces. Thus, as proposed, the project would have an unmet parking demand of an estimated 10 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 transit or vehicle delays would be created.

The Planning Code does not require provision of any off-street parking spaces for the proposed project. 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. If the project were ultimately approved with no off-street parking spaces, the proposed project would have an unmet demand of 17 spaces. As mentioned above, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces nearby and through alternative modes such as public transit and bicycle facilities. 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 being provided, would not result in significant delays or hazardous conditions.

In summary, the proposed project would not result in a substantial parking shortfall that would create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians.

<u>Topics:</u>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Eastern Neighborhoods FEIR 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). Mitigation Measure F-1 does not apply because the proposed project would not involve pile-driving. However, the project could involve noisy construction activities. Therefore, eastern

Neighborhoods Mitigation Measure F-2 applies to the project and has been identified as Project Mitigation Measure 1. Compliance with this mitigation measure would result in less-than-significant construction noise impacts. The project sponsor has agreed to implement Project Mitigation Measure 1, as detailed on pages 33 to 36.

In addition, all construction activities for the proposed project (approximately 10 months) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). Construction noise is regulated by the Noise Ordinance. The Noise Ordinance requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA⁹ (L_{dn} ¹⁰) at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) or the Director of the Department of Building Inspection (DBI) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of DPW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately seven months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary (approximately 10 months), intermittent, and restricted in occurrence and level, as the contractor would be subject to and would comply with the Noise Ordinance.

Eastern Neighborhoods FEIR Mitigation Measures F-3, F-4, F-5, and F-6 include additional measures for individual projects that include new noise-sensitive uses. Mitigation Measure 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 (L_{dn}). As the project is located in an area where traffic-related noise exceeds 60 dBA (L_{dn}) and involves construction of a residential building (a noise-sensitive use), Mitigation Measures F-3 and F-4 apply to the project. Accordingly, the project sponsor has conducted an environmental noise study demonstrating that the proposed project can feasibly attain acceptable interior noise levels consistent with Title 24.¹¹

Eastern Neighborhoods FEIR Mitigation Measure F-5 addresses impacts related to individual projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise in the proposed project site vicinity. The project does not include such noise-generating uses, thus Mitigation Measure F-5 is not applicable to the project.

⁹ The dBA, or A-weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sounds of different frequencies. On this scale, the normal range of human hearing extends from about 0 dBA to about 140 dBA. A 10-dBA increase in the level of a continuous noise represents a perceived doubling of loudness.

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

¹¹ Walsh • Norris & Associates, Inc., Architectural Acoustic Consultants. *Acoustical Evaluation: Exterior Noise Report 520 9th Street San Francisco, CA*. Acoustical Analysis. July 18, 2013. This report is available for review as part of Case No. 2013.0066E.

Mitigation Measure F-6 requires that open space required under the Planning Code for individual projects located in noisy areas be protected, to the maximum feasible extent, from existing ambient noise levels. As previously discussed, the project is located in an area where traffic-related noise levels exceed 60 dBA (L_{dn}). The project includes approximately 2,900 square feet of open space, divided between two private decks on the second floor and a common deck on the roof. Therefore, Eastern Neighborhoods Mitigation Measure F-6 applies the project, and has been identified as Project Mitigation Measure 2. Compliance with this mitigation measure would result in less-than-significant noise impacts on noise-sensitive receptors.

The project site is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, the Community Plan Exemption Checklist topics 6e and 6f are not applicable.

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

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
6. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.— 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Eastern Neighborhoods FEIR identified significant air quality impacts related to construction activities that may cause wind-blown dust and pollutant emissions; roadway-related air quality impacts on sensitive land uses; and the siting of uses that emit diesel particulate matter (DPM) and toxic air contaminants (TACs) as part of everyday operations. These significant impacts would conflict with the applicable air quality plan at the time, the Bay Area 2005 Ozone Strategy. The Eastern Neighborhoods FEIR identified four mitigation measures that would reduce air quality impacts to less-than-significant levels.

