



SAN FRANCISCO PLANNING DEPARTMENT

Initial Study – Community Plan Evaluation

Case No.: **2013.1856E**
Project Address: **923-939 Kansas Street**
Zoning: RH-2 (Residential, House, Two-Family) District
40-X Height and Bulk District
Block/Lot: 4094/044 through 048
Lot Size: 12,475 square feet
Plan Area: Eastern Neighborhoods (Showplace Square/Potrero Hill)
Project Sponsor: Ryan Borman – Dawson & Clinton
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PROJECT DESCRIPTION

The project site, which is on the east side of Kansas Street between 20th and 22nd streets in San Francisco's Potrero Hill neighborhood, consists of five adjacent parcels: Assessor's Block 4094, Lots 044 through 048. Each lot is 2,495 square feet, rectangular, and slopes up from west to east (front property line to rear property line). In addition, each lot slopes up laterally from south to north. All five lots are occupied by a large rock outcrop and have never been developed.

The proposed project consists of excavating the project site and constructing five buildings, one on each lot, containing a total of nine dwelling units and nine off-street parking spaces. Lot 044 would have a four-level, single-family home with a one-car garage. Lots 045 and 046 would each have a four-level, two-unit building with a two-car garage. Lots 047 and 048 would each have a five-level, two-unit building with a two-car garage. A new sidewalk and five new driveways and curb cuts would be provided along the east side of Kansas Street in front of the project site. A total of 10 Class 1 bicycle parking spaces would be provided; each building's garage would include dedicated and secure space for bicycle parking. Private usable open space would be provided for each dwelling unit in the form of a rear yard or one or more roof decks.

Construction of the proposed project is expected to last 24 months. Each of the proposed buildings would be supported by a mat slab foundation; pile driving would not be required. Construction of the proposed project would require excavation to depths ranging from 12 to 37 feet below ground surface and the removal of about 6,334 cubic yards of soil and rock.

Pursuant to a Zoning Administrator Letter of Determination issued on November 5, 2013, the five proposed buildings comply with the measurement of building height as set forth in Planning Code Sections 102.12(c) and 261(c)(1). The practical effect of how building height is measured on these upsloping lots is that the proposed buildings would be taller than 40 feet above street level. The buildings on Lots 048 and 047 would be about 49 feet above the street, and the buildings on Lots 046, 045, and 044 would be about 45 feet above the street.

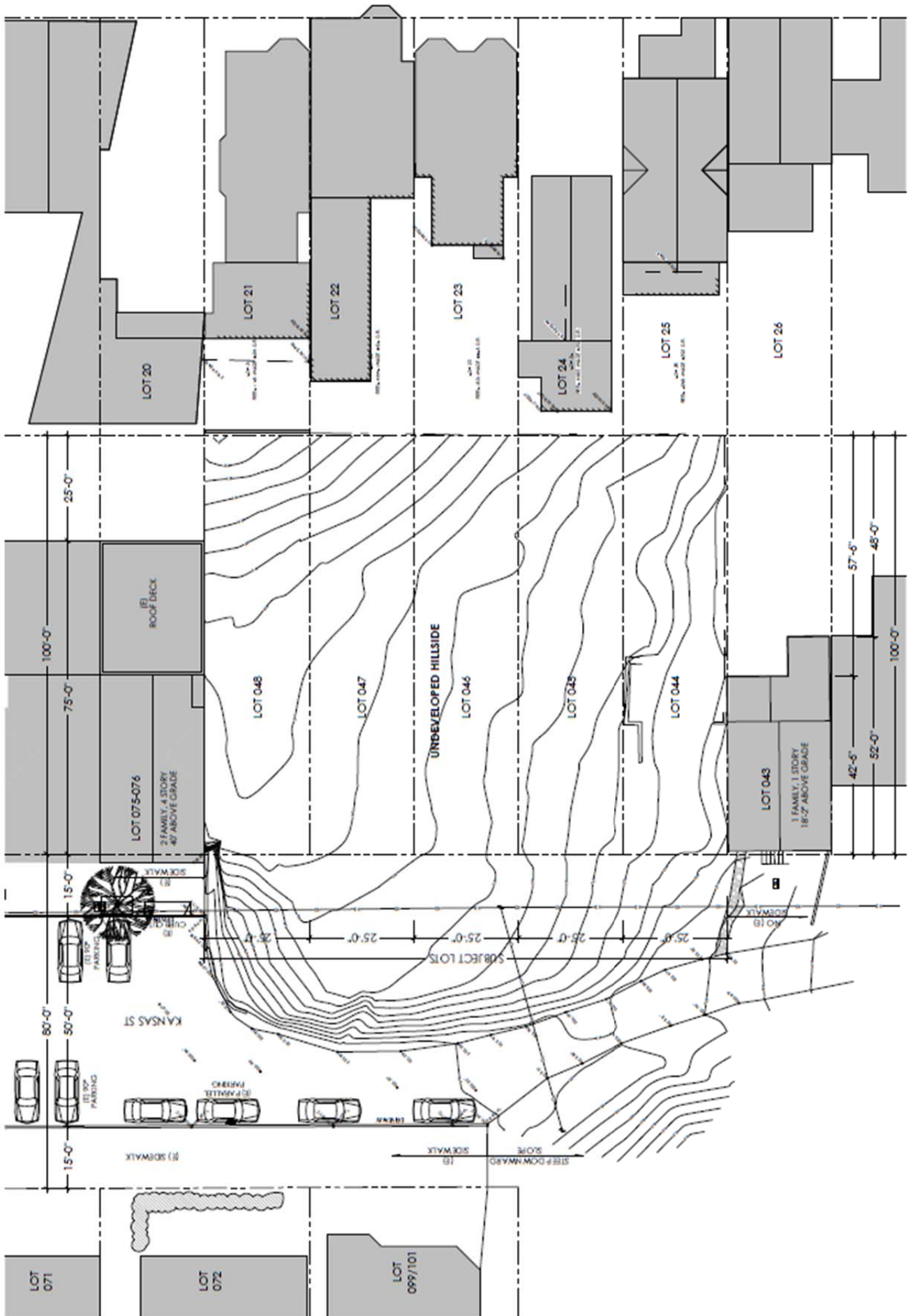


FIGURE 2: EXISTING SITE PLAN

SOURCE: Dawson & Clinton, RG-Architecture

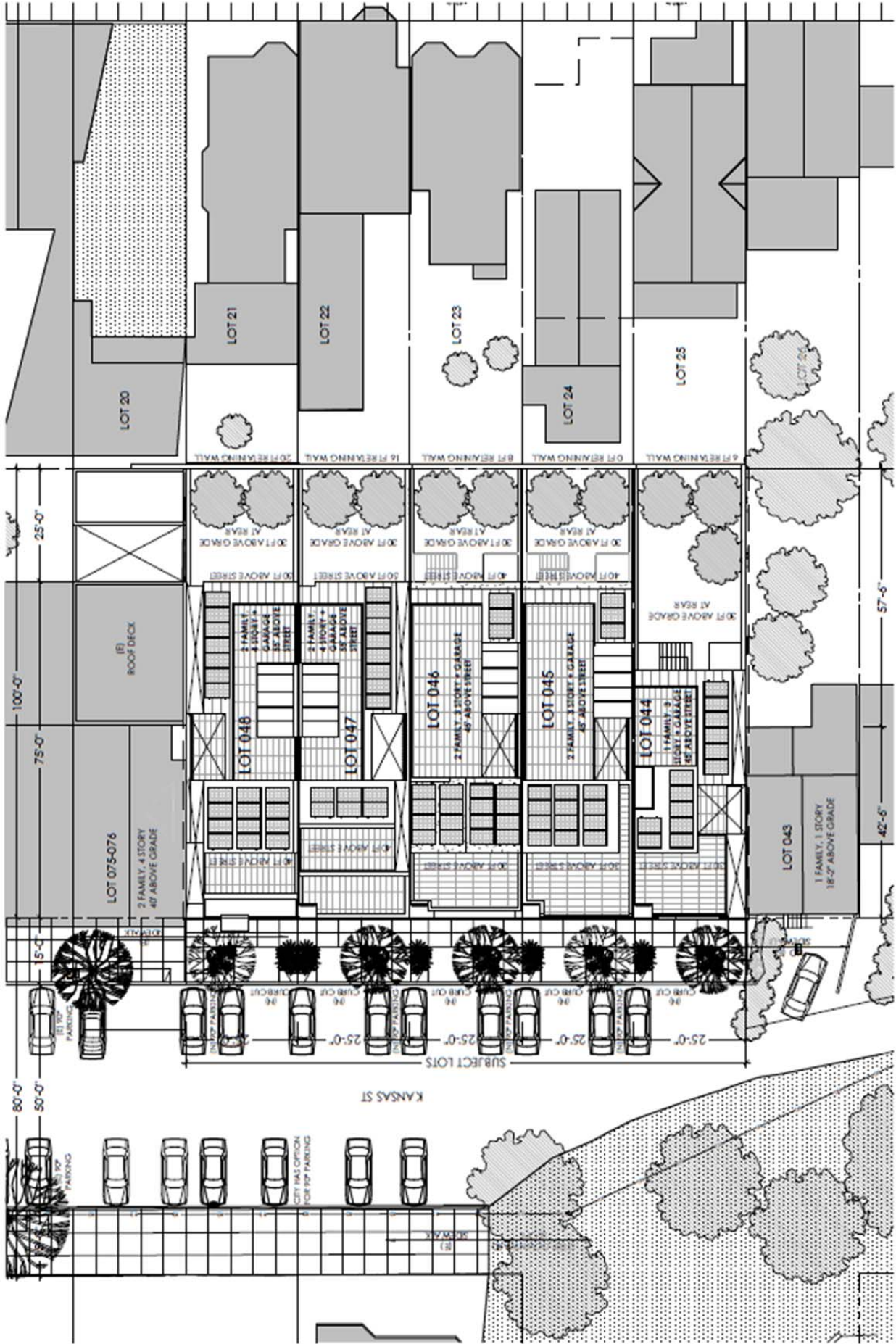
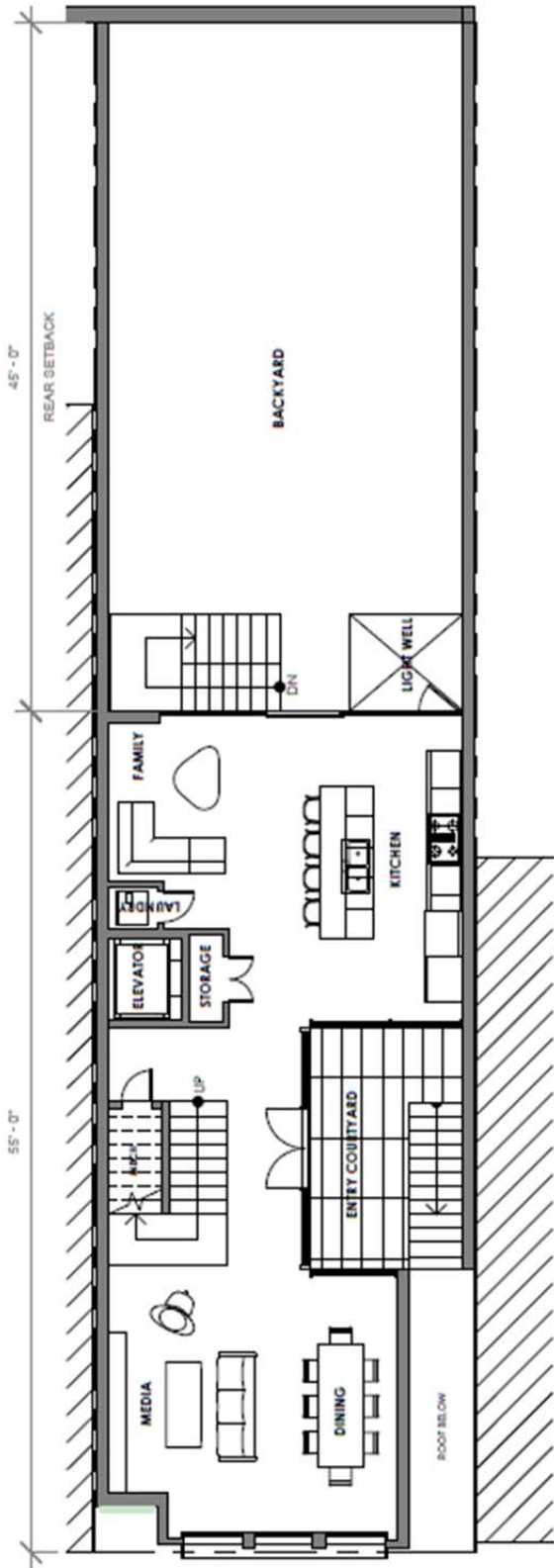
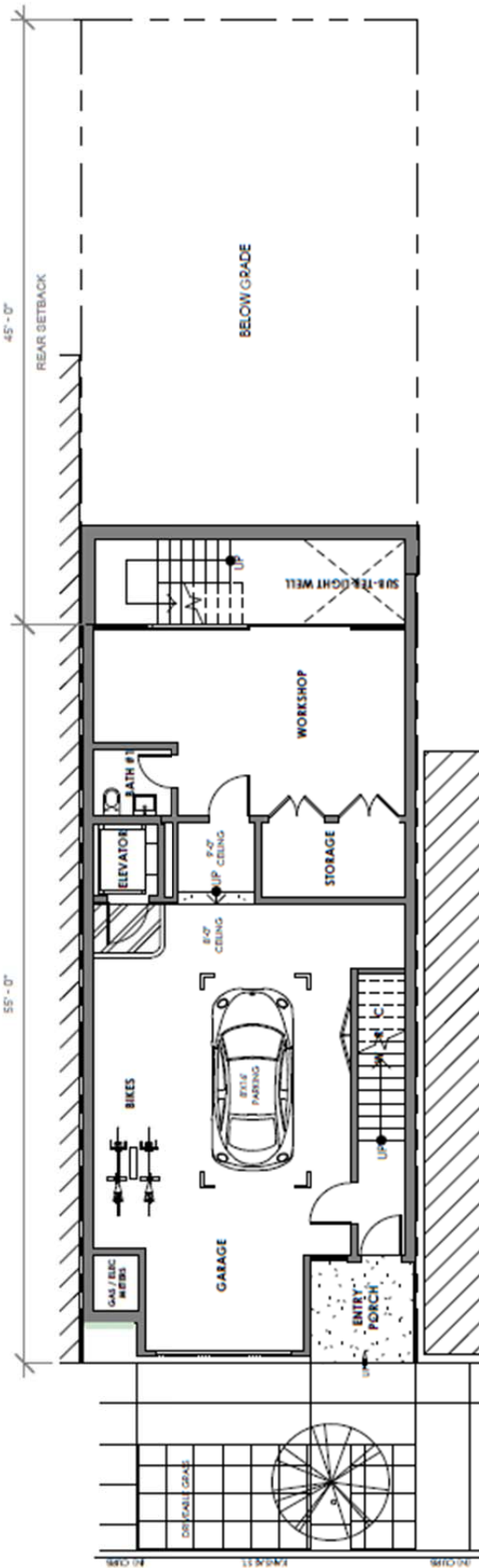


