



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination COMMUNITY PLAN EVALUATION

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Case No.: 2014-002026ENV
Project Address: 1726-1730 Mission Street
Zoning: UMU (Urban Mixed Use) District
68-X Height and Bulk District
Block/Lot: 3532/004A and 005
Lot Size: 7,800 square feet
Plan Area: Eastern Neighborhoods (Mission)
Project Sponsor: Sustainable Living, LLC
c/o Jody Knight – Reuben, Junius & Rose
(415) 567-9000, jknight@reubenlaw.com
Staff Contact: Michael Li
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PROJECT DESCRIPTION

The project site is on the west side of Mission Street between Duboce Avenue and 14th Street in San Francisco’s Mission neighborhood. The project site consists of two adjacent parcels: Assessor’s Block 3532, Lots 004A and 005. Both lots are rectangular; Lot 004A has an area of 2,800 square feet (sf), and Lot 005 has an area of 5,000 sf. Each lot has an existing curb cut. Lot 004A is occupied by a

(Continued on next page.)

CEQA DETERMINATION

The project is eligible for streamlined environmental review per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

DETERMINATION

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



LISA GIBSON
Environmental Review Officer

5/24/17

Date

cc: Sustainable Living, LLC, Project Sponsor
Linda Ajello-Hoagland, Current Planning Division
Supervisor Hillary Ronen, District 9

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

PROJECT DESCRIPTION (continued)

two-story, 24-foot-tall building that was constructed in 1923. This building is currently vacant; it was previously occupied by a sausage factory. Lot 005 is occupied by a two-story, 24-foot-tall building that was constructed in 1991. This building is currently vacant; it was previously used as an office and storage warehouse for the adjacent sausage factory.

The proposed project consists of merging the two existing lots into a single 7,800 sf lot, demolishing the existing buildings, and constructing a six-story, 66-foot-tall, building containing 40 dwelling units, approximately 2,250 gross square feet (gsf) of production/distribution/repair (PDR) space, a garage with 22 parking spaces. There would be a 14-foot-tall elevator penthouse on the roof of the proposed building, resulting in a maximum building height of 80 feet. The dwelling units would be on the second through sixth floors, and the PDR space and the parking garage would be on the ground floor. One parking space would be provided at grade, and the other 21 parking spaces would be housed in mechanical stackers. The two existing curb cuts on Mission Street would be removed, and a garage door and a new 10-foot-wide curb cut and driveway would be provided on Mission Street near the north end of the project site. A total of 70 bicycle parking spaces would be provided; 62 Class 1 spaces would be provided in the ground-floor garage, and eight Class 2 spaces would be provided as bicycle racks on the Mission Street sidewalk adjacent to the project site. Usable open space for the residents of the proposed project would be provided in the form of a common roof deck and private decks.

Construction of the proposed project would take about 14 months. The proposed project would be supported by a mat slab foundation; pile driving would not be required. Construction of the proposed project would require excavation to a depth of about two feet below ground surface (bgs); additional excavation to a depth of about 12 feet bgs at the rear of the project site would be required for the car stackers. About 558 cubic yards of soil would be excavated and removed from the project site.

PROJECT APPROVAL

The proposed project would require the following approvals:

- **Large Project Authorization** (*Planning Commission*)
- **Demolition Permit** (*Planning Department and Department of Building Inspection*)
- **Site/Building Permit** (*Planning Department and Department of Building Inspection*)

Large Project Authorization by the Planning Commission constitutes the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EVALUATION OVERVIEW

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide that projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified, shall not be subject to additional environmental review except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: (a) are peculiar to the project or parcel on which the project would be located; (b) were not analyzed as significant effects in a prior EIR on

the zoning action, general plan, or community plan with which the project is consistent; (c) are potentially significant off-site and cumulative impacts that were not discussed in the underlying EIR; or (d) are previously identified in the EIR, but which, as a result of substantial new information that was not known at the time that the EIR was certified, are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for the project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects of the 1726-1730 Mission Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR).¹ Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 1726-1730 Mission Street.

The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion No. 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.^{2,3}

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

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

¹ San Francisco Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048.

² 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.

³ San Francisco Planning Commission Motion No. 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed May 4, 2017.

Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR.