Also subsequent to publication of the Initial Study, the Bay Area Air Quality Management District (BAAQMD), the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), provided updated 2011 BAAQMD CEQA Air Quality Guidelines (Air Quality Guidelines),¹² which provided new methodologies for analyzing air quality impacts, including construction activities. The Air Quality Guidelines provide screening criteria for determining whether a project's criteria air pollutant emissions may 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. If a project meets the screening criteria, then the lead agency or applicant would not need to perform a detailed air quality assessment of the proposed project's air pollutant emissions and construction or operation of the proposed project would result in a less-than-significant air quality impact.

For determining potential health risk impacts, San Francisco has partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco and identify portions of the City in which there are additional health risks for affected populations ("Air Pollutant Exposure Zone"). The Air Pollutant Exposure Zone was identified based on two health based criteria:

- (1) Excess cancer risk from all sources > 100; and
- (2) PM_{2.5}¹³ concentrations from all sources including ambient >10µg/m³.¹⁴

Sensitive receptors¹⁵ within the Air Pollutant Exposure Zone are more at risk for adverse health effects from exposure to substantial air pollutant concentrations than sensitive receptors located outside the Air Pollutant Exposure Zone. These locations (i.e., within the Air Pollutant Exposure Zone) require additional consideration when projects or activities have the potential to emit TACs, including DPM emissions from temporary and variable construction activities.

Eastern Neighborhoods FEIR Mitigation Measure G-1 requires individual projects that include construction activities to include dust control measures and maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. This mitigation measure was identified in the Initial Study. Subsequent to publication of the Initial Study, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of 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). Construction activities from the proposed project would result in dust, primarily from ground-disturbing activities. The proposed project would be subject to and would comply with the Construction Dust Control Ordinance, therefore the portions of Mitigation Measure G-1 that deal with dust control are not applicable to the proposed project.

¹² Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011.

¹³ PM_{2.5} is defined as particulate matter less than 2.5 micrometers in diameter, often called "fine" particles.

¹⁴ A microgram per cubic meter (µg/m³) is a derived System International measurement unit of density—measuring volume in cubic meters—used to estimate weight or mass in micrograms.

¹⁵ The 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. Bay Area Air Quality Management District (BAAQMD), Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

The remaining portions of Mitigation Measure G-1 require projects to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. For projects with construction activities located in an Air Pollutant Exposure Zone, compliance with Mitigation Measure G-1 would require submittal of a Construction Emissions Minimization Plan to the Environmental Review Officer for review and approval. The project site is not located within an identified Air Pollutant Exposure Zone. Construction activities from the proposed project would result in DPM and other TACs from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction would last approximately 10 months. Diesel equipment including a light duty excavator, light duty forklift, and heavy duty concrete trucks would be required for approximately three months of the project's construction phase. Therefore, the construction of the proposed project would not expose sensitive receptors to substantial pollutant concentrations. In addition, the proposed project meets the construction screening criteria provided in the BAAQMD studies for construction-related criteria air pollutants. Although the proposed project is not within an Air Pollutant Exposure Zone, Eastern Neighborhoods Mitigation Measure G-1 has been identified as an improvement measure to further reduce these less-than-significant impacts. The applicable portions of Eastern Neighborhoods Mitigation Measure G-1 are reflected in Project Improvement Measure 1 (see pages 33 to 36) which includes updated construction emissions minimization measures. Compliance with this mitigation measure would result in less-than-significant impacts from construction vehicles and equipment. The project sponsor has agreed to implement Project Improvement Measure 1, as detailed on pages 33 to 36.

Mitigation Measure G-2 requires new residential development near high-volume roadways and/or warehousing and distribution centers to include an analysis of DPM and/or TACs, and, if warranted, to incorporate upgraded ventilation systems to minimize exposure of future residents to DPM and other pollutant emissions, as well as odors. The proposed project would include construction of a 12-unit residential building and is considered a sensitive land use for purposes of air quality evaluation. As discussed above, San Francisco, in partnership with the BAAQMD, has modeled and assessed air pollutant impacts from mobile, stationary and area sources within the City. This assessment has resulted in the identification of the Air Pollutant Exposure Zone. The proposed project would site sensitive land uses, but not within the Air Pollutant Exposure Zone; therefore, the proposed project would result in a less-than-significant impact with respect to exposing sensitive receptors to substantial levels of air pollution. Although the proposed project is not within an Air Pollutant Exposure Zone, Eastern Neighborhoods Mitigation Measure G-2 has been identified as Project Improvement Measure 2 to further reduce these less-than-significant impacts. Compliance with this improvement measure would result in less-than-significant air quality impacts on sensitive receptors. The project sponsor has agreed to implement Project Improvement Measure 2, as detailed on pages 33 to 36.