FIGURE 3: PROPOSED SITE PLAN

SOURCE: Dawson & Clinton, RG-Architecture



LOT 44- LEVEL 1

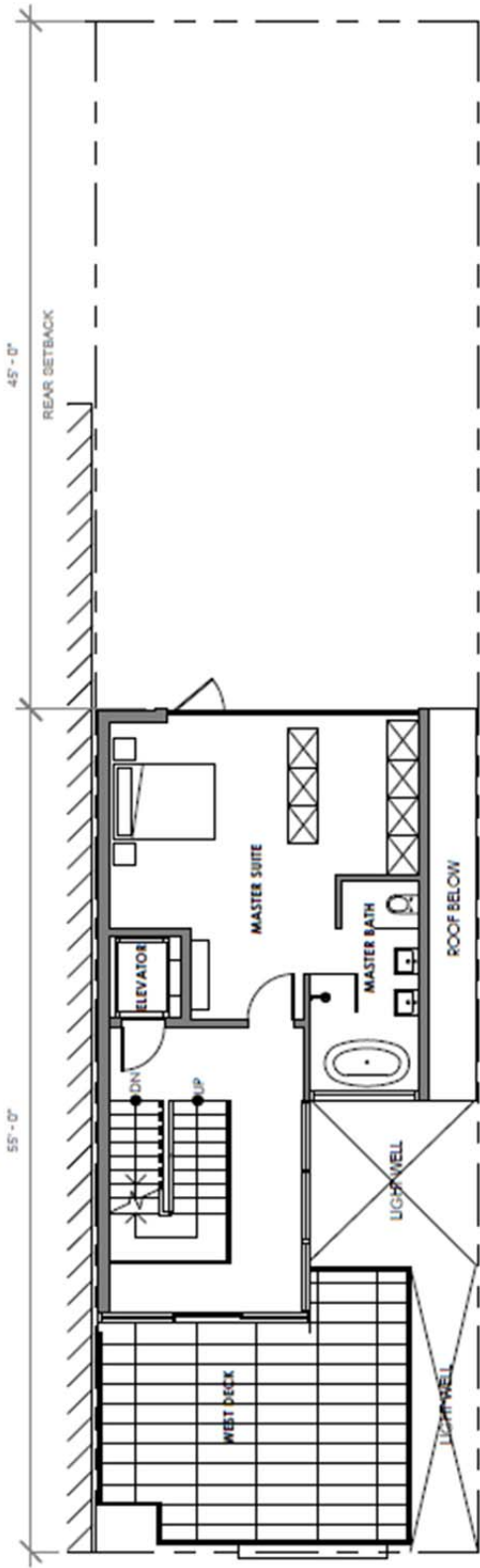


LOT 44 - GARAGE LEVEL

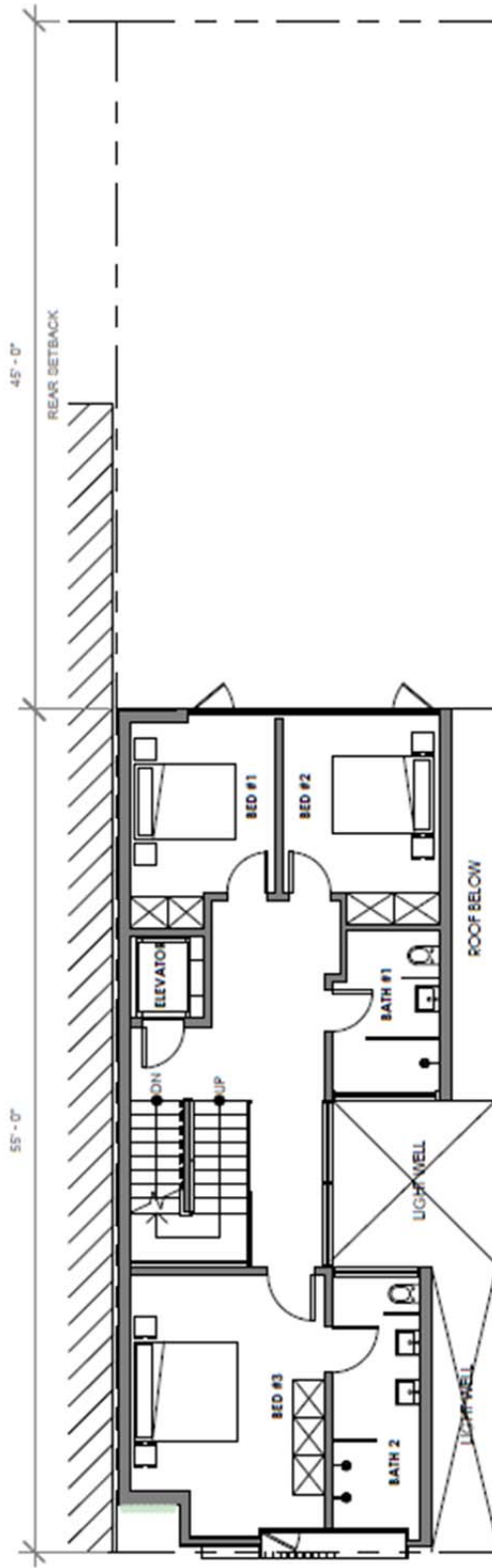
SOURCE: Dawson & Clinton, RG-Architecture

FIGURE 4: PROPOSED GARAGE AND FIRST FLOORS, LOT 044
(LOTS 045 AND 046 SIMILAR)

Note: Single-family dwelling on Lot 044; two-family dwellings on Lots 045 and 046.



LOT 44 - LEVEL 3

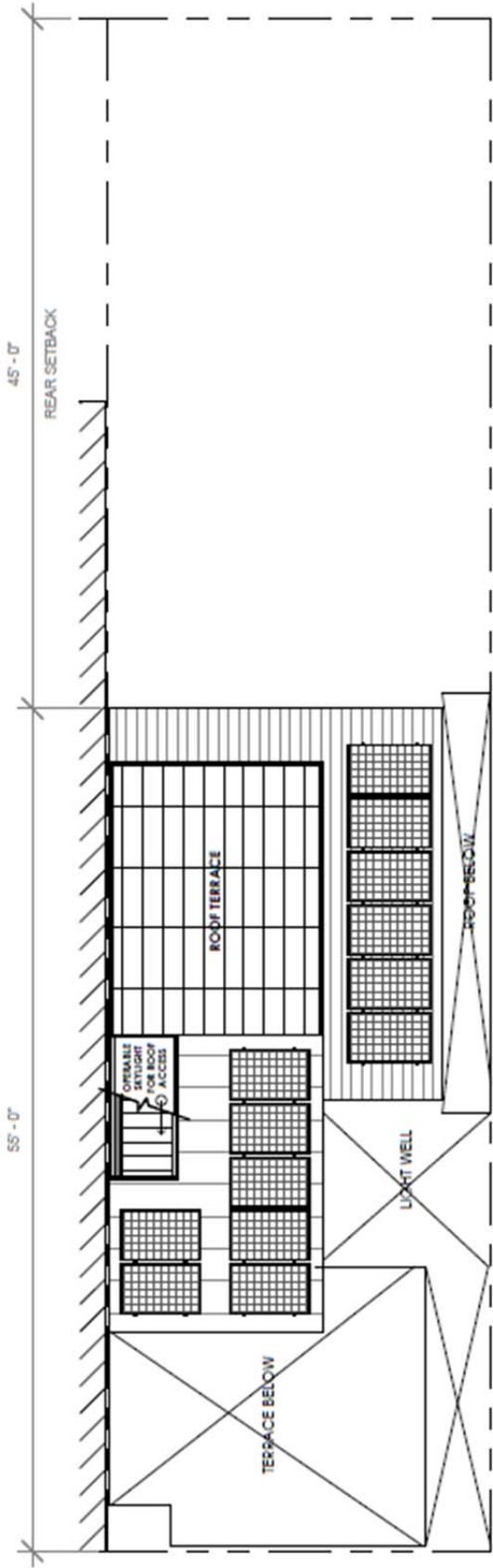


LOT 44 - LEVEL 2

SOURCE: Dawson & Clinton, RG-Architecture

FIGURE 5: PROPOSED SECOND AND THIRD FLOORS, LOT 044
(LOTS 045 AND 046 SIMILAR)

Note: Single-family dwelling on Lot 044; two-unit buildings on Lots 045 and 046.

