



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2013.0106E  
 Project Address: 259 Clara Street  
 Zoning: MUR – Mixed Use – Residential Zoning District  
 45-X Height and Bulk District  
 Block/Lot: 3753/042  
 Lot Size: 4,000 square feet  
 Plan Area: East SoMa Area Plan  
 Project Sponsor: Michael Luke – Saitowitz & Natoma Architects; (415) 626-8977  
 Staff Contact: Christopher Espiritu – christopher.espiritu@sfgov.org; (415) 575-9022

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### PROJECT DESCRIPTION

The proposed project would include the demolition of an existing two-story, 5,622-square-foot (sq ft) building formerly used for industrial purposes (photo processing) and the construction of a new five-story, residential building with eight dwelling units and eight, mostly stacker, vehicle parking spaces in an at-grade garage. The new building would be approximately 14,908 sq ft, with 11,823 sq ft for residential use and 2,145 sq ft for the parking garage. The project site is located in the East SoMa Plan Area on a lot bounded by Clara Street to the north and existing residential development to the south, east, and west, within the South of Market (SoMa) neighborhood.


(Continued on next page.)

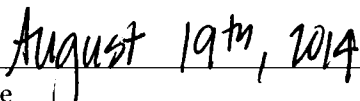
### EXEMPT STATUS

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

### DETERMINATION

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

  
 SARAH B. JONES  
 Environmental Review Officer

  
 Date

cc: Michael Luke, Project Sponsor; Supervisor Jane Kim, District 6; Brittany Bendix, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

## PROJECT DESCRIPTION (CONTINUED)

The proposed building would be approximately 45 feet (ft) tall, and would consist of eight two-bedroom units, an at-grade garage with eight vehicle parking spaces (one ADA-accessible space) and eight Class I bicycle parking spaces, and a roof deck for common open space. Main access to the dwelling units would be from a ground floor lobby on Clara Street. A secondary entrance, as well as vehicle entrance to at-grade garage, would also be located on Clara Street.

## PROJECT APPROVAL

The proposed project would be subject to Section 311 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 the Department of Building Inspection (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.

## COMMUNITY PLAN EXEMPTION OVERVIEW

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

This determination evaluates the potential project-specific environmental effects of the 259 Clara Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)<sup>1</sup>. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an

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

adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 259 Clara Street.

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

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

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

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

As a result of the Eastern Neighborhoods rezoning process, the project site was rezoned from RSD (Residential/Service Mixed-Use) to MUR (Mixed Use - Residential) District. The MUR District is intended to promote a vibrant mix of uses. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. Also, the MUR District is designed to maintain and facilitate the growth and expansion of small-scale light industrial, wholesale distribution, arts production and performance/exhibition activities, general commercial and neighborhood-serving retail and personal service activities while protecting existing housing and encouraging the development of housing at a scale and density compatible with the existing neighborhood. The proposed project and its relation to

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

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

PDR land supply and cumulative land use effects is discussed further in the CPE Checklist, under Land Use.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans must undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 259 Clara Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 259 Clara Street project, and identified the mitigation measures applicable to the 259 Clara Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.<sup>4,5</sup> Therefore, no further CEQA evaluation for the 259 Clara Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

## PROJECT SETTING

The project site is located on an interior lot on the south side of Clara Street between 5<sup>th</sup> and 6<sup>th</sup> streets, and is surrounded by existing residential and mixed-use development. To the south and west of the project site is a mix of two- to five-story mixed-use buildings located on Harrison Street. The tallest building in the vicinity of the project site is the Salvation Army Silvercrest Senior Residence Building (10-stories), located approximately one and a half blocks to the east of the project site. Currently, there are no buildings under construction in the immediate surroundings of the project site. The site is zoned MUR, with a height and bulk limit of 45-X, while surrounding parcels range from 30-X, 45-X, 55-X, and 85-X.<sup>6</sup>

## POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR 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 Rezoning and Area Plans. The proposed 259 Clara Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the

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<sup>4</sup> Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 255-259 Clara Street, June 18, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0106E.

<sup>5</sup> Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 255-259 Clara Street, June 23, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0106E.