Mitigation Measure G-3 minimizes potential exposure of sensitive receptors to DPM by requiring that uses generating substantial DPM emissions, including warehousing and distribution centers, commercial, industrial, or other uses that would be expected to be served by at least 100 trucks per day or 40 refrigerated trucks per day, be located no less than 1,000 feet from residential units and other sensitive receptors. The proposed project would construct a new four-story, 12-unit residential building, which is not expected to generate substantial DPM emissions or be served by 100 trucks per day or 40 refrigerator trucks per day. Therefore, Mitigation Measure G-3 is not applicable to the proposed project.

Mitigation Measure G-4 involves the siting of commercial, industrial, or other uses that emit TACs as part of everyday operations. Although the proposed project would construct a new approximately 9,000-

square-foot residential building, TAC emissions are not expected to occur: (1) the project would not be expected to generate more than 10,000 vehicle trips per day or 1,000 truck trips per day; (2) the project would neither site a new stationary source nor include other items that would emit TACs as part of everyday operations. Therefore, Mitigation Measure G-4 is not applicable to the proposed project.

The proposed project would result in an increase in operational-related criteria air pollutants including from the generation of daily vehicle trips and energy demand. The proposed project meets the screening criteria provided in the BAAQMD Air Quality Guidelines for operational-related criteria air pollutants. Therefore, operation of the proposed project would result in a less-than-significant impact related to criteria air pollutants.

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

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR assessed the GHG emissions that could result from rezoning of the Showplace Square/Potrero Hill Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO₂E¹⁶ per service population,¹⁷ respectively. The Eastern Neighborhoods FEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the FEIR.

Regulations outlined in San Francisco’s Strategies to Address Greenhouse Gas Emissions have proven effective as San Francisco’s GHG emissions have measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the Bay Area 2010 Clean

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.

the amount of CO₂ that would have the same global warming potential

¹⁷ Memorandum from Jessica Range, MEA to MEA 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 Rezoning EIR and provides an analysis of the emissions using a service population (equivalent of total number of residents and employees) metric.

Air Plan 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 AB 32, will continue to reduce a proposed project’s contribution to climate change. Therefore, the proposed project’s GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and thus the proposed project’s contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment.

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

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or 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 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Wind

As described in the Eastern Neighborhoods FEIR, no significant impacts related to wind were anticipated to result from the implementation of the Eastern Neighborhoods Rezoning and Area Plans. Specific projects within Eastern Neighborhoods require analysis of wind impacts where deemed necessary. Thus, wind impacts were determined not to be significant in the Eastern Neighborhoods Initial Study and were not analyzed in the Eastern Neighborhoods FEIR. No mitigation measures relative to wind impacts were identified in the Eastern Neighborhoods FEIR.

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 proposed approximately 40-foot-tall building would be taller than the immediately adjacent buildings, it would be similar in height to existing buildings in the surrounding area. For the above reasons, the proposed project is not anticipated to cause significant impacts related to wind and shadow that were not identified in the Eastern Neighborhoods FEIR.

As a result, the proposed project would not have any significant wind impacts, either individually or cumulatively.

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 Area Plan, sites surrounding parks could be redeveloped with taller buildings without triggering Section 295 of the Planning Code because certain parks are not subject to Section 295 of the Planning Code (i.e., parks that are under jurisdiction by departments other than the Recreation and Parks Department or are privately owned). The Eastern Neighborhoods FEIR could not conclude if the rezoning and community plans would result in less-than-significant shadow impacts because the feasibility of complete mitigation for potential new shadow impacts of unknown proposed proposals could not be determined at that time. Therefore, the FEIR determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the FEIR.

The proposed project would construct an approximately 40-foot-tall building in a location with no open parks and open space in the immediate vicinity, and does not trigger Planning Code Section 295 requiring shadow analysis. Therefore, no shadows are expected to be cast on parks.

For the above reasons, the proposed project would not result in significant impacts related to shadow that were not identified in the Eastern Neighborhoods FEIR.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR 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 FEIR.

