



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination COMMUNITY PLAN EVALUATION

Case No.: 2014-002033ENV
Project Title: 429 Beale Street and 430 Main Street
Zoning/Plan Area: RH-DTR (Rincon Hill Downtown Residential) District
84-X Height and Bulk District
Rincon Hill Area Plan
Block/Lot: 3767/305 and 306
Lot Size: 18,906 square feet
Project Sponsor: LCL Global-429 Beale Street & 430 Main Street, LLC
c/o Mark Loper – Reuben, Junius & Rose
(415) 567-9000, mloper@reubenlaw.com
Staff Contact: Michael Li
(415) 575-9107, michael.j.li@sfgov.org

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

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

3/19/18

Date

cc: LCL Global-429 Beale Street & 430 Main Street, LLC,
Project Sponsor
Doug Vu, Current Planning Division
Supervisor Jane Kim, District 6
Virna Byrd, M.D.F.
Exclusion/Exemption Dist. List

PROJECT DESCRIPTION

The project site, which is in San Francisco's Rincon Hill neighborhood, is on the block bounded by Beale Street on the west, Harrison Street on the north, Main Street on the east, and Bryant Street on the south. The project site extends from Beale Street to Main Street and consists of two adjacent parcels: Assessor's Block 3767, Lots 305 and 306. Lot 305, the western parcel, fronts on Beale Street and is occupied by a one-story building that was constructed in 1951. Lot 306, the eastern parcel, fronts on Main Street and is occupied by a two-story building that was constructed in 1929. Both buildings are currently occupied by a retail self-storage use. The project site has two existing curb cuts: one on Beale Street and one on Main Street. The project site slopes up from west to east; the western property line is about eight feet lower than the eastern property line.

The proposed project consists of merging the two existing lots into a single 18,906-square-foot lot, demolishing the existing buildings, and constructing a nine-story, 84-foot-tall building containing 144 dwelling units and 73 parking spaces (72 residential spaces and one car-share space). There would be a 15-foot-tall solarium and a 15-foot-tall mechanical penthouse on the roof, resulting in a maximum building height of 99 feet. The parking garage would be on the basement level. Due to the slope of the project site, the parking garage would be about 18 feet below grade on the Main Street side of the project site and about nine feet below grade on the Beale Street side of the project site. The garage door and a new driveway would be provided on Beale Street. The existing 20-foot-wide curb cut on Beale Street would be retained and reduced in width to 11 feet, and the existing curb cut on Main Street would be removed. A total of 119 bicycle parking spaces would be provided; 111 Class 1 spaces would be provided in a storage room on the basement mezzanine level, and eight Class 2 spaces would be provided on the Beale Street and/or Main 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 ground-level yard, private balconies, and a roof deck.

Construction of the proposed project would take about 24 months. The proposed building would be supported by a mat foundation; pile driving would not be required. Construction of the proposed project would require excavation to depths ranging from about 10 feet to about 25.5 feet below ground surface and the removal of about 12,052 cubic yards of soil.

PROJECT APPROVAL

The proposed project would require the following approvals:

- **Section 309.1 Downtown Project Authorization** (*Planning Commission*)
- **Exception from Reduction of Ground-Level Wind Currents** (*Zoning Administrator*)
- **Demolition Permit** (*Planning Department and Department of Building Inspection*)
- **Site/Building Permit** (*Planning Department and Department of Building Inspection*)

The proposed project requires Section 309.1 Downtown Project Authorization from the Planning Commission, which 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.

PREVIOUS ENVIRONMENTAL REVIEW

In 2007, a previous developer proposed the construction of an eight-story residential building on the project site. In 2009, the Planning Department issued a Certificate of Determination - Exemption from Environmental Review (Community Plan Exemption) for the 2007 project. The Community Plan Exemption was appealed to the San Francisco Board of Supervisors, which upheld the appeal on the grounds that the Community Plan Exemption did not adequately analyze the 2007 project's environmental impacts related to air quality, wind, and greenhouse gas (GHG) emissions. The Board of Supervisors directed the Planning Department to conduct additional environmental review and prepare either a negative declaration or an environmental impact report that analyzes the 2007 project's potential impacts related to air quality, wind, and GHG emissions. The previous developer did not move forward with the 2007 project, so no additional environmental review was conducted.