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

As a result of the Eastern Neighborhoods rezoning process, the project site's zoning has been reclassified from C-M (Heavy Commercial) to UMU (Urban Mixed Use). The UMU District is designed to promote a vibrant mix of uses while maintaining the characteristics of the area, which was formerly zoned for industrial uses. The UMU District is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. Within the UMU District, PDR, residential, retail, educational, and nighttime entertainment uses are permitted. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Evaluation (CPE) Initial Study Checklist under Topic 1, Land Use and Land Use Planning. The 1726-1730 Mission Street site, which is located in the Mission Plan Area of the Eastern Neighborhoods program, was designated as a 68-X Height and Bulk District. This designation allows a building up to 68 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 1726-1730 Mission Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 1726-1730 Mission Street project and identifies the mitigation measures applicable to the 1726-1730 Mission Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{4 5} Therefore, no further CEQA evaluation for the 1726-1730 Mission Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Determination and accompanying project-specific initial study comprise the full and complete CEQA determination necessary for the proposed project.

PROJECT SETTING

The project vicinity is characterized by residential, institutional, retail, and PDR uses. The scale of development in the project vicinity varies in height from 15 to 65 feet. There is a four-story residential building (1720-1724 Mission Street) adjacent to and north of the project site, and there is a three-story residential building (1738-1748 Mission Street) adjacent to and south of the project site. The properties that are adjacent to and west of the project site are occupied by three-story residential buildings that front

⁴ Steve Wertheim, San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, Case No. 2014-002026ENV, 1726-1730 Mission Street, April 19, 2017.*

⁵ Jeff Joslin, San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Current Planning Analysis, Case No. 2014-002026ENV, 1726-1730 Mission Street, May 4, 2017.*

on Woodward Street, an alley that runs parallel to Mission and Valencia streets in the interior of the project block. Other land uses on the project block include three-, four-, and five-story residential buildings, restaurant, retail, entertainment, and PDR uses, a surface parking lot, a gas station, an auto repair garage, and Annunciation Cathedral.

The properties on the east side of Mission Street across from the project site are occupied by a four-story office building with a surface parking lot, an electrical supply and hardware store with a parking garage, and a three-story mixed-use building featuring residential uses above a ground-floor retail use. Other land uses in the project vicinity include U.S. Highway 101 (one-half block north of the project site), the San Francisco Friends School (one block west), and the former San Francisco Armory (one-half block south), which was previously occupied by a film production studio.

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 14 Mission, 14R Mission Rapid, 49 Van Ness/Mission, and 55 16th Street bus lines and the F Market historic streetcar. The Bay Area Rapid Transit District's 16th Street/Mission station is three blocks south of the project site, just outside the one-quarter-mile radius.

POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation, and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued Initial Study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 1726-1730 Mission Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 1726-1730 Mission Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would contribute to the land use impact, because it would remove existing PDR uses and preclude future PDR development opportunities on the project site. The proposed project would not contribute to the impact on historic architectural resources, because it would not result in the demolition or alteration of any such resources. The volume of transit ridership generated by the proposed project would not contribute considerably to the transit impacts identified in the Eastern Neighborhoods PEIR. The proposed project would not contribute to the shadow impact, because it would not cast shadow on any parks or open spaces.

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

Table 1 – Eastern Neighborhoods PEIR Mitigation Measures

Mitigation Measure	Applicability	Compliance
E. Transportation		
E-1: Traffic Signal Installation	Not Applicable: Automobile delay removed from CEQA analysis	Not Applicable
E-2: Intelligent Traffic Management	Not Applicable: Automobile delay removed from CEQA analysis	Not Applicable
E-3: Enhanced Funding	Not Applicable: Automobile delay removed from CEQA analysis	Not Applicable
E-4: Intelligent Traffic Management	Not Applicable: Automobile delay removed from CEQA analysis	Not Applicable
E-5: Enhanced Transit Funding	Not Applicable: Plan level mitigation by the San Francisco Municipal Transportation Agency (SFMTA)	Not Applicable
E-6: Transit Corridor Improvements	Not Applicable: Plan level mitigation by the SFMTA	Not Applicable
E-7: Transit Accessibility	Not Applicable: Plan level mitigation by the SFMTA	Not Applicable
E-8: Muni Storage and Maintenance	Not Applicable: Plan level mitigation by the SFMTA	Not Applicable
E-9: Rider Improvements	Not Applicable: Plan level mitigation by the SFMTA	Not Applicable
E-10: Transit Enhancement	Not Applicable: Plan level mitigation by the SFMTA	Not Applicable
E-11: Transportation Demand Management	Not Applicable: Superseded by TDM Ordinance	Not Applicable
F. Noise		
F-1: Construction Noise (Pile Driving)	Not Applicable: Pile driving is not required or proposed	Not Applicable