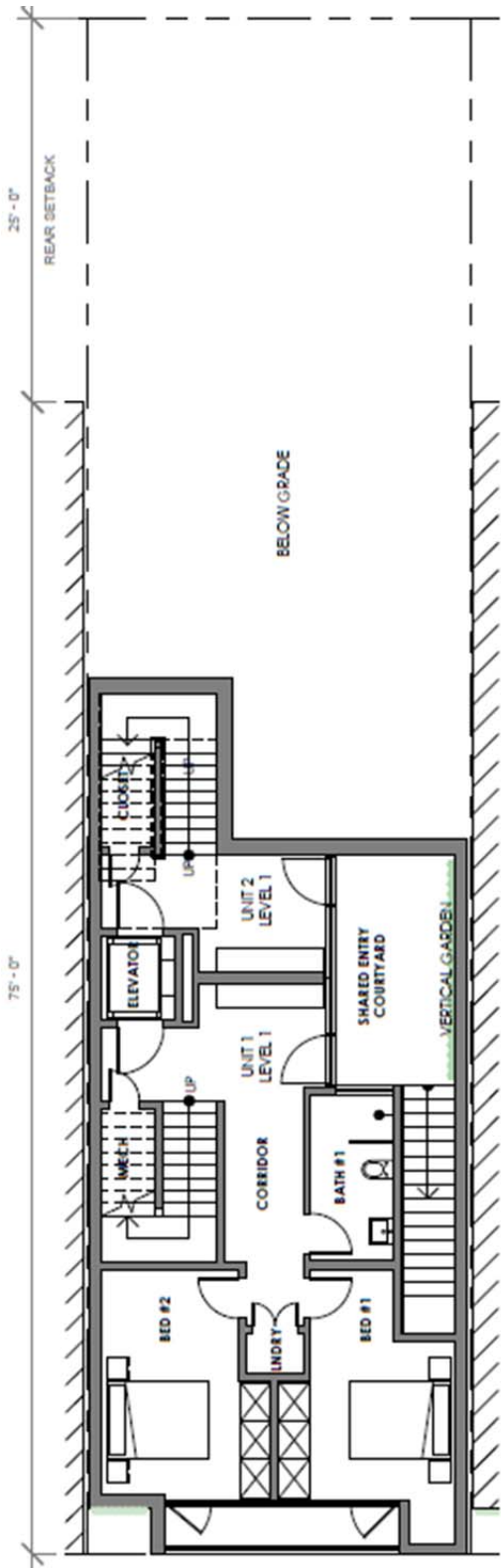


44 - ROOF

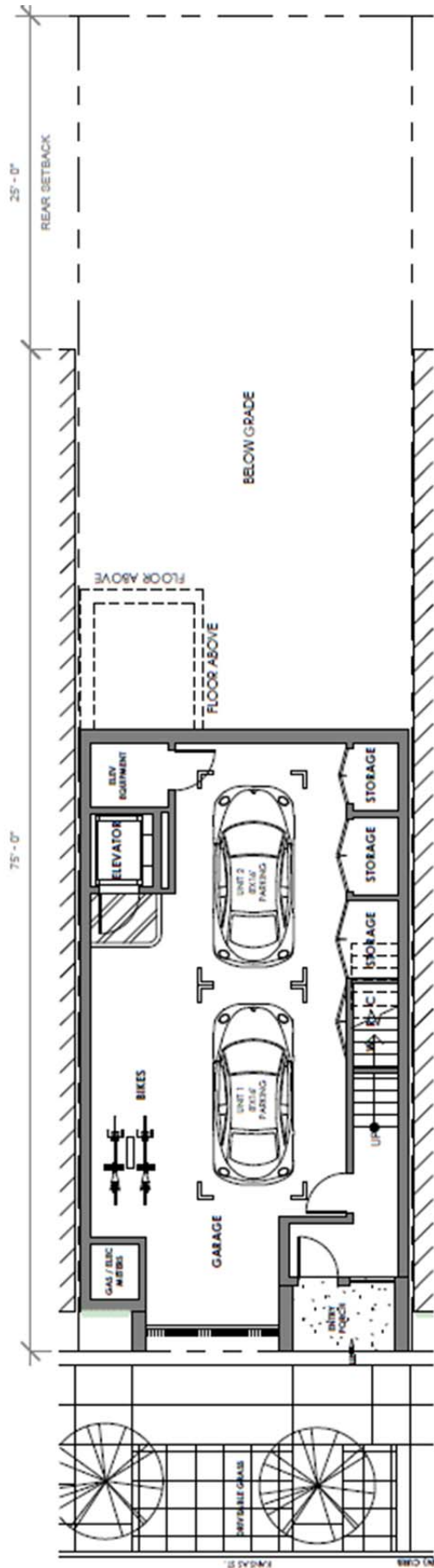
**FIGURE 6: PROPOSED ROOF PLAN, LOT 044
(LOTS 045 AND 046 SIMILAR)**

SOURCE: Dawson & Clinton, RG-Architecture

Note: Single-family dwelling on Lot 044; two-unit buildings on Lots 045 and 046.



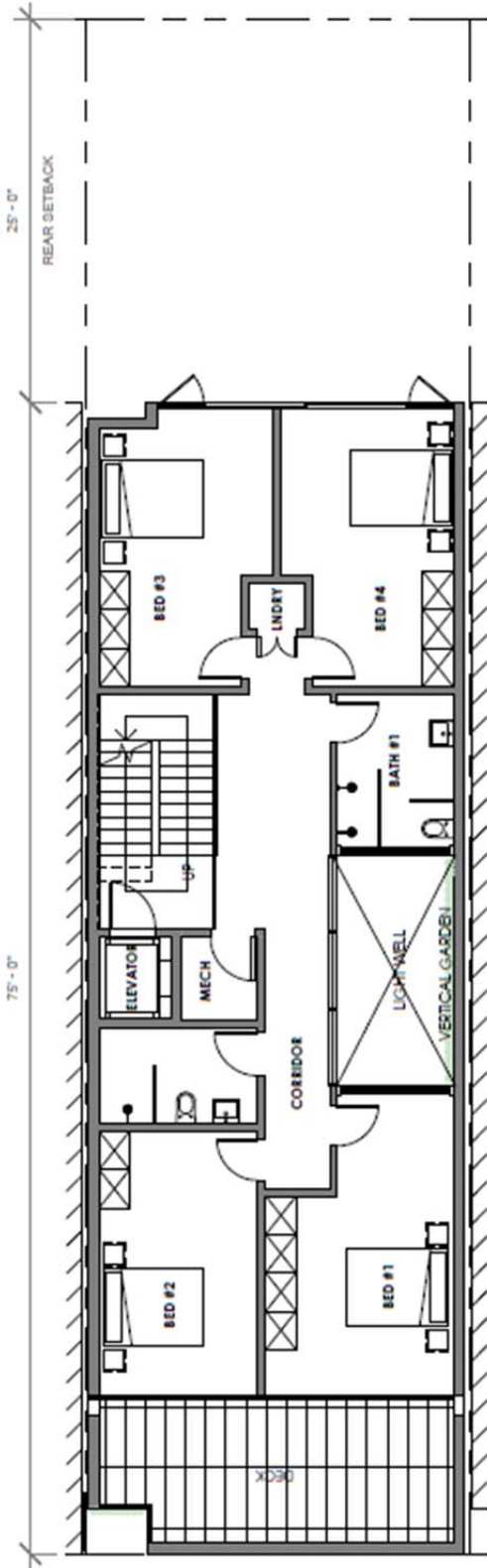
LOT 47 - LEVEL 1



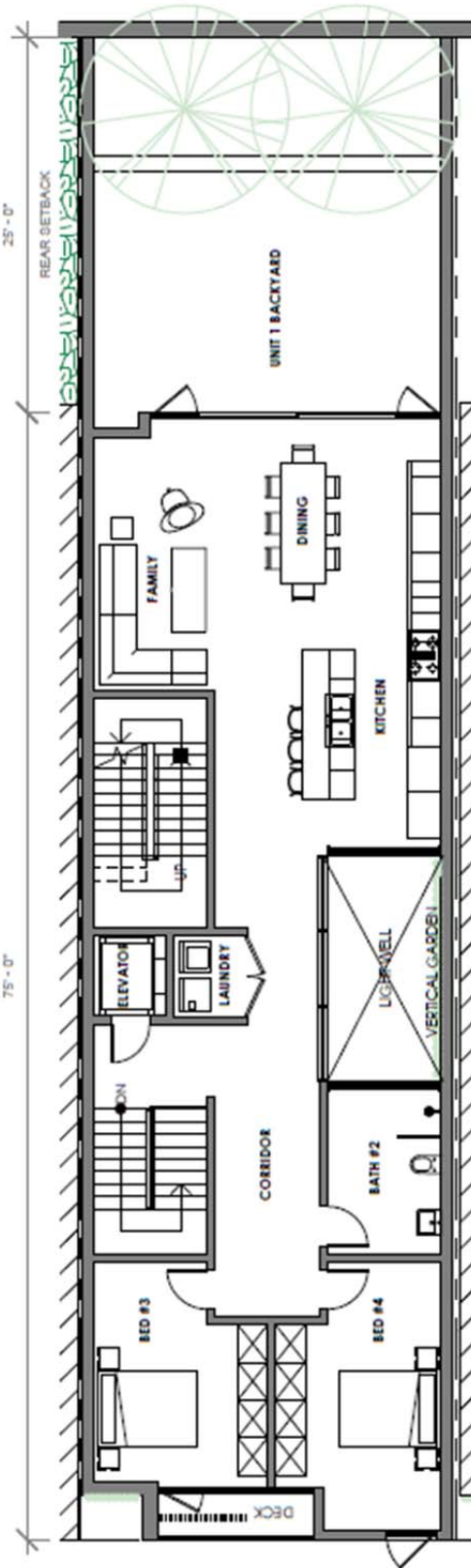
LOT 47 - GARAGE LEVEL

FIGURE 7: PROPOSED GARAGE AND FIRST FLOORS, LOT 047
(LOT 048 SIMILAR)

SOURCE: Dawson & Clinton, RG-Architecture



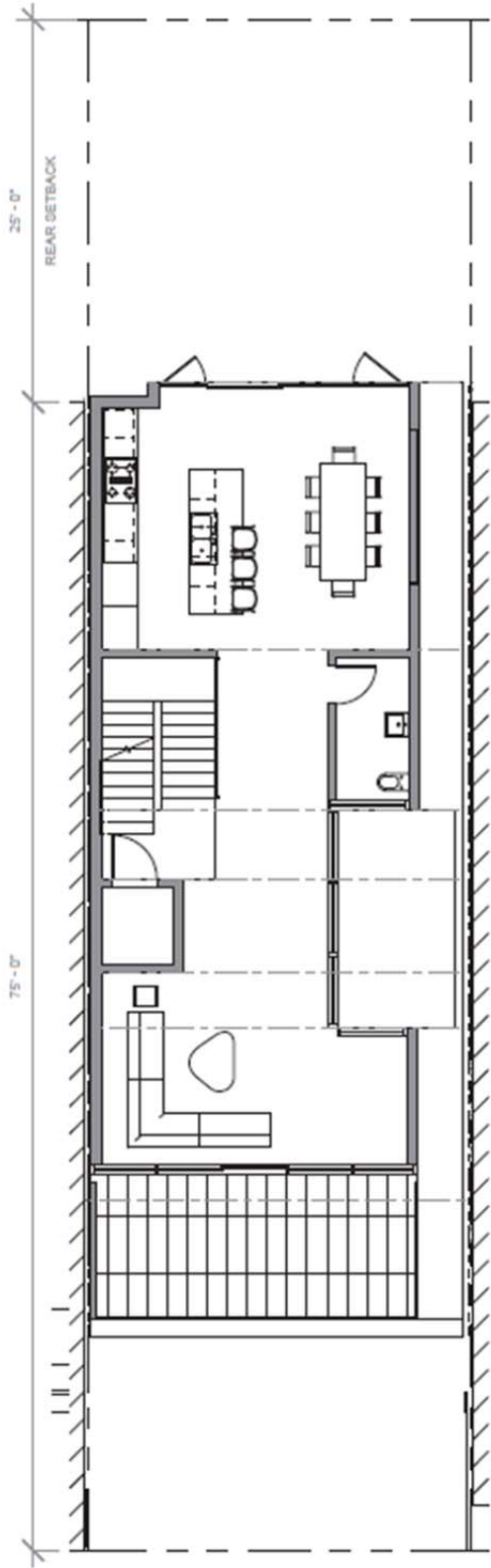
LOT 47 - LEVEL 3



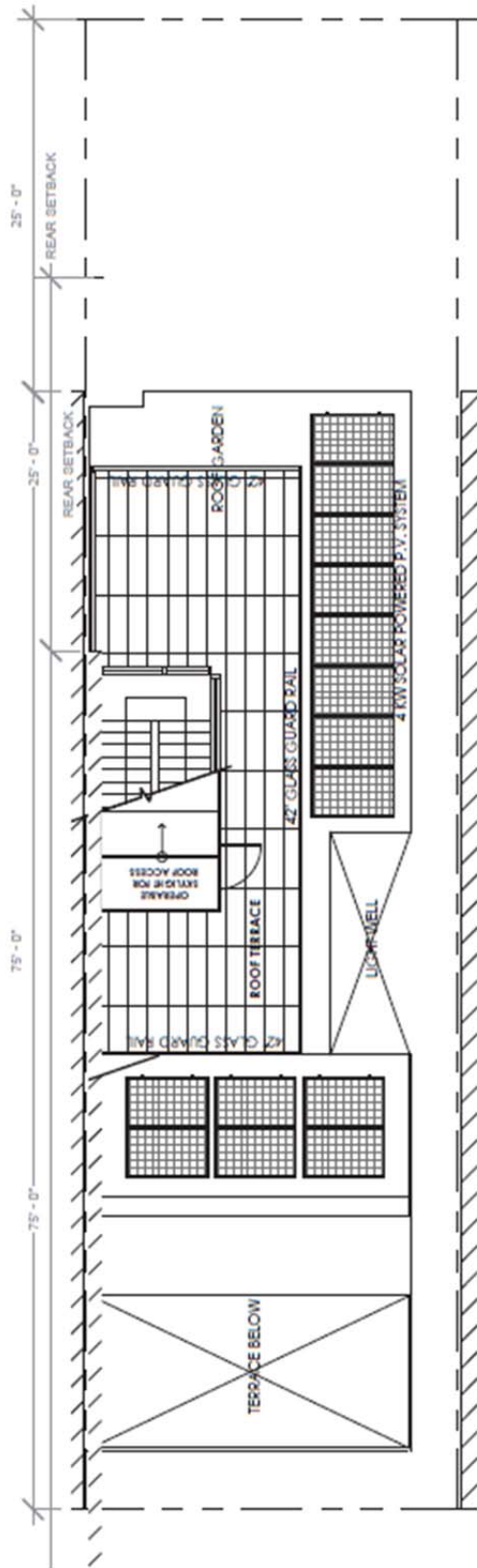
LOT 47 - LEVEL 2

SOURCE: Dawson & Clinton, RG-Architecture

FIGURE 8: PROPOSED SECOND AND THIRD FLOORS, LOT 047
(LOT 048 SIMILAR)



LOT 47 - LEVEL 4



LOT 47 - ROOF

FIGURE 9: PROPOSED FOURTH FLOOR AND ROOF, LOT 047
(LOT 048 SIMILAR)