<sup>6</sup> Height and bulk districts of 30-X, 45-X, 55-X, and 85-X, as established by Planning Code Section 250, states that proposed developments for lots located in these height and bulk districts would not exceed building heights of 30, 45, 55, and 85 feet, respectively. Lots located in districts with an "X" bulk limit designation, have a maximum width for the base of the proposed building of approximately 55 to 65 feet (identified as the lowest portion of the building extending vertically to a streetwall height, per Section 270 of the Planning Code).

Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 259 Clara Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. Land use impacts were related to the cumulative loss of existing PDR (Production, Distribution, and Repair) space due to the implementation of the Eastern Neighborhoods Area Plan. As a result of the adoption of the Plan, the project site and immediate area were rezoned to MUR and a mix of uses including residential use was anticipated. The proposed project would convert an existing PDR use (photo processing studio) to residential use. However, this would not constitute a substantial contribution to the significant and unavoidable cumulative land use impact identified in the Eastern Neighborhoods PEIR because the demolition of the existing 4,000 sq ft building would constitute an inconsequential portion of the total loss of PDR space analyzed in the PEIR. The proposed project would not have a substantial contribution to the significant and unavoidable impacts identified in the Eastern Neighborhoods PEIR on transportation and circulation because of the relatively small number of transit and vehicle trips that the project would generate. The proposed project would not considerably contribute to significant and unavoidable historic resource impacts identified in the PEIR, as the project site was determined to be ineligible for inclusion in national, state, or local historic registers and determined not to be a historic resource through the South of Market Historic Resource Survey. Lastly, the proposed project would not cast new shadow on parks and open spaces under the jurisdiction of the Recreation and Parks Department, as determined by the Planning Department. Therefore, the proposed project would not contribute to significant and unavoidable shadow impacts identified in the PEIR.

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

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

Mitigation Measure	Applicability
<b>F. Noise</b>	
F-1: Construction Noise (Pile Driving)	Applicable: pile driving proposed.
F-2: Construction Noise	Applicable: temporary construction noise from use of heavy equipment would occur.
F-3: Interior Noise Levels	Applicable: noise-sensitive uses where street noise exceeds 60dBA.
F-4: Siting of Noise-Sensitive Uses	Applicable: the project would site noise sensitive use (residential) in a noisy environment.

Mitigation Measure	Applicability
F-5: Siting of Noise-Generating Uses	Not Applicable: New noise-generating uses not proposed (residential use only).
F-6: Open Space in Noisy Environments	Applicable: The project would create new open space in a noisy environment.
<b>G. Air Quality</b>	
G-1: Construction Air Quality	Applicable: project would comply with the San Francisco Dust Control Ordinance and would require construction emissions minimization.
G-2: Air Quality for Sensitive Land Uses	Applicable: the proposed project is located within 500 feet of the I-80 and within an area subject to Article 38 of the San Francisco Health Code.
G-3: Siting of Uses that Emit DPM	Not Applicable: proposed residential use would not emit substantial levels of DPM.
G-4: Siting of Uses that Emit other TACs	Not Applicable: proposed residential use would not emit substantial levels of other TACs.
<b>J. Archeological Resources</b>	
J-1: Properties with Previous Studies	Not Applicable: project is located on a site with no previous archeological studies or documentation.
J-2: Properties with no Previous Studies	Applicable: project requires the preparation of a preliminary archeological sensitivity study (PASS) and the development of an archeological testing plan prior to construction.
J-3: Mission Dolores Archeological District	Not Applicable: project site is not located within the Mission Dolores Archeological District.
<b>K. Historical Resources</b>	
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area	Not Applicable: plan-level mitigation completed by Planning Department.
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission.
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in	Not Applicable: plan-level mitigation