Mitigation Measure	Applicability	Compliance
F-2: Construction Noise	Applicable: Temporary construction noise from use of heavy equipment	The project sponsor has agreed to develop and implement noise attenuation measures during construction (see Project Mitigation Measure 2)
F-3: Interior Noise Levels	Not Applicable: Impacts of the environment on proposed projects removed from CEQA analysis.	Not Applicable
F-4: Siting of Noise-Sensitive Uses	Not Applicable: Impacts of the environment on proposed projects removed from CEQA analysis.	Not Applicable
F-5: Siting of Noise-Generating Uses	Applicable: The proposed project could include a noise-generating use	The project sponsor has agreed to conduct a noise study for any PDR use that could generate noise levels exceeding ambient noise levels (see Project Mitigation Measure 3).
F-6: Open Space in Noisy Environments	Not Applicable: Impacts of the environment on proposed projects removed from CEQA analysis.	Not Applicable
G. Air Quality		
G-1: Construction Air Quality	Applicable: The project site is in an Air Pollutant Exposure Zone	The project sponsor has agreed to implement a mitigation measure related to minimizing exhaust emissions from construction equipment and vehicles (see Project Mitigation Measure 4).
G-2: Air Quality for Sensitive Land Uses	Not Applicable: Superseded by Health Code Article 38	Not Applicable
G-3: Siting of Uses that Emit DPM	Not Applicable: The project does not include uses that emit DPM	Not Applicable
G-4: Siting of Uses that Emit other TACs	Not Applicable: The project does not include uses that emit TACs	Not Applicable

Mitigation Measure	Applicability	Compliance
J. Archeological Resources		
J-1: Properties with Previous Studies	Not Applicable: The project site is in the Mission Dolores Archeological District	Not Applicable
J-2: Properties with no Previous Studies	Not Applicable: The project site is in the Mission Dolores Archeological District	Not Applicable
J-3: Mission Dolores Archeological District	Applicable: The project site is in the Mission Dolores Archeological District	The project sponsor has agreed to implement procedures related to archeological testing (see Project Mitigation Measure 1)
K. Historical Resources		
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area	Not Applicable: Plan-level mitigation completed by Planning Department	Not Applicable
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: Plan-level mitigation completed by Planning Commission	Not Applicable
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: Plan-level mitigation completed by Planning Commission	Not Applicable
L. Hazardous Materials		
L-1: Hazardous Building Materials	Applicable: The project includes the demolition or renovation of an existing building	The project sponsor has agreed to remove and properly dispose of any hazardous building materials in accordance with applicable federal, state, and local laws prior to and during demolition of the existing building (see Project Mitigation Measure 5).

Please see the attached Mitigation Monitoring and Reporting Program (MMRP) for the complete text of the applicable mitigation measures. With implementation of these mitigation measures the proposed project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods PEIR.

PUBLIC NOTICE AND COMMENT

A “Notification of Project Receiving Environmental Review” was mailed on December 7, 2015 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis.

The Planning Department received comments regarding the proposed project’s environmental impacts related to transportation and circulation (potential conflicts between cars and bicycles, pedestrians and transit), construction noise, and shadow. As part of the environmental review process, a transportation memorandum was prepared to assess the proposed project’s transportation impacts. The findings of the transportation memorandum are summarized under Topic 4, Transportation and Circulation, in the attached initial study checklist (pp. 21-27). Impacts related to construction noise are addressed under Topic 5, Noise, in the attached initial study checklist (pp. 27-30), and impacts related to shadow are discussed under Topic 8, Wind and Shadow, in the attached initial study checklist (pp. 36-37).

The Planning Department received comments expressing opposition to the loss of existing PDR space and to the proposed project’s architecture, height, and number of parking spaces. The loss of existing PDR space is addressed under Topic 1, Land Use and Land Use Planning, in the attached initial study checklist (pp. 16-17). The comments on the proposed project’s architecture, height, and number of parking spaces are related to the design and programming of the proposed project and do not address the physical environmental impacts of the proposed project. These comments are acknowledged and may be considered by City decision-makers during their deliberations on whether to approve or disapprove the proposed project.