SOURCE: Dawson & Clinton, RG-Architecture



FIGURE 10: PROPOSED WEST ELEVATION

SOURCE: Dawson & Clinton, RG-Architecture

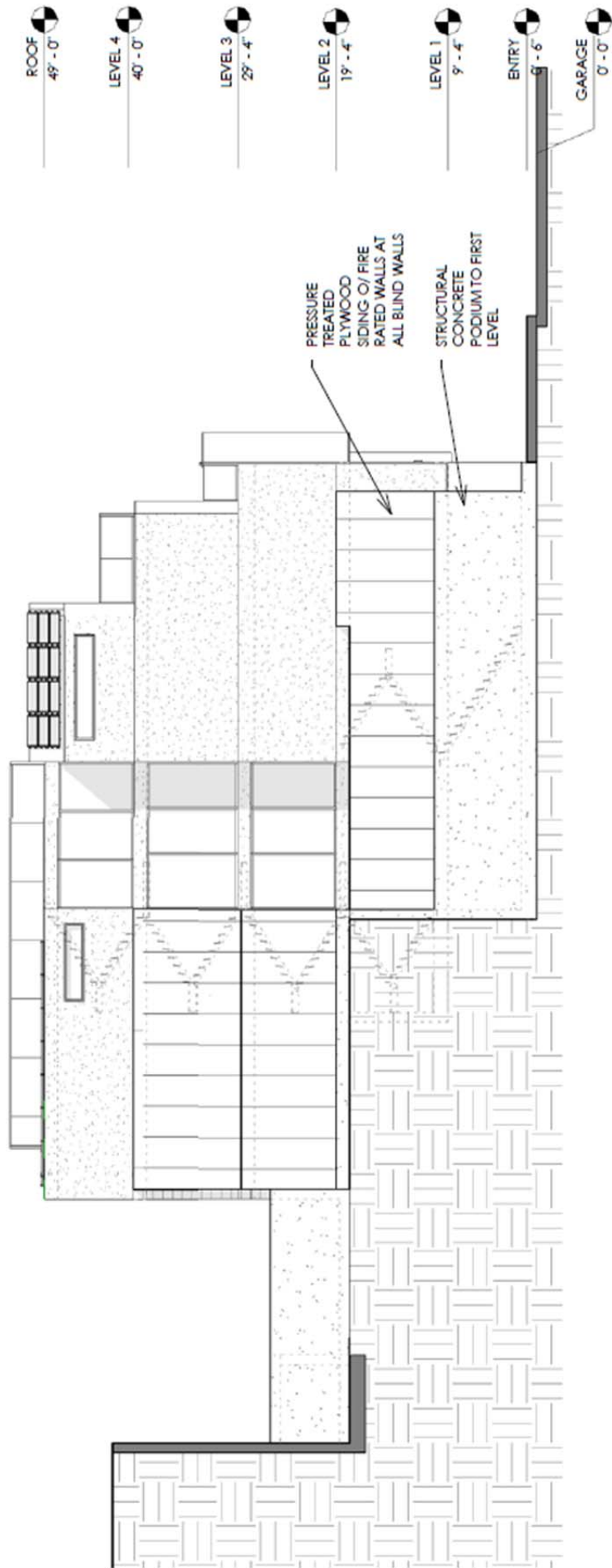


FIGURE 11: PROPOSED NORTH ELEVATION

SOURCE: Dawson & Clinton, RG-Architecture

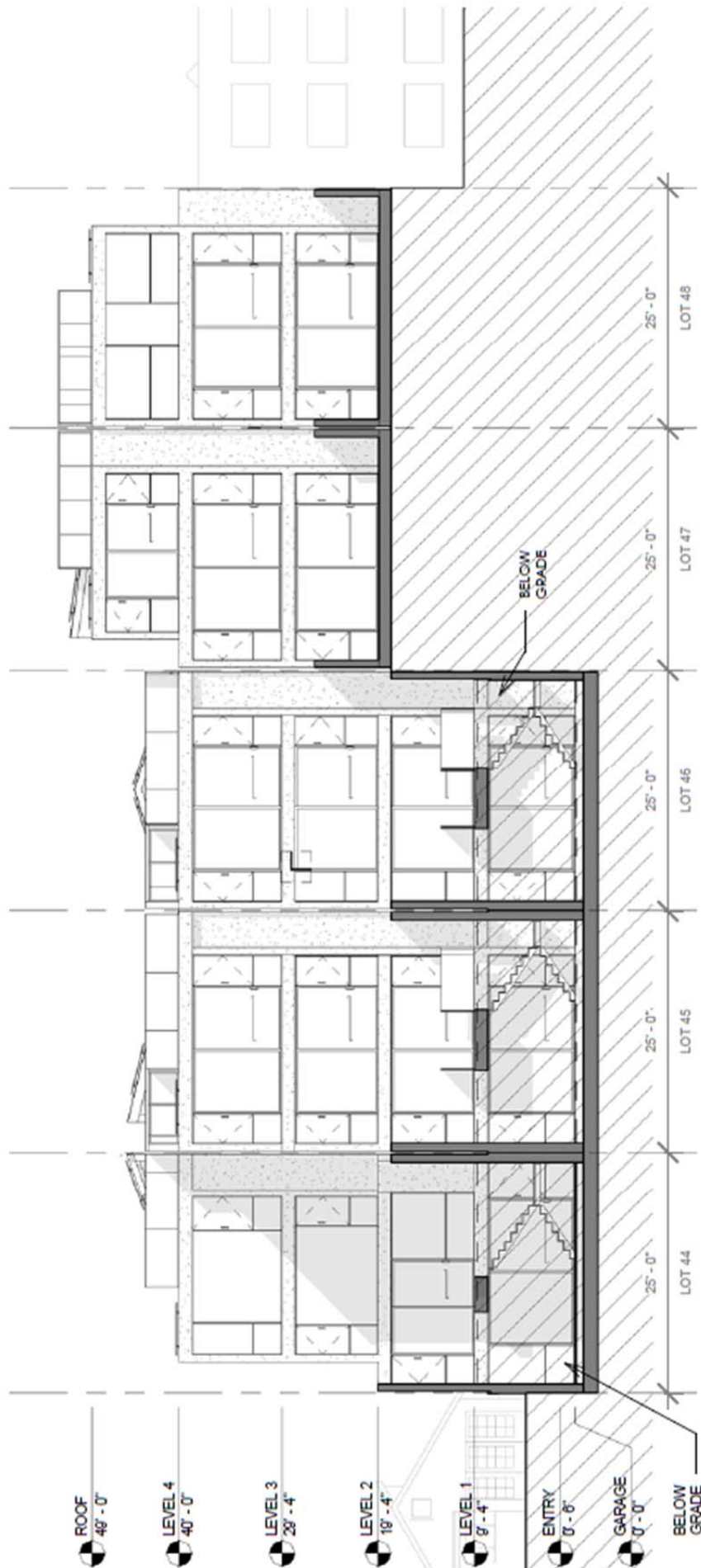


FIGURE 12: PROPOSED EAST ELEVATION

SOURCE: Dawson & Clinton, RG-Architecture

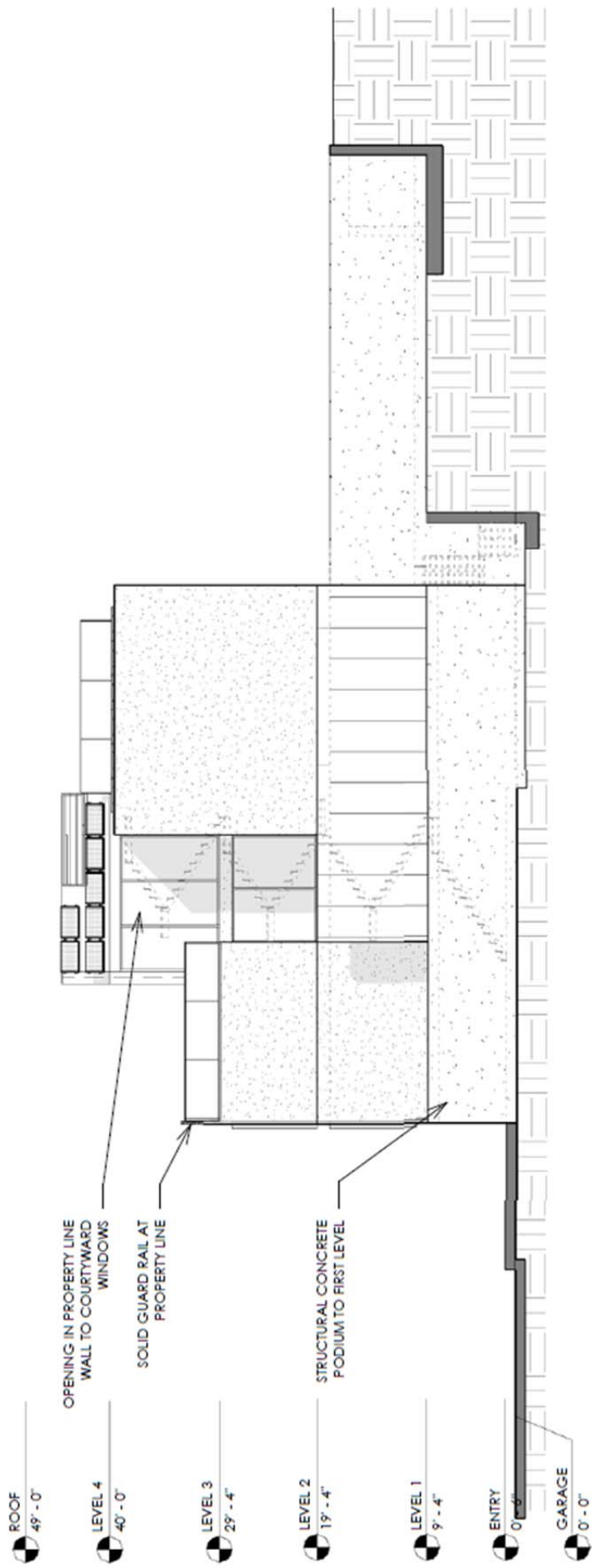


FIGURE 13: PROPOSED SOUTH ELEVATION

SOURCE: Dawson & Clinton, RG-Architecture



FIGURE 14: VIEW ALONG KANSAS STREET

SOURCE: Dawson & Clinton, RG-Architecture

The proposed project would require the following approvals:

- **Site/Building Permit** (*Planning Department and Department of Building Inspection*)

Each of the five proposed buildings is subject to notification under Planning Code Section 311. If discretionary review before the Planning Commission is requested, the discretionary review action constitutes the Approval Action for the specific building being reviewed. If no discretionary review is requested, the issuance of the building permit application by the Department of Building Inspection (DBI) constitutes the Approval Action for the specific building being reviewed. The Approval Action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

EVALUATION OF ENVIRONMENTAL EFFECTS

This initial study evaluates whether the environmental impacts of the proposed project are addressed in the programmatic environmental impact report for the Eastern Neighborhoods rezoning and area plans (Eastern Neighborhoods PEIR).¹ The initial study considers whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Eastern Neighborhoods PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific focused negative declaration or environmental impact report. If no such topics are identified, no additional environmental review shall be required for the project beyond that provided in the Eastern Neighborhoods PEIR and this project-specific initial study in accordance with CEQA Section 21083.3 and CEQA Guidelines Section 15183.

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

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

The proposed project consists of constructing five buildings containing a total of nine dwelling units and nine parking spaces. As discussed below in this initial study, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

¹ San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed May 4, 2017.

CHANGES IN THE REGULATORY ENVIRONMENT

Since the certification of the Eastern Neighborhoods PEIR in 2008, several new policies, regulations, statutes, and funding measures have been adopted, passed, or are underway that affect the physical environment and/or environmental review methodology for projects in the Eastern Neighborhoods plan areas. As discussed in each topic area referenced below, these policies, regulations, statutes, and funding measures have implemented or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR. These include:

- State legislation amending CEQA to eliminate consideration of aesthetics and parking impacts for infill projects in transit priority areas, effective January 2014;
- State legislation amending CEQA and San Francisco Planning Commission resolution replacing level of service (LOS) analysis of automobile delay with vehicle miles traveled (VMT) analysis, effective March 2016 (see “CEQA Section 21099” heading below);
- *San Francisco Bicycle Plan* update adoption in June 2009, *Better Streets Plan* adoption in 2010, Transit Effectiveness Project (aka “Muni Forward”) adoption in March 2014, Vision Zero adoption by various City agencies in 2014, Proposition A and B passage in November 2014, and the Transportation Sustainability Program (see initial study Transportation and Circulation section);
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses Near Places of Entertainment, effective June 2015 (see initial study Noise section);
- San Francisco ordinances establishing Construction Dust Control, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, amended December 2014 (see initial study Air Quality section);
- San Francisco Clean and Safe Parks Bond passage in November 2012 and San Francisco Recreation and Open Space Element of the *General Plan* adoption in April 2014 (see initial study Recreation section);
- *Urban Water Management Plan* adoption in 2011 and Sewer System Improvement Program process (see initial study Utilities and Service Systems section); and
- Article 22A of the Health Code amendments effective August 2013 (see initial study Hazards and Hazardous Materials section).

Aesthetics and Parking

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

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

The proposed project meets each of the above criteria; therefore, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.² Project elevations and an architectural rendering are included in the project description.

Automobile Delay and Vehicle Miles Traveled

In addition, CEQA Section 21099(b)(1) requires that the State Office of Planning and Research (OPR) develop revisions to the CEQA Guidelines establishing criteria for determining the significance of transportation impacts of projects that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA Section 21099(b)(2) states that upon certification of the revised guidelines for determining transportation impacts pursuant to Section 21099(b)(1), automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment under CEQA.