Mitigation Measure	Applicability
the Dogpatch Historic District (Central Waterfront)	completed by Planning Commission.
<b>L. Hazardous Materials</b>	
L-1: Hazardous Building Materials	Applicable: project would involve the demolition of an older building on-site (constructed in 1956) and would potentially require the disposal of hazardous building materials.
<b>E. Transportation</b>	
E-1: Traffic Signal Installation	Not Applicable: plan-level mitigation by SFMTA.
E-2: Intelligent Traffic Management	Not Applicable: plan-level mitigation by SFMTA.
E-3: Enhanced Funding	Not Applicable: plan-level mitigation by SFMTA & SFTA.
E-4: Intelligent Traffic Management	Not Applicable: plan-level mitigation by SFMTA & Planning Department.
E-5: Enhanced Transit Funding	Not Applicable: plan-level mitigation by SFMTA.
E-6: Transit Corridor Improvements	Not Applicable: plan-level mitigation by SFMTA.
E-7: Transit Accessibility	Not Applicable: plan-level mitigation by SFMTA.
E-8: Muni Storage and Maintenance	Not Applicable: plan-level mitigation by SFMTA.
E-9: Rider Improvements	Not Applicable: plan-level mitigation by SFMTA.
E-10: Transit Enhancement	Not Applicable: plan-level mitigation by SFMTA.
E-11: Transportation Demand Management	Not Applicable: plan-level mitigation by SFMTA.

Please see the attached Mitigation Monitoring and Reporting Program (MMRP) for the complete text of the applicable mitigation measures.

With implementation of these mitigation measures the proposed project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods PEIR.

## PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on March 22, 2013 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Responses to the notice included requests by members of the public to be included in the distribution of environmental documents related to the project. One respondent raised specific concerns regarding noise due to construction-related activities and potential road closures related to construction, which would then cause potential impacts to nearby home-based businesses. Construction-related noise would be temporary and intermittent (approximately 18 months), and all construction activities would be conducted during times of the day that are consistent with the San Francisco Noise Ordinance. Any disturbances in violation of the Noise Ordinance would be enforced by the San Francisco Police Department. Construction-related traffic and road closures would also be temporary and would be subject to review and prior notice by the Department of Public Works (DPW). Other concerns raised by members of the public included the potential for toxic air contaminants (asbestos and lead) being released due to the demolition of the existing industrial building. The proposed project would be subject to Mitigation Measure L-1 which provides information on the disposal of any equipment containing PCBs or DEPH, such as fluorescent light ballasts and other potential hazardous materials. Additional concerns related to the lack of available parking spaces on-site were raised; however, the proposed project would provide eight vehicle parking spaces for the proposed eight dwelling units. Members of the public raised other concerns such as the lack of fire escapes in the proposed building and the proposed building blocking light on a nearby building located on 950 Harrison. The proposed project would be subject to Building Code requirements for secondary egress and any safety-related access to the proposed building. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

## CONCLUSION

As summarized above and further discussed in the CPE Checklist<sup>7</sup>:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;
2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR;

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<sup>7</sup> The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2013.0106E.



4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and
5. The project sponsor will undertake feasible mitigation measures specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

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



**Attachment A:  
 MITIGATION MONITORING AND REPORTING PROGRAM  
 (Includes Text for Adopted Mitigation Measures)**

MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
<b>MITIGATION MEASURES FROM THE EASTERN NEIGHBORHOODS AREA PLAN EIR</b>				
<p><b>PMM-1 –Archeological Resources (Mitigation Measure J-2 of the Eastern Neighborhoods PEIR)</b>            The project sponsor shall distribute the Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.</p>	Project sponsor/ Planning Department	Prior to any soil-disturbing activities on the project site.	Distribute Planning Department Archeological Resource “Alert” sheet to prime contractor, sub-contractors and utilities firms;  Project sponsor, archeologist and Environmental Review Officer (ERO). Submit signed affidavit of distribution to ERO.	Date Signed affidavit submitted to the ERO:  _____
<p>Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.</p>	Head Foreman and/or project sponsor	Accidental discovery.	Suspend any soils disturbing activity; and Notify ERO of accidental discovery.	
<p>If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and</p>	Project Sponsor/ Archeological consultant	In case of accidental discovery.	If ERO determines an archeological resource may be present, services of a qualified archeological consultant to be retained.	

<b>Attachment A: MITIGATION MONITORING AND REPORTING PROGRAM (Includes Text for Adopted Mitigation Measures)</b>				
<b>MEASURES ADOPTED AS CONDITIONS OF APPROVAL</b>	<b>Responsibility for Implementation</b>	<b>Schedule</b>	<b>Monitoring/Report Responsibility</b>	<b>Status/Date Completed</b>
is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.			Identify and evaluate archeological resources; make recommendation to the ERO.	
Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.	Project Sponsor	After determination by the ERO of appropriate action to be implemented following evaluation of accidental discovery.	ERO	
The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.	Project Sponsor	Following completion of any* archeological field program. (*Required.)	Submittal of Draft/ Final FARR to ERO.	
Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the	Project Sponsor		Distribution of Final FARR.	