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 429 Beale Street and 430 Main Street project described above, and incorporates by reference information contained in the Programmatic EIR for the *Rincon Hill Plan*¹ (Rincon Hill PEIR).² 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 Rincon Hill PEIR.

The Rincon Hill PEIR included analyses of the following environmental issues: land use, plans, and policies; visual quality; transportation, circulation, and parking; population and housing; air quality; shadow; wind; hazardous materials; historical resources; hydrology and water quality; growth inducement; noise; utilities/public services; biology; geology/topography; water; and energy/natural resources.

¹ The *Rincon Hill Plan* is also known as the *Rincon Hill Area Plan*. The terms are interchangeable. Throughout this document, the term *Rincon Hill Area Plan* is used.

² San Francisco Planning Department, *Rincon Hill Plan Final Environmental Impact Report*, Planning Department Case No. 2000.1081E, State Clearinghouse No. 1984061912, certified May 5, 2005. Available online at <http://sf-planning.org/area-plan-eirs>, accessed March 16, 2018.

The 429 Beale Street and 430 Main Street project site is located in the area covered by the *Rincon Hill Area Plan*. As a result of the Rincon Hill rezoning process, the zoning for the project site has been reclassified from M-1 (Light Industrial) to RH-DTR (Rincon Hill Downtown Residential); the 84-X height and bulk controls were not reclassified. The RH-DTR District is designed to maintain and facilitate the growth and expansion of small-scale light industrial, wholesale distribution, arts production and performance/exhibition activities, general commercial and neighborhood-serving retail and personal service activities while protecting existing housing and encouraging the development of housing at a scale and density compatible with the existing neighborhood. The proposed project is consistent with the uses permitted within the RH-DTR District.

Individual projects that could occur in the future under the *Rincon Hill Area Plan* 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 429 Beale Street and 430 Main Street is consistent with and was encompassed within the analysis in the Rincon Hill PEIR. This determination also finds that the Rincon Hill PEIR adequately anticipated and described the impacts of the proposed 429 Beale Street and 430 Main Street project and identified the mitigation measures applicable to the project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{3, 4} Therefore, no further CEQA evaluation for the 429 Beale Street and 430 Main Street project is required. In sum, the Rincon Hill PEIR and the Initial Study – Community Plan Evaluation and Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

PROJECT SETTING

The project vicinity is characterized by residential, retail, office, and open space uses. The scale of development in the project vicinity varies in height from 15 to 600 feet. There is a nine- to 11-story, 110-foot-tall residential building with 294 units (BayCrest Towers, 201 Harrison Street) adjacent to and north of the project site, and there is a one-story California Department of Transportation (Caltrans) maintenance facility adjacent to and south of the project site. The elevated Interstate 80 approach to the San Francisco-Oakland Bay Bridge passes over the Caltrans property at a height of approximately 125 feet.

There is a 25-story, 200-foot-tall residential building on the west side of Beale Street across from the project site, and there is a nine-story, 105-foot-tall residential building on the east side of Main Street across from the project site. Other land uses in the project vicinity include the temporary Transbay Terminal (one block north of the project site), Rincon Hill Dog Park (one block south), and the Embarcadero Promenade (two blocks east).

The project site is well served by public transportation. Within one-quarter mile of the project site, the San Francisco Municipal Railway (Muni) operates 10 bus lines (the 5 Fulton, 5R Fulton Rapid, 7 Haight/Noriega, 25 Treasure Island, 30X Marina Express, 38 Geary, 38R Geary Rapid, 41 Union,

³ San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Citywide Planning Analysis, 429 Beale Street and 430 Main Street*, February 21, 2018.

⁴ San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 429 Beale Street and 430 Main Street*, February 23, 2018.