In January 2016, the OPR published for public review and comment a [Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA](#)³ recommending that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted the OPR’s recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution No. 19579). The VMT metric does not apply to the analysis of project impacts on non-automobile modes of travel such as riding transit, walking, and bicycling. Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist, including PEIR Mitigation Measures E-1: Traffic Signal Installation, E-2: Intelligent Traffic Management, E-3: Enhanced Funding, and E-4: Intelligent Traffic Management. Instead, a VMT analysis is provided in the Transportation and Circulation section.

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

The Eastern Neighborhoods PEIR determined that adoption of the rezoning and area plans would result in a significant and unavoidable impact on land use due to the cumulative loss of PDR uses. The project

² San Francisco Planning Department, *Eligibility Checklist for CEQA Section 21099: Modernization of Transportation Analysis*, 923-939 Kansas Street, February 1, 2017.

³ This document is available online at: https://www.opr.ca.gov/s_sb743.php.

site is vacant, so implementation of the proposed project would not result in the loss of any existing PDR uses or contribute to the significant impact identified in the Eastern Neighborhoods PEIR.

The Eastern Neighborhoods PEIR determined that implementation of the rezoning and area plans would result in the loss of opportunities to develop future PDR uses. The project site has been zoned RH-2 (Residential, House, Two-Family) since 1978, and it was not rezoned as part of the Eastern Neighborhoods rezoning and area plans. RH-2 Districts do not permit PDR uses. Therefore, the proposed project does not represent a lost opportunity to develop PDR uses on the project site. Implementation of the proposed project would not contribute to the overall loss of PDR opportunities under the Eastern Neighborhoods rezoning and area plans.

The division of an established community typically involves the construction of a physical barrier to neighborhood access, such as a new freeway, or the removal of a means of access, such as a bridge or a roadway. The Eastern Neighborhoods PEIR determined that implementation of the area plans would not construct any physical barriers to neighborhood access or remove any existing means of access that could physically divide established communities.

The Citywide Planning and Current Planning divisions of the Planning Department have determined that the proposed project is permitted in an RH-2 District and is consistent with the height, density, and land uses specified in the *Showplace Square/Potrero Hill Area Plan*.^{4, 5} Implementation of the proposed project would introduce residential uses that would be consistent with and maintain the residential character of the project vicinity.

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

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

⁴ Steve Wertheim, San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Citywide Planning Analysis, 923-939 Kansas Street, February 23, 2017.*

⁵ Jeff Joslin, San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 923-939 Kansas Street, April 13, 2017.*

Topics:	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

One of the objectives of the Eastern Neighborhoods area plans is to identify appropriate locations for housing in the City’s industrially zoned land to meet the citywide demand for additional housing. The PEIR assessed how the rezoning actions would affect housing supply and location options for businesses in the Eastern Neighborhoods and compared these outcomes to what would otherwise be expected without the rezoning, assuming a continuation of development trends and ad hoc land use changes (such as allowing housing within industrial zones through conditional use authorization on a case-by-case basis, site-specific rezoning to permit housing, and other similar case-by-case approaches). The PEIR concluded that adoption of the rezoning and area plans: “would induce substantial growth and concentration of population in San Francisco.” The PEIR states that the increase in population expected to occur as a result of the proposed rezoning and adoption of the area plans would not, in and of itself, result in adverse physical effects and would serve to advance key City policy objectives, such as providing housing in appropriate locations next to downtown and other employment generators and furthering the City’s transit-first policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the area plan neighborhoods. The Eastern Neighborhoods PEIR determined that the anticipated increase in population and density would not directly result in significant adverse physical effects on the environment. However, the PEIR identified significant cumulative impacts on the physical environment that would result indirectly from growth afforded under the rezoning and area plans, including impacts on land use, transportation, air quality, and noise. The PEIR contains detailed analyses of these secondary effects under each of the relevant resource topics, and identifies mitigation measures to address significant impacts where feasible.

The PEIR determined that implementation of the rezoning and area plans would not have a significant impact from the direct displacement of existing residents, and that each of the rezoning options considered in the PEIR would result in less displacement as a result of unmet housing demand than would be expected under the No-Project scenario because the addition of new housing would provide some relief to housing market pressure without directly displacing existing residents. However, the PEIR also noted that residential displacement is not solely a function of housing supply, and that adoption of the rezoning and area plans could result in indirect, secondary effects on neighborhood character through gentrification that could displace some residents. The PEIR discloses that the rezoned districts could transition to higher-value housing, which could result in gentrification and displacement of lower-income households, and states moreover that lower-income residents of the Eastern Neighborhoods, who also disproportionately live in crowded conditions and in rental units, are among the most vulnerable to displacement resulting from neighborhood change.

Pursuant to CEQA Guidelines Sections 15131 and 15064(e), economic and social effects such as gentrification and displacement are only considered under CEQA where these effects would cause substantial adverse physical impacts on the environment. Only where economic or social effects have resulted in adverse physical changes in the environment, such as “blight” or “urban decay,” have courts upheld environmental analysis that consider such effects. But without such a connection to an adverse physical change, consideration of social or economic impacts “shall not be considered a significant effect”

per CEQA Guidelines Section 15382. While the Eastern Neighborhoods PEIR disclosed that adoption of the Eastern Neighborhoods rezoning and area plans could contribute to gentrification and displacement, it did not determine that these potential socioeconomic effects would result in significant adverse physical impacts on the environment.

The proposed project consists of constructing five buildings containing a total of nine dwelling units, which would result in a total of about 22 residents on the project site.⁶ These direct effects of the proposed project on population and housing would not result in new or substantially more severe significant impacts on the physical environment beyond those identified in the Eastern Neighborhoods PEIR. The project’s contribution to indirect effects on the physical environment attributable to population growth are evaluated in this initial study under the topics of land use and land use planning, transportation and circulation, noise, air quality, greenhouse gas emissions, recreation, utilities and service systems, and public services.

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

Historic Architectural Resources

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources (CRHR) or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The Eastern Neighborhoods PEIR determined that future development facilitated through the changes in use districts and height limits under the Eastern Neighborhoods Area Plans could have substantial adverse changes on the significance of both individual historical resources and on historical districts within the plan areas. The PEIR determined that approximately 32 percent of the known or potential historical resources in the plan areas could potentially be affected under the

⁶ The Eastern Neighborhoods PEIR assumed that the Plan Area would have an average household size of about 2.43 residents per dwelling unit in the year 2025.

preferred alternative. The Eastern Neighborhoods PEIR found this impact to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the approval of the Eastern Neighborhoods rezoning and area plans on January 19, 2009.

The project site is vacant, so there are no existing buildings on the project site that could be considered historical resources under CEQA. In addition, the project site is not within an existing historic district.

For these reasons, the proposed project would not contribute to the significant and unavoidable impacts on historical resources that were identified in the Eastern Neighborhoods PEIR.

Archeological Resources

The Eastern Neighborhoods PEIR determined that implementation of the Area Plans could result in significant impacts on archeological resources and identified three mitigation measures that would reduce these potential impacts to less-than-significant levels. PEIR Mitigation Measure J-1 applies to properties for which a final archeological research design and treatment plan (ARDTP) is on file at the Northwest Information Center and the Planning Department. PEIR 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. PEIR 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 project site is not in an area for which a previous archeological study has been conducted and an ARDTP is on file, so PEIR Mitigation Measure J-1 is not applicable to the proposed project. No previous archeological studies have been conducted for the project site, so PEIR Mitigation Measure J-2 is applicable to the proposed project. PEIR Mitigation Measure J-2 requires the preparation of a Preliminary Archeological Sensitivity Study to determine the potential for archeological resources to be present at the project site. The Planning Department conducted a Preliminary Archeological Review (PAR) and determined that the proposed project would have low potential to adversely affect archeological resources. As part of the PAR, the Planning Department determined that a mitigation measure related to the accidental discovery of archeological resources is applicable to the proposed project.⁷ This mitigation measure, identified as Project Mitigation Measure 1, is discussed on pp. 50-51. The project site is not in the Mission Dolores Archeological District, so PEIR Mitigation Measure J-3 is not applicable to the proposed project.

For these reasons, the proposed project would not result in significant impacts on archeological resources beyond those identified in the Eastern Neighborhoods PEIR.

⁷ San Francisco Planning Department, *Preliminary Archeological Review, 923-939 Kansas Street*, March 2, 2015.

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

The Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, loading, or construction traffic. The PEIR states that, in general, analyses of pedestrian, bicycle, loading, emergency access, and construction transportation impacts are specific to individual development projects and project-specific analyses would need to be conducted for future development projects under the Eastern Neighborhoods rezoning and area plans.

Accordingly, the Planning Department conducted project-level analysis of the pedestrian, bicycle, loading, and construction transportation impacts of the proposed project.⁸ Based on this project-level review, the Planning Department determined that the proposed project would not have significant impacts that are peculiar to the project or the project site.

The Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes could result in significant impacts on transit ridership and identified seven transportation mitigation measures, which are discussed below in the “Transit” subsection. Even with mitigation, however, it was anticipated that the significant adverse cumulative impacts on transit lines could not be reduced to less-than-significant levels. Thus, these impacts were found to be significant and unavoidable.

⁸ San Francisco Planning Department, *Transportation Calculations for 923-939 Kansas Street*, January 31, 2017.

As previously discussed under “Changes to the Regulatory Environment,” in response to state legislation that called for removing automobile delay from CEQA analysis, the Planning Commission adopted Resolution No. 19579 replacing automobile delay with a vehicle miles traveled (VMT) metric for analyzing transportation impacts of a project. Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist.

The Eastern Neighborhoods PEIR did not evaluate VMT or the potential for induced automobile travel. The VMT analysis presented below evaluates the project’s transportation effects using the VMT metric.

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

Vehicle Miles Traveled (VMT) Analysis

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

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

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010-2012, census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area’s actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from the project. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to the entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would overestimate VMT.^{9,10}

⁹ To state another way: a tour-based assessment of VMT at a retail site would consider the VMT for all trips in the tour, for any tour with a stop at the retail site. If a single tour stops at two retail locations, for example, a coffee shop on the way to work and a restaurant on the way back home, then both retail locations would be allotted the

For residential development, the existing regional average daily VMT per capita is 17.2.¹¹ Average daily VMT for this land use is projected to decrease under future 2040 cumulative conditions. Please see Table 1: Daily Vehicle Miles Traveled, which includes the TAZ, 606, in which the project site is located.

Table 1: Average Daily Vehicle Miles Traveled

Land Use	Existing			Cumulative 2040		
	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 606 Average	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 606 Average
Households (Residential)	17.2	14.6	7.3	16.1	13.7	5.8

A project would have a significant effect on the environment if it would cause substantial additional VMT. The State Office of Planning and Research's (OPR) *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA* ("proposed transportation impact guidelines") recommends screening criteria to identify types, characteristics, or locations of projects that would not result in significant impacts to VMT. If a project meets one of the three screening criteria provided (Map-Based Screening, Small Projects, and Proximity to Transit Stations), then it is presumed that VMT impacts would be less than significant for the project and a detailed VMT analysis is not required. Map-Based Screening is used to determine if a project site is located within a TAZ that exhibits low levels of VMT. Small Projects are projects that would generate fewer than 100 vehicle trips per day. The Proximity to Transit Stations criterion includes projects that are within a half-mile of an existing major transit stop, have a floor area ratio that is equal to or greater than 0.75, vehicle parking that is less than or equal to that required or allowed by the Planning Code without conditional use authorization, and are consistent with the applicable Sustainable Communities Strategy.

In TAZ 606, the existing average daily household VMT per capita is 7.3, and the future 2040 average daily household VMT per capita is estimated to be 5.8.¹² Given that the project site is located in an area in which the existing and future 2040 residential VMT would be more than 15 percent below the existing and future 2040 regional averages, the proposed project's residential uses would not result in substantial additional VMT, and impacts would be less than significant. Furthermore, the project site meets the Proximity to Transit Stations screening criterion, which also indicates the proposed project's residential uses would not cause substantial additional VMT.¹³

total tour VMT. A trip-based approach allows us to apportion all retail-related VMT to retail sites without double-counting.

¹⁰ San Francisco Planning Department, *Executive Summary: Resolution Modifying Transportation Impact Analysis*, Appendix F, Attachment A, March 3, 2016.

¹¹ Includes the VMT generated by the households in the development and averaged across the household population to determine VMT per capita.

¹² San Francisco Planning Department, *Eligibility Checklist for CEQA Section 21099: Modernization of Transportation Analysis*, 923-939 Kansas Street, February 1, 2017.

¹³ *Ibid.*

Induced Automobile Travel Analysis

A proposed project would have a significant effect on the environment if it would substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow lanes) or by adding new roadways to the network. The OPR's proposed transportation impact guidelines includes a list of transportation project types that would not likely lead to a substantial or measureable increase in VMT. If a project fits within the general types of projects (including combinations of types), then it is presumed that VMT impacts would be less than significant, and a detailed VMT analysis is not required.