**Attachment A:  
 MITIGATION MONITORING AND REPORTING PROGRAM  
 (Includes Text for Adopted Mitigation Measures)**

<b>MEASURES ADOPTED AS CONDITIONS OF APPROVAL</b>	<b>Responsibility for Implementation</b>	<b>Schedule</b>	<b>Monitoring/Report Responsibility</b>	<b>Status/Date Completed</b>
<p>NWIC. The Environmental Planning division of the Planning Department shall receive one bound copy, one unbound copy and one unlocked, searchable PDF copy on CD three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.</p>				
<p><b>PMM-2 – Construction Noise from pile driving (Mitigation Measure F-1 of the Eastern Neighborhoods PEIR).</b> The project sponsor shall ensure that piles be pre-drilled wherever feasible to reduce construction-related noise and vibration. No impact pile drivers shall be used unless absolutely necessary. Contractors shall use pile-driving equipment with state-of-the-art noise shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory sheetpile drivers, rather than impact drivers, shall be used wherever sheetpiles are needed. The project sponsor shall also require that contractors schedule pile-driving activity for times of the day that would minimize disturbance to neighbors.</p>	<p>Project sponsor/ project contractor</p>	<p>During construction.</p>	<p>Project sponsor/ contractor shall provide monthly reports to the Planning Department throughout all construction pile driving activities.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>
<p><b>PMM-3 – Construction Noise (Mitigation Measure F-2 of the Eastern Neighborhoods PEIR).</b> The project sponsor shall develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection (DBI) to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> <li>• Erect temporary plywood noise barriers around a construction</li> </ul>	<p>Project sponsor</p>	<p>Prior to and during construction.</p>	<p>Project sponsor, contractor(s), shall provide Department of Building Inspection and the Planning Department with monthly reports during construction period.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>

<b>Attachment A: MITIGATION MONITORING AND REPORTING PROGRAM (Includes Text for Adopted Mitigation Measures)</b>				
<b>MEASURES ADOPTED AS CONDITIONS OF APPROVAL</b>	<b>Responsibility for Implementation</b>	<b>Schedule</b>	<b>Monitoring/Report Responsibility</b>	<b>Status/Date Completed</b>
<p>site, particularly where a site adjoins noise-sensitive uses;</p> <ul style="list-style-type: none"> <li>• Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;</li> <li>• Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;</li> <li>• Monitor the effectiveness of noise attenuation measures by taking noise measurements; and</li> <li>• 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.</li> </ul>				
<p><b>PMM-4 – Interior Noise Levels (Mitigation Measure F-3 of the Eastern Neighborhoods PEIR).</b> For new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), as shown in EIR Figure 18, where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations, the project sponsor shall conduct a detailed analysis of noise reduction requirements. Such analysis shall be conducted by person(s) qualified in acoustical analysis and/or engineering. Noise insulation features identified and recommended by the analysis shall be included in the design, as specified in the San Francisco General Plan Land Use Compatibility Guidelines for Community Noise to reduce potential interior noise levels to the maximum extent feasible.</p>	Project sponsor	Prior to and during construction.	Project sponsor, contractor(s), shall provide Department of Building Inspection and the Planning Department with monthly reports during construction period.	Considered complete upon receipt of final monitoring report at completion of construction.

**Attachment A:  
 MITIGATION MONITORING AND REPORTING PROGRAM  
 (Includes Text for Adopted Mitigation Measures)**

<b>MEASURES ADOPTED AS CONDITIONS OF APPROVAL</b>	<b>Responsibility for Implementation</b>	<b>Schedule</b>	<b>Monitoring/Report Responsibility</b>	<b>Status/Date Completed</b>
<p><b>PMM-5 – Siting of Noise-Sensitive Uses (Mitigation Measure F-4 of the Eastern Neighborhoods PEIR).</b> To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.</p>	<p>Project sponsor</p>	<p>Prior to and during construction.</p>	<p>Project sponsor, contractor(s), shall provide Department of Building Inspection and the Planning Department with monthly reports during construction period.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>
<p><b>PMM-6 – Open Space in Noisy Environments (Mitigation Measure F-6 of the Eastern Neighborhoods PEIR).</b> To minimize effects on development in noisy areas, for new development including noise-sensitive uses, the Planning Department shall, through its building permit review process, in conjunction with noise analysis required pursuant to Mitigation Measure F-4, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the</p>	<p>Project sponsor</p>	<p>Prior to and during construction.</p>	<p>Project sponsor, contractor(s), shall provide Department of Building Inspection and the Planning Department with monthly reports during construction period.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>