The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

CONCLUSION

As summarized above and further discussed in the initial study checklist:⁶

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

⁶ The initial study checklist is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2014-002026ENV.

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

Therefore, no further environmental review shall be required for the proposed project pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM

MONITORING AND REPORTING PROGRAM				
Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>MITIGATION MEASURES</p> <p>Project Mitigation Measure 1: Archeological Testing (Implementing Eastern Neighborhoods PEIR Mitigation Measure J-3)</p> <p>Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archeological consultant from the rotational Qualified Archeological Consultants List (QACL) maintained by the Planning Department (Department) archeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant’s work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to</p>	<p>Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).</p>	<p>Prior to issuance of site permits.</p>	<p>Project sponsor to retain a qualified archeological consultant who shall report to the ERO.</p> <p>Qualified archeological consultant will scope archeological testing program with the ERO.</p>	<p>Archeological consultant shall be retained prior to issuance of site permit.</p> <p>Archeological consultant has approved scope by the ERO for the archeological testing program.</p> <p>Date Archeological consultant retained: _____</p> <p>Date Archeological consultant received approval for archeological testing program</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
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the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a) and (c).

scope:

Consultation with Descendant Communities: On discovery of an archeological site¹ associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group, an appropriate representative² of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archeological Resources Report shall be provided to the

¹ The term “archeological site” is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.
² An “appropriate representative” of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

MONITORING AND REPORTING PROGRAM

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representative of the descendant group.

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

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Department archeologist. If the ERO determines that a significant

MONITORING AND REPORTING PROGRAM

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archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

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

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

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils-disturbing activities commencing. The ERO in consultation, with the archeological consultant, shall determine what project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc.,

MONITORING AND REPORTING PROGRAM

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<p>shall require archeological monitoring because of the risk these activities pose to potential archeological resources and to their depositional context;</p> <ul style="list-style-type: none"> ▪ The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource; ▪ The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the archeological consultant, determined that project construction activities could have no effects on significant archeological deposits; ▪ The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis; ▪ If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is 				

MONITORING AND REPORTING PROGRAM

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evaluated. If, in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

Archeological Data Recovery Program. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable

MONITORING AND REPORTING PROGRAM

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research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report

MONITORING AND REPORTING PROGRAM

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format and distribution of results.

- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils-disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and, in the event of the Coroner’s determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission, who shall appoint a Most Likely Descendant (MLD) (Public Resources Code Section 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to, but not beyond, six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
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regulations or in this mitigation measure compels the project sponsor and the ERO to accept the recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such an agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.

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

Once approved by the ERO, copies of the FARR shall be distributed as follows: the California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy, and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning Division of the Planning Department shall receive one bound, one unbound, and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>(CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in, or the high interpretive value of, the resource, the ERO may require a different final report content, format, and distribution than that presented above.</p> <p>Project Mitigation Measure 2: Construction Noise (Implementing Eastern Neighborhoods PEIR Mitigation Measure F-2)</p> <p>The project sponsor shall develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> • Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses; • Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site; • Evaluate the feasibility of noise control at the receivers by temporarily improving the noise 	Project sponsor, contractor(s).	Prior to the start of demolition or construction activities and during the construction period.	Project sponsor, contractor(s) to submit noise attenuation plan to the Department of Building Inspection and monthly reports to the Planning Department.	Considered complete upon submittal of final monthly report.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>reduction capability of adjacent buildings housing sensitive uses;</p> <ul style="list-style-type: none"> • 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 sponsor	<p>Prior to Planning Department approval of the proposed PDR tenant/use, if it is determined by the Planning Department that such tenant/use could generate noise levels in excess of ambient noise.</p>	<p>Project sponsor to submit acoustical analysis to Planning Department.</p>	<p>Considered complete upon submittal of acoustical analysis.</p>
<p>Project Mitigation Measure 3: Siting of Noise-Generating Uses (Implementing Eastern Neighborhoods PEIR Mitigation Measure F-5)</p> <p>To reduce potential conflicts between existing sensitive receptors and new noise-generating uses, for new development including commercial, industrial, or other uses that would be expected to generate noise levels in excess of ambient noise, either short-term, at nighttime, or as a 24-hour average, in the proposed project site vicinity, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-sensitive uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the proposed</p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>use would comply with the use compatibility requirements in the <i>General Plan</i> and in Police Code Section 2909, would not adversely affect nearby noise-sensitive uses, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels that would be generated by the proposed use. Should such concerns be present, the Planning Department may require the completion of a detailed noise assessment by persons qualified in acoustical analysis and/or engineering prior to the first project approval action.</p> <p>Project Mitigation Measure 4: Construction Air Quality (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-1)</p> <p>The project sponsor or the project sponsor’s Contractor shall comply with the following:</p> <p style="margin-left: 20px;">A. <i>Engine Requirements.</i></p> <ol style="list-style-type: none"> 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 	Project sponsor, contractor(s).	Prior to construction activities requiring the use of off-road equipment.	Project sponsor, contractor(s) to submit certification statement to the ERO.	Considered complete upon submittal of certification statement.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>Interim or Tier 4 Final off-road emission standards automatically meet this requirement.</p> <p>2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.</p> <p>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.</p> <p>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.</p> <p>B. <i>Waivers.</i></p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>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).</p> <p>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.</p>				