The proposed project is not a transportation project. However, the proposed project would include features that would alter the transportation network. A new sidewalk and five new driveways and curb cuts would be provided along the east side of Kansas Street in front of the project site. These features fit within the general types of projects that would not substantially induce automobile travel, and the impacts would be less than significant.¹⁴

Trip Generation

The proposed project consists of constructing five buildings containing a total of nine dwelling units and nine parking spaces.

Localized trip generation of the proposed project was calculated using a trip-based analysis and information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.¹⁵ The proposed project would generate an estimated 90 person trips (inbound and outbound) on a weekday daily basis, consisting of 55 person trips by auto, 16 transit trips, five walk trips, and 14 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 16 person trips, consisting of 10 person trips by auto (nine vehicle trips accounting for vehicle occupancy data for this census tract), three transit trips, one walk trip, and two trips by other modes.

Transit

Eastern Neighborhoods PEIR Mitigation Measures E-5: Enhanced Transit Funding, through E-11: Transportation Demand Management, were adopted as part of the Plan with uncertain feasibility to address significant transit impacts. These measures are not applicable to the proposed project, as they are plan-level mitigation measures to be implemented by City and County agencies. In compliance with a portion of Mitigation Measure E-5, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding transit and complete streets. In addition, the San Francisco Board of Supervisors approved amendments to the San Francisco Planning Code, referred to as the Transportation Sustainability Fee (TSF), which is codified as Planning Code Section 411A (Ordinance No. 200-154, effective December 25, 2015).¹⁶ The fee updated, expanded, and replaced the prior Transit Impact Development Fee, which is in compliance with portions of Mitigation Measure E-5. The City is also currently conducting outreach regarding Mitigation Measure E-5 and Mitigation Measure E-11. Both

¹⁴ *Ibid.*

¹⁵ San Francisco Planning Department, *Transportation Calculations for 923-939 Kansas Street*, January 31, 2017.

¹⁶ Two additional files were created at the Board of Supervisors for TSF regarding hospitals and health services, grandfathering, and additional fees for larger projects: see Board File Nos. 151121 and 151257.

the TSF and the transportation demand management efforts are part of the Transportation Sustainability Program.¹⁷ In compliance with all or portions of Mitigation Measure E-6: Transit Corridor Improvements, Mitigation Measure E-7: Transit Accessibility, Mitigation Measure E-9: Rider Improvements, and Mitigation Measure E-10: Transit Enhancement, the (San Francisco Municipal Transportation Agency (SFMTA) is implementing the Transit Effectiveness Project (TEP), which was approved by the SFMTA Board of Directors in March 2014. The TEP (now called Muni Forward) includes system-wide review, evaluation, and recommendations to improve service and increase transportation efficiency. Examples of transit priority and pedestrian safety improvements within the Eastern Neighborhoods plan area as part of Muni Forward include the 14 Mission Rapid Transit Project, the 22 Fillmore Extension along 16th Street to Mission Bay (expected construction between 2017 and 2020), and the Travel Time Reduction Project on 9 San Bruno bus route (initiation in 2015). In addition, Muni Forward includes service improvements to various routes with the Eastern Neighborhoods plan area (e.g., the implemented new 55 16th Street bus route).

Mitigation Measure E-7 also identifies implementing recommendations of the *Bicycle Plan* and the *Better Streets Plan*. As part of the *Bicycle Plan*, adopted in 2009, a series of minor, near-term, and long-term bicycle facility improvements are planned within the Eastern Neighborhoods, including along 2nd Street, 5th Street, 17th Street, Townsend Street, Illinois Street, and Cesar Chavez Street. The *Better Streets Plan*, adopted in 2010, describes a vision for the future of San Francisco's pedestrian realm and calls for streets that work for all users. The *Better Streets Plan* requirements were codified in Planning Code Section 138.1, and new projects constructed in the Eastern Neighborhoods plan area are subject to varying requirements, dependent on project size. Another effort which addresses transit accessibility, Vision Zero, was adopted by various City agencies in 2014. Vision Zero focuses on building better and safer streets through education, evaluation, enforcement, and engineering. The goal is to eliminate all traffic fatalities by 2024. Vision Zero projects within the Eastern Neighborhoods plan area include pedestrian intersection treatments along Mission Street from 18th to 23rd streets, the Potrero Avenue Streetscape Project from Division to Cesar Chavez streets, and the Howard Street Pilot Project, which includes pedestrian intersection treatments from 4th to 6th streets.

The project site is well served by public transportation. Within one-quarter mile of the project site, the San Francisco Municipal Railway (Muni) operates the following bus lines: the 9 San Bruno, 9R San Bruno Rapid, 10 Townsend, 19 Polk, 33 Ashbury/18th, and the 48 Quintara/24th.

The proposed project would be expected to generate 16 daily transit trips, including three during the p.m. peak hour. Given the wide availability of nearby transit, the addition of three p.m. peak-hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts related to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. The project site is within one-quarter mile of two of these seven affected lines (the 33 Ashbury/18th and the 48 Quintara/24th). The proposed project would not contribute considerably to these conditions as its minor contribution of three p.m. peak-hour transit trips

¹⁷ <http://tsp.sfplanning.org>

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.

Emergency Vehicle Access

The segment of the Kansas Street right-of-way that is north of the project site is approximately 50 feet wide. The rock outcropping on the project site encroaches into the Kansas Street right-of-way, leaving an approximately 10-foot-wide travel lane. The segment of the Kansas Street right-of-way that is south of the project site is approximately 20 to 25 feet wide. Kansas Street ends in a cul-de-sac approximately 100 feet south of the project site.

Despite the narrowness of Kansas Street in front of and south of the project site, emergency vehicles are currently able to access the existing residential buildings to the south of the project site. Implementation of the proposed project would not worsen an existing condition by reducing emergency vehicle access to the project site or the properties to the south. The proposed project would excavate the rock outcropping and widen the segment of the Kansas Street right-of-way in front of the project site. This widened segment of the Kansas Street right-of-way would be approximately 50 feet wide at the northern end and taper down to approximately 25 feet at the southern end. Implementation of the proposed project would maintain and improve emergency vehicle access to the project site and the properties to the south. For these reasons, the proposed project would not result in significant impacts on emergency vehicle access beyond those identified in the Eastern Neighborhoods PEIR.

The proposed improvements to the segment of the Kansas Street right-of-way in front of the project site are subject to review and approval by San Francisco Public Works (SFPW), the San Francisco Fire Department, and the San Francisco Municipal Transportation Agency.

Conclusion

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

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

a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that implementation of the Eastern Neighborhoods rezoning and area plans would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. The Eastern Neighborhoods PEIR also determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods rezoning and area plans would be less than significant. The Eastern Neighborhoods PEIR identified six noise mitigation measures, three of which may be applicable to subsequent development projects.¹⁸ These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

Construction Impacts

The Eastern Neighborhoods PEIR includes two mitigation measures that address impacts from construction noise. PEIR Mitigation Measure F-1: Construction Noise (Pile Driving), addresses noise impacts related to pile driving. Each of the proposed buildings would be supported by a mat slab foundation; pile driving would not be required. Therefore, PEIR Mitigation Measure F-1 is not applicable to the proposed project. PEIR Mitigation Measure F-2: Construction Noise, requires the development of a noise attenuation plan and the implementation of noise attenuation measures to minimize noise impacts

¹⁸ Eastern Neighborhoods PEIR Mitigation Measures F-3, F-4, and F-6 address the siting of sensitive land uses in noisy environments. In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents except where a project or its residents may exacerbate existing environmental hazards (*California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478. Available at: <http://www.courts.ca.gov/opinions/documents/S213478.PDF>). As noted above, the Eastern Neighborhoods PEIR determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods rezoning and area plans would be less than significant and thus would not exacerbate the existing noise environment. Therefore, Eastern Neighborhoods Mitigation Measures F-3, F-4, and F-6 are not applicable. Nonetheless, for all noise sensitive uses, the general requirements for adequate interior noise levels of Mitigation Measures F-3 and F-4 are met by compliance with the acoustical standards required under the California Building Standards Code (California Code of Regulations Title 24).

from construction activities. PEIR Mitigation Measure F-2, which is applicable to the proposed project, is identified as Project Mitigation Measure 2 and discussed on p. 52.

In addition, all construction activities for the proposed project (approximately 24 months) would be subject to the San Francisco Noise Ordinance (Noise Ordinance), which is codified as Article 29 of the San Francisco Police Code. The Noise Ordinance regulates construction noise and requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA¹⁹ 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 SFPW or the Director of the 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 SFPW authorizes a special permit for conducting the work during that period.

The DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.), and the Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the approximately 24-month construction period for the proposed project, occupants of nearby properties could be disturbed by construction noise. There may be times when construction noise could interfere with indoor activities in residences near the project site. The increase in project-related construction noise in the project vicinity would not be considered a significant impact of the proposed project, because the construction noise would be temporary (approximately 24 months), intermittent, and restricted in occurrence and level. In addition, the construction contractor would be required to comply with the Noise Ordinance and PEIR Mitigation Measure F-2, which would reduce construction noise impacts to less-than-significant levels.

Operational Impacts

PEIR Mitigation Measure F-5: Siting of Noise-Generating Uses, addresses impacts related to individual development projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise levels in the respective project vicinities. The proposed project would result in the development of residential uses on the project site, and these uses are not expected to generate noise levels in excess of existing ambient noise levels in the project vicinity. The proposed project would include the installation of mechanical equipment, such as heating and ventilation systems, that could produce operational noise, but this equipment would be required to comply with the standards set forth in the Noise Ordinance. The proposed project does not include the installation of a backup diesel generator. Therefore, PEIR Mitigation Measure F-5 is not applicable to the proposed project.

The proposed project would be subject to the California Building Standards Code (Title 24 of the California Code of Regulations), which establishes uniform noise insulation standards. The Title 24 acoustical standards for residential structures are incorporated into Section 1207 of the San Francisco Building Code and require that these structures be designed to prevent the intrusion of exterior noise so

¹⁹ The standard method used to quantify environmental noise involves evaluating the sound with an adjustment to reflect the fact that human hearing is less sensitive to low-frequency sound than to mid- and high-frequency sound. This measurement adjustment is called "A" weighting, and the data are reported in A-weighted decibels (dBA).

that the noise level attributable to exterior sources, with the windows closed, shall not exceed 45 dBA in any habitable room. The Title 24 acoustical standards for nonresidential structures are incorporated into the San Francisco Green Building Code. Title 24 allows the project sponsor to choose between a prescriptive or performance-based acoustical standard for nonresidential structures. Pursuant to the Title 24 acoustical standards, all building wall, floor/ceiling, and window assemblies are required to meet certain sound transmission class or outdoor-indoor sound transmission class ratings to ensure that adequate interior noise levels are achieved. In compliance with Title 24, the DBI would review the final building plans to ensure that the building wall, floor/ceiling, and window assemblies meet Title 24 acoustical requirements. If determined necessary by the DBI, a detailed acoustical analysis of the exterior wall and window assemblies may be required.

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

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

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

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts on sensitive land uses²⁰ as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels and stated that with implementation of identified mitigation measures, the Area Plan

²⁰ The Bay Area Air Quality Management District considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, *Recommended Methods for Screening and Modeling Local Risks and Hazards*, May 2011, p. 12.

would be consistent with the *Bay Area 2005 Ozone Strategy*, which was the applicable air quality plan at that time. All other air quality impacts were found to be less than significant.

Eastern Neighborhoods PEIR Mitigation Measure G-1 addresses air quality impacts during construction, and PEIR Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs.²¹

Construction Dust Control

PEIR Mitigation Measure G-1: Construction Air Quality, requires individual projects involving construction activities to include dust control measures and to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. The San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance No. 176-08, effective August 29, 2008). The intent of this ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, to minimize public nuisance complaints, and to avoid orders to stop work by the DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, sweeping streets and sidewalks, and other measures.

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

Criteria Air Pollutants

While the Eastern Neighborhoods PEIR determined that, at a program level, the Eastern Neighborhoods rezoning and area plans would not result in significant regional air quality impacts, the PEIR states that “Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the BAAQMD’s quantitative thresholds for individual projects.”²² The BAAQMD’s *CEQA Air Quality Guidelines (Air Quality Guidelines)* provide screening criteria²³ for determining whether a project’s criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the *Air Quality Guidelines*, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria. The proposed project, with nine dwelling units, is below both the construction screening criterion and the operational screening criterion for the “condominium/townhouse

²¹ The Eastern Neighborhoods PEIR also includes Mitigation Measure G-2, which has been superseded by Health Code Article 38, as discussed below, and is no longer applicable.

²² San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, Case No. 2004.0160E, certified August 7, 2008, p. 346. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=4003>, accessed May 5, 2017.