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<p>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> <p>To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.</p>				
<p><b>PMM-7 – Constructions Emissions Minimization (Portion of Mitigation Measure G-1 of the Eastern Neighborhoods PEIR)</b></p> <p>A. 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</p>	Project sponsor/ contractor(s).	Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code.	Project sponsor/ contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is complete.



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<p>detail project compliance with the following requirements:</p> <ol style="list-style-type: none"> <li>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"> <li>a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;</li> <li>b) All off-road equipment shall have:                   <ol style="list-style-type: none"> <li>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></li> <li>ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).<sup>1</sup></li> </ol> </li> <li>c) Exceptions:                   <ol style="list-style-type: none"> <li>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.</li> <li>ii. Exceptions to A(1)(b)(ii) <i>may</i> be granted if the project</li> </ol> </li> </ol> </li> </ol>				

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

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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 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*

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<p>*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</p> <hr/> <p>2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than <i>two</i> 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.</p> <p>3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>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,</p>				

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<p>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><i>B. Reporting.</i> Quarterly 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> <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 amount of alternative fuel used.</p>	Project sponsor/ contractor(s).	Quarterly.	Project sponsor/ contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is being/was implemented.
<p><i>C. 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.</p>	Project sponsor/ contractor(s).	Prior to construction activities requiring the use of off-road equipment.	Project sponsor / contractor(s) and the ERO.	Considered complete on submittal of certification statement.

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<p><b>PMM-8 – Air Quality for Sensitive Land Uses (Mitigation Measure G-2 of the Eastern Neighborhoods PEIR)</b> Within the Eastern Neighborhoods, new residential development that is proposed within 500 feet of the 1-80, US 101, and 1-280 freeways, or at any other location where total daily traffic volumes from all roadways within 500 feet of such location exceed 100,000 vehicles, shall, as part of its CEQA review, include an analysis of PM2.5 and shall, if warranted based on the results, incorporate upgraded ventilation systems to minimize exposure of future residents to PM2.5 (which includes DPM) and other pollutant emissions, as well as odors. The analysis shall employ either site-specific modeling of PM2.5 concentrations or other acceptable methodology to determine whether the annual average concentration of PM2.5 from the roadway sources within 500 feet would exceed the threshold or action level of 0.2 micrograms per cubic meter. For purposes of this mitigation measure, PM2.5 serves as a proxy for pollutant exposures from roadway vehicles that is amenable to both exposure analysis and the setting of a significance threshold. According to the Department of Public Health, this threshold, or action level, has been shown to result in an increase of approximately 0.28 percent in non-injury mortality, or an increase of approximately 20 "excess deaths" per year (i.e., deaths that would occur sooner than otherwise expected) per one million population in San Francisco. If the incremental annual average concentration of PM2.5 concentration (from roadway sources only) were to exceed 0.2 micrograms per cubic meter at the project site, the project sponsor shall be required to install a filtered air supply system to maintain all residential units under positive pressure when windows are closed. The ventilation system, whether a central HVAC (heating, ventilation and possibly air conditioning) or a unit-by-unit filtration system, shall</p>	<p>Project sponsor/ contractor(s).</p>	<p>Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code.</p>	<p>Project sponsor/ contractor(s) and the ERO.</p>	<p>Considered complete on findings by ERO that Plan is complete.</p>

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<p><b>PMM-9 – Hazardous Building Materials (Mitigation Measure L-1 of the Eastern Neighborhoods PEIR).</b> The project sponsor shall ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.</p>	<p>Project sponsor/ contractor</p>	<p>Prior to demolition of structures</p>	<p>Project Sponsor/contractor shall submit a monitoring report to the Department of Public Health and Planning.</p>	<p>Considered complete upon receipt of final monitoring report.</p>