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

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or 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 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 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 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR determined that the anticipated increase in population resulting from implementation of the Area Plans would not result in a significant impact on the provision of water, wastewater collection and treatment, and solid waste collection and disposal. No mitigation measures were identified in the FEIR.

As the proposed project is within the 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 FEIR.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
11. PUBLIC SERVICES—Would the project:						
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR determined that the anticipated increase in population resulting from implementation of the Area Plans would not result in a significant impact on the provision of public services , including fire protection, police protection, and public schools. No mitigation measures were identified in the FEIR.

As the proposed project is within the 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 FEIR.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
12. BIOLOGICAL RESOURCES— Would the project:						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

As the proposed project is within the 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 FEIR.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<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 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR concluded that implementation of the Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced ground-shaking, liquefaction, and landslides. The FEIR 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 FEIR concluded that implementation of the Plan would not result in significant impacts with regard to geology, and no mitigation measures were identified in the Eastern Neighborhoods FEIR.

The project would be required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. Therefore, potential damage to structures from geologic hazards such as

landslide hazards and seismic stability of the project site would be addressed through the DBI requirement for a geotechnical or other subsurface report and review of the building permit application pursuant to its implementation of the Building Code.

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

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR 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 FEIR.

The existing lot is entirely covered by impervious surfaces and the proposed buildings would fully occupy the project site. As a result, the proposed project would not result in an increase in the amount of impervious surface area on the site, which in turn would increase the amount of runoff and drainage.

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

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
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 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Hazardous Building Materials

The Eastern Neighborhoods FEIR 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 FIER include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain polychlorinated biphenyls (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 FEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that that Mitigation Measure L-1: Hazardous Building Materials, as outlined below, would reduce effects to a less-than-significant level. As the project

does not involve demolition or renovation of any existing buildings, Mitigation Measure L-1 does not apply to the project.

Soil and Groundwater Contamination

The proposed project would involve approximately two feet of excavation and soil disturbance on a site that is in a Maher area. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and a Phase I has been prepared¹⁸ to assess the potential for site contamination. The Phase I ESA reviews and summarizes previous environmental documents prepared for other sites in close proximity to the project site, lists current and past operations, reviews environmental agency databases and records, reports site reconnaissance observations, and discusses potential contamination issues. The ESA did not find any physical or documentary evidence of any use, storage or disposal of any chemicals, hazardous materials, reportable substances or hazardous waste at the site. No Recognized Environmental Concerns are associated with the property and none were identified in the nearby areas. The report determined that based on the available evidence, any additional environmental investigation at the site is unwarranted.

Therefore, the proposed project would not result in any significant impacts related to hazardous materials that were not identified in the Eastern Neighborhoods FEIR.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

¹⁸ John Carver Consulting. *Phase I Environmental Site Assessment at 520 9th Street San Francisco, CA.* December 3, 2012. This report is available for review as part of Case No. 2013.0066E.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR determined that the Area Plan would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy in a wasteful manner or in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by DBI. The Plan Area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the Eastern Neighborhoods FEIR concluded that implementation of the Area Plan would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the FEIR.

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

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
17. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.— 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
18. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:						
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Eastern Neighborhoods FEIR identified significant program-level impacts related to transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Additionally, the FEIR identified significant cumulative impacts related to land use, transportation, and cultural resources. Mitigation measures were identified for the above impacts and reduced all impacts to less-than-significant except for those related to land use (cumulative impacts on 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 construction of a 40-foot-tall, 12-unit residential building. As discussed in this document, 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 FEIR.

MITIGATION AND IMPROVEMENT MEASURES

Project Mitigation Measure 1 – Construction Noise (Mitigation Measure F-2 of the Eastern Neighborhoods FEIR)

Where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

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

Project Mitigation Measure 2 – Open Space in Noisy Environments (Mitigation Measure F-6 of the Eastern Neighborhoods FEIR)

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 Eastern Neighborhoods Mitigation Measure 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.

practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors

Project Improvement Measure 1 – Construction Emissions Minimization (Mitigation Measure G-1 of the Eastern Neighborhoods FEIR)

- A. *Construction Emissions Minimization Plan.* Prior to issuance of a construction permit, the project sponsor should submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:
1. All off-road equipment greater than 25 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:
 - a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;
 - b) All off-road equipment shall have:
 - i. Engines that meet or exceed either USEPA or ARB Tier 2 off-road emission standards, *and*
 - ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).¹⁹
 - c) Exceptions:
 - i. Exceptions to A(1)(a) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.
 - ii. Exceptions to A(1)(b)(ii) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the

¹⁹ Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).

- iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table A1 below.

**TABLE A1
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 requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.

**Alternative fuels are not a VDECS

- 2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than *two* minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
- 3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.
- 4. 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. Off-road equipment descriptions and information 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: 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, reporting shall indicate the type of alternative fuel being used.
- 5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.

- B. *Reporting.* Monthly reports should be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting should include the actual amount of alternative fuel used.

Within six months of the completion of construction activities, the project sponsor should submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

- C. *Certification Statement and On-site Requirements.* Prior to the commencement of construction activities, the project sponsor should certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.

Project Improvement Measure 2 – Enhanced Ventilation Measures (Mitigation Measure G-2 of the Eastern Neighborhoods FEIR)

- A. *Air Filtration and Ventilation Requirements for Sensitive Land Uses.* Prior to receipt of any building permit, the project sponsor should submit an enhanced ventilation plan for the proposed building(s). The enhanced ventilation plan shall be prepared and signed by, or under the supervision of, a licensed mechanical engineer or other individual authorized by the California Business And Professions Code Sections 6700-6799. The enhanced ventilation plan shall show that the building ventilation system will be capable of achieving protection from particulate matter (PM_{2.5}) equivalent to that associated with a Minimum Efficiency Reporting Value (MERV) 13 filtration, as defined by American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) standard 52.2. The enhanced ventilation plan shall explain in detail how the project will meet the MERV-13 performance standard identified in this measure.
- B. *Maintenance Plan.* Prior to receipt of any building permit, the project sponsor should present a plan that ensures ongoing maintenance for the ventilation and filtration systems.
- C. *Disclosure to buyers and renters.* The project sponsor should also ensure the disclosure to buyers (and renters) that the building is located in an area with existing sources of air pollution and as such, the building includes an air filtration and ventilation system designed to remove 80 percent of outdoor particulate matter and shall inform occupants of the proper use of the installed air filtration system.

EXHIBIT C: MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Improvement Measures	MONITORING AND REPORTING PROGRAM				
	Responsibility for Implementation	Mitigation/Improvement Schedule	Mitigation/Improvement Action	Monitoring/Reporting Responsibility	Monitoring Schedule
MITIGATION AND IMPROVEMENT MEASURES AGREED TO BY PROJECT SPONSOR					
<i>Project Mitigation Measure 1 – Construction Noise</i>					
<p>Where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> ■ Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses. ■ Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site. ■ Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses. ■ Monitor the effectiveness of noise attenuation measures by taking noise measurements. ■ Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed. 	Project sponsor, contractor(s)	During construction	Identify a set of site-specific noise attenuation measures/control strategies under the supervision of a qualified acoustical consultant	Project sponsor, contractor(s), DBI to provide Planning Department with monthly reports during construction period	Considered complete when upon receipt of final monitoring report at completion of construction

MONITORING AND REPORTING PROGRAM

Adopted Improvement Measures	Responsibility for Implementation	Mitigation/Improvement Schedule	Mitigation/Improvement Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p><i>Project Mitigation Measure 2 – Open Space in Noisy Environments</i> 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 Eastern Neighborhoods Mitigation Measure 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.</p>	Project sponsor, contractor(s)	During building permit review	Design measures to be incorporated into project design	San Francisco Planning Department and the Department of Building Inspection	Considered complete upon approval of final construction drawing set
<p><i>Project Improvement Measure 1 – Construction Emissions Minimization</i></p> <p>A. <i>Construction Emissions Minimization Plan.</i> Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:</p> <ol style="list-style-type: none"> 1. All off-road equipment greater than 25 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements: <ol style="list-style-type: none"> a) Where access to alternative sources of power are 	Project sponsor, contractor(s)	Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code	Prepare and submit a Plan	Project sponsor, contractor(s) and the ERO	Considered complete on findings by ERO that Plan is complete