Table – Off-Road Equipment Compliance Step-down Schedule

Engine Emission Standard	Emissions Control
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MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures		Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
Tier 2	ARB Level 2 VDECS				
Tier 2	ARB Level 1 VDECS				
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

Project sponsor, contractor(s).

Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code.

Project sponsor, contractor(s) to prepare and submit a Plan to the ERO.

Considered complete upon findings by the ERO that the Plan is complete.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>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.</p> <p>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.</p> <p>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</p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
a public right-of-way.				
D. <i>Monitoring.</i> After start of construction activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.	Project sponsor, contractor(s).	Quarterly.	Project sponsor, contractor(s) to submit quarterly reports to the ERO.	Considered complete upon findings by the ERO that the Plan is being/has been implemented.
Project Mitigation Measure 5: Hazardous Building Materials (Implementing PEIR Mitigation Measure L-1) The project sponsor shall ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.	Project sponsor, contractor(s).	During demolition and construction activities.	Project sponsor, contractor(s) to submit report to the Department of Public Health, with copies to the Planning Department and the Department of Building Inspection, at the end of the construction period.	Considered complete upon submittal of report.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
IMPROVEMENT MEASURES				
Project Improvement Measure 1: Queue Abatement				
<p>To minimize the vehicle queues at the project driveway into the public right-of-way, the project would be subject to the Planning Department's vehicle queue abatement conditions of approval:</p> <ul style="list-style-type: none"> • It should be the responsibility of the owner/operator of any off-street parking facility with more than 20 parking spaces (excluding loading and car-share spaces) to ensure that recurring vehicle queues do not occur on the public right-of-way. A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of any public street, alley, or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis. • If a recurring queue occurs, the owner/operator of the parking facility should employ abatement methods as needed to abate the queue. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable). • Suggested abatement methods include but are not limited to the following: redesign of the facility to 	Project sponsor.	During project operation.	Project sponsor to implement queue abatement measures on an as-needed basis and in consultation with the Planning Department.	Ongoing.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of "LOT FULL" signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; travel demand management strategies such as additional bicycle parking, customer shuttles, delivery services; and/or parking demand management strategies such as parking time limits, paid parking, time-of-day parking surcharge, or validated parking.</p> <ul style="list-style-type: none"> • If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Planning Department should notify the property owner in writing. Upon request, the owner/operator should hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant should prepare a monitoring report to be submitted to the Planning Department for review. If the Planning Department determines that a recurring queue does exist, the facility owner/operator should have 90 days from the date of the written determination to abate the queue. 				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>Project Improvement Measure 2: Warning System</p> <p>Implement the following measures to the satisfaction of Planning Department and SFMTA staff:</p> <ul style="list-style-type: none"> • install a warning system (e.g., visual and/or audio devices) to alert pedestrians when a vehicle is exiting from the garage; • maintain a minimum 5'-0" by 5'-0" sight distance triangle at the driveway entrance/exit; • install convex mirrors at the driveway; and • install "STOP" pavement markings and signage for exiting drivers to look both ways at the garage exit prior to crossing the sidewalk. 	Project sponsor.	During project construction.	Project sponsor to install warning system.	Considered complete upon installation of warning system.