²³ BAAQMD, *CEQA Air Quality Guidelines*, updated May 2011, pp. 3-2 to 3-3.

high-rise” land use type. Therefore, the proposed project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

Health Risk

Since the certification of the PEIR, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes (Ordinance No. 224-14, effective December 7, 2014), generally referred to as Health Code Article 38: Enhanced Ventilation Required for Urban Infill Sensitive Use Developments (Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone (APEZ) and imposing an enhanced ventilation requirement on all urban infill sensitive-use development within the APEZ. The APEZ, as defined in Article 38, consists of areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM_{2.5} concentration and cumulative excess cancer risk. The APEZ incorporates health vulnerability factors and proximity to freeways. For sensitive-use projects within the APEZ, such as the proposed project, the ordinance requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from PM_{2.5} equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. The DBI will not issue a building permit without written notification from the Director of the DPH that the applicant has an approved Enhanced Ventilation Proposal. In compliance with Article 38, the project sponsor submitted an initial application to DPH.²⁴

Construction

The project site is located within an identified APEZ; therefore, the ambient health risk to sensitive receptors from air pollutants is considered substantial. The proposed project would require heavy-duty off-road diesel vehicles and equipment during about six months of the anticipated 24-month construction period. Thus, Project Mitigation Measure 3: Construction Air Quality, has been identified to implement the portions of PEIR Mitigation Measure G-1 related to emissions exhaust by requiring engines with higher emissions standards on construction equipment. Project Mitigation Measure 3 would reduce DPM exhaust from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment.²⁵ Therefore, impacts related to construction health risks would be less than significant through implementation of Project Mitigation Measure 3, which is discussed on pp. 52-54.

²⁴ *Application for Article 38 Compliance Assessment, 923-939 Kansas Street*, submitted April 21, 2017.

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

Siting New Sources

The proposed project would not be expected to generate 100 truck trips per day or 40 refrigerated truck trips per day, so PEIR Mitigation Measure G-3: Siting of Uses that Emit DPM, is not applicable. The proposed project would not include a backup diesel generator, so PEIR Mitigation Measure G-4: Siting of Uses that Emit Other TACs, is not applicable.

Conclusion

For these reasons, the proposed project would not result in significant air quality impacts beyond those identified in the Eastern Neighborhoods PEIR.

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

Eastern Neighborhoods PEIR

The Eastern Neighborhoods PEIR assessed the greenhouse gas (GHG) emissions that could result from rezoning of the Mission 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 carbon dioxide equivalent (CO₂E) per service population, respectively.²⁶ The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three rezoning options would be less than significant. No mitigation measures were identified in the PEIR.

Proposed Project

The Bay Area Air Quality Management District (BAAQMD) has prepared guidelines and methodologies for analyzing GHG emissions. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5, which address the analysis and determination of significant impacts from a proposed project’s GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the project’s GHG impact would be less than significant. San Francisco’s *Strategies to Address Greenhouse Gas Emissions*²⁷ presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco’s GHG reduction strategy in

²⁶ San Francisco Planning Department, *Greenhouse Gas Analysis for Community Plan Exemptions in Eastern Neighborhoods*, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods PEIR and estimates GHG emissions using a service population (equivalent of total number of residents and employees) metric.

²⁷ San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf, accessed May 9, 2017.

compliance with the BAAQMD and CEQA guidelines. These GHG reduction actions have resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,²⁸ exceeding the year 2020 reduction goals outlined in the BAAQMD's *2010 Clean Air Plan*,²⁹ Executive Order S-3-05,³⁰ and Assembly Bill 32 (also known as the Global Warming Solutions Act).^{31, 32} In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05³³ and B-30-15,^{34, 35} and Senate Bill 32.^{36, 37} Therefore, projects that are consistent with San Francisco's GHG reduction strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would increase the intensity of use of the project site by introducing five buildings containing a total of nine dwelling units and nine parking spaces to replace a rock outcropping. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of residential operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

²⁸ ICF International, *Technical Review of the 2012 Community-wide GHG Inventory for the City and County of San Francisco*, January 21, 2015. Available at http://sfenvironment.org/sites/default/files/fliers/files/icf_verificationmemo_2012sfecommunityinventory_2015-01-21.pdf, accessed March 16, 2015.

²⁹ Bay Area Air Quality Management District, *Clean Air Plan*, September 2010. Available at <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>, accessed March 3, 2016.

³⁰ Office of the Governor, Executive Order S-3-05, June 1, 2005. Available at <https://www.gov.ca.gov/news.php?id=1861>, accessed March 3, 2016.

³¹ California Legislative Information, Assembly Bill 32, September 27, 2006. Available at http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf, accessed March 3, 2016.

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

³³ Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million metric tons of carbon dioxide equivalent (MTCO₂E)); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO₂E); and by 2050, reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO₂E). Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalent," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

³⁴ Office of the Governor, Executive Order B-30-15, April 29, 2015. Available at <https://www.gov.ca.gov/news.php?id=18938>, accessed March 3, 2016. Executive Order B-30-15 sets a state GHG emissions reduction goal of 40 percent below 1990 levels by the year 2030.

³⁵ San Francisco's GHG reduction goals are codified in Section 902 of the Environment Code and include: (i) by 2008, determine City GHG emissions for year 1990; (ii) by 2017, reduce GHG emissions by 25 percent below 1990 levels; (iii) by 2025, reduce GHG emissions by 40 percent below 1990 levels; and by 2050, reduce GHG emissions by 80 percent below 1990 levels.

³⁶ Senate Bill 32 amends California Health and Safety Code Division 25.5 (also known as the California Global Warming Solutions Act of 2006) by adding Section 38566, which directs that statewide greenhouse gas emissions to be reduced by 40 percent below 1990 levels by 2030.

³⁷ Senate Bill 32 was paired with Assembly Bill 197, which would modify the structure of the State Air Resources Board; institute requirements for the disclosure of greenhouse gas emissions criteria pollutants and toxic air contaminants; and establish requirements for the review and adoption of rules, regulations, and measures for the reduction of greenhouse gas emissions.

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

Compliance with the City's bicycle parking requirements would reduce the proposed project's transportation-related GHG emissions. This regulation reduces GHG emissions from single-occupancy vehicles by promoting the use of alternative transportation modes with zero or lower GHG emissions on a per capita basis.

The proposed project would be required to comply with the energy efficiency requirements of the City's Green Building Code, the Stormwater Management Ordinance, and the Residential Water Conservation Ordinance, all of which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.³⁸

The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Composting Ordinance, Construction and Demolition Debris Recovery Ordinance, and Green Building Code requirements. These regulations reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy³⁹ and reducing the energy required to produce new materials.

Compliance with the City's street tree planting requirements would serve to increase carbon sequestration. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).⁴⁰ Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.⁴¹

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

³⁸ Compliance with water conservation measures reduces the energy (and GHG emissions) required to convey, pump, and treat water required for the project.

³⁹ Embodied energy is the total energy required for the extraction, processing, manufacture, and delivery of building materials to the building site.

⁴⁰ While not a GHG, VOCs are precursor pollutants that form ground-level ozone. Increased ground-level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.

⁴¹ San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 923-939 Kansas Street*, November 28, 2016.

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

Wind

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects less than 80 feet in height would not have the potential to result in significant wind impacts. The new height limits proposed under the Eastern Neighborhoods rezoning and area plans would generally not exceed 80 feet. A few locations throughout the plan area already have existing height limits of 130 feet, but no new locations with height limits of 130 feet were proposed. For these reasons, the Eastern Neighborhoods PEIR determined that, at a programmatic level, the Eastern Neighborhoods rezoning and area plans would not result in significant wind impacts. No mitigation measures were identified in the PEIR. Individual development projects proposed under the Eastern Neighborhoods rezoning and area plans must still be assessed to ensure that they would not result in significant project-level wind impacts.

The proposed project, at a maximum height of 49 feet, would be similar in height to existing buildings in the area. Given the height of the proposed project and the existing scale of development in the project vicinity, the proposed project is not tall enough to alter ground-level wind conditions in a manner that substantially affects public areas. For these reasons, the proposed project would not result in any significant wind impacts beyond those identified in the Eastern Neighborhoods PEIR.

Shadow

Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Under the Eastern Neighborhoods rezoning and area plans, some sites surrounding parks could be redeveloped with taller buildings, because some parks are not subject to the provisions of Section 295 (i.e., some parks are under the jurisdiction of agencies other than the Recreation and Park Commission or are privately owned). The Eastern Neighborhoods PEIR could not conclude if the Eastern Neighborhoods rezoning and area plans would result in less-than-significant shadow impacts, because the feasibility of complete mitigation for the potential new shadow impacts of unknown development proposals could not be determined at that time. Therefore, the PEIR determined that the shadow impacts would be significant and unavoidable. No mitigation measures were identified in the PEIR.

The Planning Department prepared a preliminary shadow fan analysis and determined that the proposed project has the potential to cast shadow on McKinley Square, a park that is approximately 0.1 mile

northwest of the project site.^{42, 43} The shadow fan analysis accounts for topography, but it does not account for existing intervening buildings that could block project shadow from reaching McKinley Square.

McKinley Square, on the southwest corner of 20th and Vermont streets, is a 2.8-acre park that is under the jurisdiction of the Recreation and Park Commission.⁴⁴ The perimeter of the park is lined with trees, and most of the park is landscaped with grass. A children's play area in the northwest corner is the only programmed space within the park.

From late autumn through early spring, the proposed project has the potential to cast shadow on the southeast corner of the park in the morning, but shadow from the proposed project would not reach the park in the afternoon. During the summer, it is unlikely that the proposed project would cast shadow on the park at any time during the day given the sun's position in the sky (i.e., the sun reaches its highest point in the sky during the summer, resulting in shorter shadows than during autumn, winter, and spring). There are existing buildings on the west side of Kansas Street and on the hillside that slopes down from the project site toward McKinley Square, and these buildings could block some, but not all, project shadow from reaching the park. Any net new project shadow that reaches the park would fall on the southeast corner of the park. This area of the park does not include any programmed space; it is landscaped with grass and is used for passive recreation.

Any net new project shadow on McKinley Square would represent a considerable contribution to the cumulative shadow impact analyzed in the Eastern Neighborhoods PEIR. However, net new project shadow would not result in significant impacts that were previously not identified or more severe impacts than those analyzed in the PEIR.

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

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

⁴² A shadow fan is a diagram that shows the maximum potential reach of project shadow, without accounting for intervening buildings that could block the shadow, over the course of an entire year (from one hour after sunrise until one hour before sunset on each day of the year) in relation to the locations of nearby open spaces, recreation facilities, and parks.

⁴³ San Francisco Planning Department, *Shadow Fan Analysis, 923-939 Kansas Street*, February 22, 2017.

⁴⁴ As discussed in the project description, the proposed project has a maximum height of 49 feet when measured from street level. Pursuant to a Zoning Administrator Letter of Determination issued on November 5, 2013 and based on how building height is defined and measured pursuant to Planning Code Sections 102.12(c) and 261(c)(1), the proposed project complies with the 40-foot height limit on the project site. The proposed project does not exceed a building height of 40 feet and is not subject to the provisions of Planning Code Section 295.

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

The Eastern Neighborhoods PEIR concluded that implementation of the Eastern Neighborhoods rezoning and area plans would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures related to recreational resources were identified in the Eastern Neighborhoods PEIR. However, the PEIR identified Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities. This improvement measure calls for the City to implement funding mechanisms for an ongoing program to repair, upgrade and adequately maintain park and recreation facilities to ensure the safety of users.

As part of the adoption of the Eastern Neighborhoods rezoning and area plans, the City adopted impact fees for development in Eastern Neighborhoods that goes toward funding recreation and open space. Since certification of the PEIR, the voters of San Francisco passed the 2012 San Francisco Clean and Safe Neighborhood Parks Bond, providing the Recreation and Park Department an additional \$195 million to continue capital projects for the renovation and repair of park, recreation, and open space assets. This funding is being utilized for improvements and expansion to Garfield Square, South Park, the Potrero Hill Recreation Center, Warm Water Cove Park, and the Pier 70 Parks Shoreline within the Eastern Neighborhoods plan area. The impact fees and the 2012 San Francisco Clean and Safe Neighborhood Parks Bond are funding measures similar to that described in PEIR Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities.

An update of the Recreation and Open Space Element (ROSE) of the *General Plan* was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies areas within the Eastern Neighborhoods plan area for acquisition and locations where new open spaces and open space connections should be constructed, consistent with PEIR Improvement Measure H-2: Support for New Open Space. Two of these open spaces, Daggett Park and at 17th and Folsom streets, are both set to open in 2016. In addition, the amended ROSE identifies the role of both the *Better Streets Plan* and the Green Connections Network in open space and recreation. Green Connections are special streets and paths that connect people to parks, open spaces, and the waterfront, while enhancing the ecology of the street environment. Six routes identified within the Green Connections Network cross the Eastern Neighborhoods plan area: Mission to Peaks (Route 6); Noe Valley to Central Waterfront (Route 8), a portion of which has been conceptually

designed; Tenderloin to Potrero (Route 18); Downtown to Mission Bay (Route 19); Folsom, Mission Creek to McLaren (Route 20); and Shoreline (Route 24).

Furthermore, the Planning Code requires a specified amount of new usable open space (either private or common) for each new residential unit. Some developments are also required to provide privately owned, publicly accessible open spaces. The Planning Code open space requirements would help offset some of the additional open space needs generated by increased residential population in the Eastern Neighborhoods plan area.

The proposed project would provide usable open space for each dwelling unit in the form of a rear yard or one or more roof decks. This usable open space would help alleviate the demand for recreational facilities.