MONITORING AND REPORTING PROGRAM

Adopted Improvement Measures	Responsibility for Implementation	Mitigation/Improvement Schedule	Mitigation/Improvement Action	Monitoring/Reporting Responsibility	Monitoring Schedule
available, portable diesel engines shall be prohibited;					
b) All off-road equipment shall have: <ul style="list-style-type: none"> i. Engines that meet or exceed either United States Environmental Protection Agency or California Air Resources Board (ARB) Tier 2 off-road emission standards, <i>and</i> ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).¹ 					
c) Exceptions: <ul style="list-style-type: none"> i. Exceptions to A(1)(a) <i>may</i> be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation. ii. Exceptions to A(1)(b)(ii) <i>may</i> be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce 					

¹ Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

MONITORING AND REPORTING PROGRAM

Adopted Improvement Measures	Responsibility for Implementation	Mitigation/Improvement Schedule	Mitigation/Improvement Action	Monitoring/Reporting Responsibility	Monitoring Schedule
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desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).

- iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table A1 below.

**TABLE A1
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*

MONITORING AND REPORTING PROGRAM

Adopted Improvement Measures	Responsibility for Implementation	Mitigation/Improvement Schedule	Mitigation/Improvement Action	Monitoring/Reporting Responsibility	Monitoring Schedule
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*How to use the table. If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.

**Alternative fuels are not a VDECS

2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than *two* minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.
4. 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. Off-road equipment descriptions and information 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

MONITORING AND REPORTING PROGRAM

Adopted Improvement Measures	Responsibility for Implementation	Mitigation/Improvement Schedule	Mitigation/Improvement Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>operation. For VDECS installed: 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, reporting shall indicate the type of alternative fuel being used.</p>					
<p>5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.</p>					
<p>B. <i>Reporting.</i> Monthly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p>	Project sponsor, contractor(s)	Monthly	Submit monthly reports	Project sponsor, contractor(s) and the ERO	Considered complete on findings by ERO that Plan is being/was implemented
<p>Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual</p>		Within six months of completion of construction activities	Submit a final report of construction activities		

MONITORING AND REPORTING PROGRAM

Adopted Improvement Measures	Responsibility for Implementation	Mitigation/Improvement Schedule	Mitigation/Improvement Action	Monitoring/Reporting Responsibility	Monitoring Schedule
amount of alternative fuel used.					
C. <i>Certification Statement and On-site Requirements.</i> Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.	Project sponsor, contractor(s)	Prior to construction activities requiring the use of off-road equipment	Submit certification statement	Project sponsor, contractor(s) and the ERO	Considered complete on submittal of certification statement.
<i>Project Improvement Measure 2 – Enhanced Ventilation Measures</i>	Project sponsor, contractor(s)	Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code	Prepare and submit a Plan	Project sponsor, contractor(s) and the ERO	Considered complete on findings by ERO that Plan is complete
A. <i>Air Filtration and Ventilation Requirements for Sensitive Land Uses.</i> Prior to receipt of any building permit, the project sponsor should submit an enhanced ventilation plan for the proposed building(s). The enhanced ventilation plan shall be prepared and signed by, or under the supervision of, a licensed mechanical engineer or other individual authorized by the California Business And Professions Code Sections 6700-6799. The enhanced ventilation plan shall show that the building ventilation system will be capable of achieving protection from particulate matter (PM _{2.5}) equivalent to that associated with a Minimum Efficiency Reporting Value (MERV) 13 filtration, as defined by American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) standard 52.2. The enhanced ventilation plan shall explain in detail how the project will meets the MERV-13 performance standard identified in this measure.					
B. <i>Maintenance Plan.</i> Prior to receipt of any building permit, the project sponsor should present a plan that ensures ongoing maintenance for the ventilation and filtration systems.					
C. <i>Disclosure to buyers and renters.</i> The project sponsor should					

MONITORING AND REPORTING PROGRAM

Adopted Improvement Measures	Responsibility for Implementation	Mitigation/Improvement Schedule	Mitigation/Improvement Action	Monitoring/Reporting Responsibility	Monitoring Schedule
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also ensure the disclosure to buyers (and renters) that the building is located in an area with existing sources of air pollution and as such, the building includes an air filtration and ventilation system designed to remove 80 percent of outdoor particulate matter and shall inform occupants of the proper use of the installed air filtration system.