As the proposed project would not degrade recreational facilities and is consistent with the development density established under the Eastern Neighborhoods rezoning and area plans, there would be no additional impacts on recreation beyond those analyzed in the Eastern Neighborhoods PEIR.

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

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

Since certification of the PEIR, the San Francisco Public Utilities Commission (SFPUC) adopted the *2010 Urban Water Management Plan (UWMP)* in June 2011. The UWMP update includes citywide demand projections to the year 2035, compares available water supplies to meet demand, and presents water demand management measures to reduce long-term water demand. Additionally, the UWMP update includes a discussion of the conservation requirement set forth in Senate Bill 7, passed in November 2009, mandating a statewide 20 percent reduction in per capita water use by 2020. The UWMP includes a quantification of the SFPUC's water use reduction targets and plan for meeting these objectives. The UWMP projects sufficient water supply in normal years and a supply shortfall during prolonged droughts. Plans are in place to institute varying degrees of water conservation and rationing as needed in response to severe droughts.

In addition, the SFPUC is in the process of implementing the Sewer System Improvement Program, which is a 20-year, multi-billion dollar citywide upgrade to the City's sewer and stormwater infrastructure to ensure a reliable and seismically safe system. The program includes planned improvements that will serve development in the Eastern Neighborhoods plan area, including at the Southeast Treatment Plant, the Central Bayside System, and green infrastructure projects, such as the Mission and Valencia Green Gateway.

As the proposed project is consistent with the development density established under the Eastern Neighborhoods rezoning and area plans, there would be no additional impacts on utilities and service systems beyond those analyzed in the Eastern Neighborhoods PEIR.

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

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

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

As the proposed project is consistent with the development density established under the Eastern Neighborhoods rezoning and area plans, the proposed project would not result in new or substantially

more severe impacts on the physical environment associated with the provision of public services beyond those analyzed in the Eastern Neighborhoods PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
12. BIOLOGICAL RESOURCES—				
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

San Francisco is within the Pacific Flyway, a major north-south route of travel for migratory birds along the western portion of the Americas. Buildings are potential obstacles that can injure or kill birds in the event of a collision, and bird strikes are a leading cause of worldwide declines in bird populations.

Planning Code Section 139: Standards for Bird-Safe Buildings, establishes building design standards to reduce avian mortality rates associated with bird strikes.

The project site is within 300 feet of McKinley Square, which is an urban bird refuge (an open space of two or more acres that is dominated by vegetation).⁴⁵ As part of the proposed project’s entitlement process, the Current Planning Division of the Planning Department will determine if there is a clear line of sight between the project site and the urban bird refuge. Should this be the case, the proposed project would be subject to the provisions of Planning Code Section 139. Required compliance with Planning Code Section 139 would ensure that the proposed project would not result in any significant impacts related to bird strikes.

The project site is located within the Showplace Square/Potrero Hill plan area and does not support habitat for any candidate, sensitive or special status species.

For these reasons, implementation of the proposed project would not result in significant impacts on biological resources beyond those identified in the Eastern Neighborhoods PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
13. GEOLOGY AND SOILS—Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

⁴⁵ San Francisco Planning Department, *Urban Bird Refuge Poster*, July 23, 2014. Available online at http://www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Urban_Bird_Refuge_Poster.pdf, accessed January 31, 2017.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

A geotechnical investigation was conducted to assess the geologic conditions underlying the project site and provide recommendations related to the proposed project's design and construction. The findings and recommendations, presented in a geotechnical report, are summarized below.⁴⁶

The geotechnical investigation included the excavation of 10 test pits on the project site to depths ranging from 3.5 to 10 feet below ground surface (bgs). Five test pits were excavated near the front of the project site, and five test pits were excavated near the rear of the project site. Based on the soil samples obtained from these test pits, the project site is underlain by fill consisting of clay and sand. This layer of fill varies in depth from 0.5 to 2.5 feet bgs at the front of the project site and from 2.5 to 7.5 feet bgs at the rear of the project site. The fill is underlain by serpentinite bedrock. Groundwater was not encountered. There are no known active earthquake faults that run underneath the project site or in the project vicinity; the closest active fault to the project site is the San Andreas Fault, which is about seven miles to the southwest. The project site is not in a liquefaction hazard zone or a landslide hazard zone.⁴⁷

The geotechnical report states that the proposed project could be supported by one of three types of foundation systems: a mat slab foundation, a spread footings foundation, or drilled concrete piers that extend into the bedrock underlying the project site. The project sponsor has elected to use a mat slab foundation; pile driving would not be required. Construction of the proposed project would require excavation to depths ranging from 12 to 37 feet bgs and the removal of about 6,334 cubic yards of soil and rock. The geotechnical report includes recommendations related to seismic design, excavation and underpinning, temporary shoring, site preparation and grading, foundations, retaining walls, slabs,

⁴⁶ Herzog Geotechnical Consulting Engineers, *Geotechnical Report, 945-951 Kansas Street, San Francisco, California*, March 28, 2014.

⁴⁷ San Francisco Planning Department, GIS database geology layer, accessed April 25, 2017.

utility trenches, pavements, and drainage. The project sponsor has agreed to implement the recommendations in the geotechnical report.

The proposed project is required to comply with the Building Code, which ensures the safety of all new construction in San Francisco. The DBI will review the project-specific geotechnical report during its review of the building permit application for the proposed project. In addition, the DBI may require additional site-specific soils report(s) as needed. Implementation of the recommendations in the geotechnical report, in combination with the requirement for a geotechnical report and the review of the building permit application pursuant to the DBI’s implementation of the Building Code would minimize the risk of loss, injury, or death due to seismic or other geologic hazards.

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

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

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The project site is occupied by a large rock outcrop and has never been developed, so implementation of the proposed project would increase the area of impervious surfaces. As a result, the proposed project would increase stormwater runoff. The San Francisco Stormwater Management Ordinance (Ordinance No. 83-10, effective May 22, 2010) requires the proposed project to maintain, reduce, or eliminate the existing volume and rate of stormwater runoff discharged from the project site. Compliance with this ordinance would ensure that the proposed project would not result in runoff that would exceed the capacity of existing or planned stormwater drainage systems.

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

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
15. HAZARDS AND HAZARDOUS MATERIALS—Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury, or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR noted that implementation of any of the Eastern Neighborhoods rezoning options would encourage construction of new development within the plan area. The PEIR found that there is a high potential to encounter hazardous materials during construction activities in many parts of the plan area because of the presence of 1906 earthquake fill, previous and current land uses associated with the use of hazardous materials, and known or suspected hazardous materials cleanup cases. However, the PEIR found that existing regulations for facility closure, underground storage tank closure, and investigation and cleanup of soil and groundwater would ensure that workers and the community would be protected from exposure to hazardous materials during construction. In addition, businesses that use or generate hazardous substances (cleaners, solvents, etc.), would be subject to existing regulations that would protect workers and the community from exposure to hazardous materials during operations. Furthermore, compliance with existing building and fire codes would reduce impacts related to potential fire hazards, emergency response, and evacuation hazards to less-than-significant levels.

Serpentinite and Naturally Occurring Asbestos

As discussed under Topic 13, Geology and Soils, the project site is underlain by serpentinite bedrock. Serpentinite commonly contains chrysotile, a form of naturally occurring asbestos (NOA) that can be hazardous to human health if airborne emissions are inhaled. In the absence of proper controls, NOA could become airborne during excavation and the handling of excavated materials. On-site workers and the public could be exposed to airborne asbestos unless appropriate control measures are implemented. Although the California Air Resources Board (ARB) has not identified a safe exposure level for asbestos in residential areas, exposure to low levels of asbestos for short periods of time poses minimal risk.⁴⁸ To address health concerns from exposure to NOA, the ARB enacted the Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations in July 2001. The requirements established by the Asbestos ATCM are contained in Title 17, Section 93105 of the California Code of Regulations and are enforced by the Bay Area Air Quality Management District. The Asbestos ATCM requires construction activities in areas where NOA is likely to be found to employ best available dust control measures.

⁴⁸ California Air Resources Board, *Fact Sheet #1: Health Information on Asbestos*, January 2002. Available online at <http://www.arb.ca.gov/toxics/Asbestos/1health.pdf>, accessed February 22, 2017.

The San Francisco Board of Supervisors adopted the Construction Dust Control Ordinance in 2008 to reduce fugitive dust generated by construction activities. The requirements for dust control as identified in the Construction Dust Control Ordinance are as effective as the dust control measures identified in the Asbestos ATCM. Thus, the measures required in compliance with the Construction Dust Control Ordinance would protect the workers themselves as well as the public from fugitive dust that may also contain asbestos. The project sponsor would be required to comply with the Construction Dust Control Ordinance, which would ensure that significant exposure to NOA would not occur.

In addition, the project sponsor has prepared a Site Mitigation Plan (SMP), which includes a dust control plan, to address the removal of excavated materials containing NOA.⁴⁹ The SMP has been submitted to the DPH for review and approval.

For these reasons, the proposed project would not result in a hazard to the public or environment from exposure to NOA.

Hazardous Building Materials

The Eastern Neighborhoods PEIR determined that future development in the plan area may involve demolition or renovation of existing structures containing hazardous building materials. Some materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the PEIR include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead-based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. The Eastern Neighborhoods PEIR identified a significant impact associated with hazardous building materials, including PCBs, DEHP, and mercury, and determined that PEIR Mitigation Measure L-1: Hazardous Building Materials, would reduce this impact to a less-than-significant level. PEIR Mitigation Measure L-1 requires any equipment containing PCBs or DEHP to be removed and properly disposed of in accordance with applicable federal, state, and local regulations prior to the start of renovation. In addition, mercury or other hazardous materials that are identified before or during construction shall be removed and/or abated in accordance with applicable federal, state, and local regulations. Because the proposed project does not include the demolition or renovation of an existing building, PEIR Mitigation Measure L-1 is not applicable to the proposed project.

Soil and Groundwater Contamination

The project site is located in a Maher Area, meaning that it is known or suspected to contain contaminated soil and/or groundwater.⁵⁰ In addition, the proposed project would require excavation to a depths varying from 12 to 37 feet below ground surface and the disturbance of more than 50 cubic yards of soil and rock. For these reasons, the proposed project is subject to Health Code Article 22A (also known as the Maher Ordinance), which is administered and overseen by the DPH. The project sponsor is

⁴⁹ Essel Environmental Consulting, *Site Mitigation Plan with Dust Control Plan, Kansas Street Residential Development, 923-939 Kansas Street, San Francisco, California 94107*, April 26, 2016.

⁵⁰ San Francisco Planning Department, *Expanded Maher Area Map*, March 2015. Available online at http://www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Maher%20Map.pdf, accessed April 18, 2017.

required to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the proposed project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit an SMP to the DPH or other appropriate state or federal agencies and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit. As discussed above, the project site is known to contain hazardous materials in the form of NOA. The project sponsor elected to prepare an SMP without first preparing a Phase I ESA to determine if an SMP would be necessary.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Ordinance Application to the DPH.⁵¹ Pursuant to compliance with the Maher Ordinance and implementation of the SMP, the proposed project would not result in significant impacts related to contaminated soil and/or groundwater beyond those identified in the Eastern Neighborhoods PEIR.

As discussed above, compliance with all applicable federal, state, and local regulations would ensure that the proposed project would not result in significant impacts related to hazards or hazardous materials beyond those identified in the Eastern Neighborhoods PEIR.

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

The Eastern Neighborhoods PEIR determined that the Eastern Neighborhoods rezoning and area plans would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy in a wasteful manner or in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by the 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 PEIR concluded that implementation of the Eastern Neighborhoods rezoning and area plans would not result

⁵¹ *Maher Ordinance Application, 923-939 Kansas Street, submitted October 1, 2015.*

in a significant impact on mineral and energy resources. No mitigation measures were identified in the PEIR.

As the proposed project is consistent with the development density established under the Eastern Neighborhoods rezoning and area plans, there would be no additional impacts on mineral and energy resources beyond those analyzed in the Eastern Neighborhoods PEIR.

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

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

As the proposed project is consistent with the development density established under the Eastern Neighborhoods rezoning and area plans, there would be no additional impacts on agriculture and forest resources beyond those analyzed in the Eastern Neighborhoods PEIR.

MITIGATION MEASURES

Project Mitigation Measure 1: Accidental Discovery (Implementing PEIR Mitigation Measure J-2)

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in *CEQA Guidelines*

Section 15064.5(a) and (c). 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.

Should any indication of an archeological resource be encountered during any soils-disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils-disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archeological consultant from the pool of qualified archeological consultants maintained by the Planning Department archeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource retains sufficient integrity and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include: preservation in situ of the archeological resource; an archeological 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 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.

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.

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 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 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.

Project Mitigation Measure 2: Construction Noise (Implementing PEIR Mitigation Measure F-2)

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 DBI to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

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

Project Mitigation Measure 3 – Construction Air Quality (Implementing PEIR Mitigation Measure G-1)

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

A. *Engine Requirements.*

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

B. *Waivers.*

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

Table – Off-Road Equipment Compliance Step-down Schedule

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

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

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

1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make,

model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.

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