81X Caltrain Express, and 82X Levi Plaza Express) and two light rail lines (the N Judah and T Owl). The Bay Area Rapid Transit District's Embarcadero station is one-half mile northwest of the project site.

POTENTIAL ENVIRONMENTAL EFFECTS

The proposed 429 Beale Street and 430 Main Street project is in conformance with the height, use and density for the site described in the Rincon Hill PEIR and would represent a small part of the growth that was forecast in the *Rincon Hill Area Plan*. Thus, the project analyzed in the Rincon Hill PEIR considered the incremental impacts of the proposed 429 Beale Street and 430 Main Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Rincon Hill PEIR.

The Rincon Hill PEIR identified significant and unavoidable impacts for the following topics: cultural and paleontological resources (historic architectural resources) and transportation and circulation (traffic). The proposed project would not result in the demolition, alteration, or modification of any historic or potentially historic resources or any resources contributing to a historic district. For these reasons, the proposed project would not contribute to any impacts on historic architectural resources. Traffic and transit ridership generated by the project would not contribute considerably to the traffic and transit impacts identified in the Rincon Hill PEIR.

The Rincon Hill PEIR identified feasible mitigation measures to address significant impacts related to cultural and paleontological resources, transportation and circulation, noise and vibration, air quality, wind, biological resources, and hazards and hazardous materials. Table 1: Rincon Hill PEIR Mitigation Measures, below, lists the mitigation measures identified in the Rincon Hill PEIR and states whether each measure would apply to the proposed project.

Table 1 – Rincon Hill PEIR Mitigation Measures

Mitigation Measure	Applicability	Compliance
Noise		
1: Construction Noise (Pile Driving)	Not Applicable: Pile driving is not required or proposed	Not Applicable
C. Transportation, Circulation, and Parking		
C.1a: Operating Conditions at Beale/Folsom Intersection	Not Applicable: Automobile delay removed from CEQA analysis	Not Applicable
C.1b: Operating Conditions at Main/Folsom Intersection	Not Applicable: Automobile delay removed from CEQA analysis	Not Applicable
C.1c: Operating Conditions at Spear/Folsom Intersection	Not Applicable: Automobile delay removed from CEQA analysis	Not Applicable

Mitigation Measure	Applicability	Compliance
E. Air Quality		
E.1: Construction Air Quality	Not Applicable: The portion of this mitigation measure that addresses fugitive dust has been superseded by the Construction Dust Control Ordinance. 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 2).
E.2: Operational Air Quality	Not Applicable: This mitigation measure is now implemented through required compliance with Planning Code Section 169: Transportation Demand Management (TDM) Program	The project sponsor has submitted a TDM plan in compliance with Planning Code Section 169.
G. Wind		
G.1: Wind Controls	Not Applicable: Plan-level mitigation completed by the Planning Commission.	Not Applicable
H. Hazardous Materials		
H.1: Development Sites Not Covered by the Maher Ordinance	Not Applicable: The project site is covered by the Maher Ordinance.	Not Applicable
H.2: Dewatering During Construction	Applicable: Construction of the proposed project would likely require dewatering.	The project sponsor has agreed to implement a mitigation measure to address the treatment and discharge of pumped groundwater during construction (Project Mitigation Measure 3).
I. Historical Resources		
I.1a: Projects Located in Archeological Mitigation Zone 1	Not Applicable: The project site is not in Archeological Mitigation Zone 1.	Not Applicable

Mitigation Measure	Applicability	Compliance
I.1b: Projects Located in Archeological Mitigation Zone 2	Applicable: The project site is in Archeological Mitigation Zone 2.	The project sponsor has agreed to implement procedures related to archeological monitoring during soils-disturbing activities (Project Mitigation Measure 1).
I.1c: Projects Located in Archeological Mitigation Zone 3	Not Applicable: The project site is not in Archeological Mitigation Zone 3.	Not Applicable
I.2a: Union Oil Company Building	Not Applicable: The project site does not include the Union Oil Company Building at 425 First Street.	Not Applicable
I.2b: Edwin W. Tucker & Co. Building	Not Applicable: The project site does not include the Edwin W. Tucker & Co. Building at 347 Fremont Street.	Not Applicable
I.2c: 375 Fremont Street Building	Not Applicable: The project site does not include the 375 Fremont Street Building.	Not Applicable
I.2d: Other Buildings Identified as Historic Resources	Not Applicable: The project site does not include a historic resource.	Not Applicable

Please see the attached Mitigation Monitoring and Reporting Program 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 Rincon Hill PEIR.

PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on January 4, 2018 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 over 60 comments (emails, letters, and telephone calls) in response to the notice. The comments covered a variety of topics, including concerns over increased traffic congestion, increased construction noise, impacts on the air quality of the outdoor courtyards of the adjacent property (BayCrest Towers, 201 Harrison Street), and increased shadow.

As part of the environmental review process, a transportation impact study was prepared to assess the proposed project's transportation impacts. The findings of the transportation impact study are summarized under Topic 4, Transportation and Circulation, in the attached initial study

checklist (pp. 9-16). Impacts related to construction noise are addressed under Topic 5, Noise, in the attached initial study checklist (pp. 16-17). An air quality technical report was prepared to assess the proposed project's air quality impacts. The findings of the air quality technical report are summarized under Topic 6, Air Quality, in the attached initial study checklist (pp. 18-29). Impacts related to shadow are discussed under Topic 8, Wind and Shadow, in the attached initial study checklist (pp. 32-35).

The comments also expressed opposition to the project as proposed (a single-tower design that would enclose the aforementioned courtyards). In addition, the comments requested that the Planning Department require the project sponsor to redesign the project as a two-tower development that would not enclose the courtyards of the adjacent property. These comments are related to the design 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.

CONCLUSION

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

1. The proposed project is consistent with the development density established for the project site in the *Rincon Hill Area Plan*;
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 Rincon Hill PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Rincon Hill PEIR;
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 Rincon Hill 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 Rincon Hill PEIR to mitigate project-related significant impacts.

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

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
MITIGATION MEASURES				
Project Mitigation Measure 1: Archeological Monitoring (Implementing Rincon Hill PEIR Mitigation Measure I.1b)				
Based on the reasonable potential 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 monitoring program. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the Environmental Review Officer (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	Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).	Prior to issuance of site permits.	Project Sponsor shall retain archaeological consultant to undertake archaeological monitoring program in consultation with ERO.	Considered complete when project sponsor retains qualified archeological consultant.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>direction of the ERO, the suspension of <i>construction</i> 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).</p> <p><i>Consultation with Descendant Communities.</i> 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 Archaeological Resources Report shall be provided to the representative of the descendant group.</p> <p><i>Archeological Monitoring Program (AMP).</i> The archeological monitoring program shall minimally include the following provisions:</p>	Project sponsor/ archeological consultant at the	Prior to issuance of site permits.	Project sponsor/archeological consultant shall meet with ERO on scope of AMP.	Considered complete upon ERO approval of

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

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<ul style="list-style-type: none"> ▪ The archeological consultant, project sponsor, and the 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 project archeologist, 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., shall require archeological monitoring because of the potential risk these activities pose to archeological resources and to their depositional context; ▪ The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource; ▪ The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the archeological consultant, determined that project construction activities could have no effects on significant 	<p>direction of the ERO.</p>			<p>AMP.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>archeological deposits;</p> <ul style="list-style-type: none"> ▪ The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis; 	<p>Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).</p>	<p>During soils-disturbing activities.</p>	<p>Archeological consultant to monitor soils-disturbing activities specified in AMP and immediately notify ERO of any encountered archeological resource.</p>	<p>Considered complete upon completion of AMP.</p>
<p>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 crews and heavy equipment until the deposit is evaluated. If in the case of pile driving or deep foundation activities (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving or deep foundation activities may affect an archeological resource, the pile driving or deep foundation activities 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, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, present the findings of this assessment to the ERO.</p>	<p>ERO, archeological consultant, and project sponsor.</p>	<p>Following discovery of significant archeological</p>	<p>Project sponsor to redesign project to avoid adverse effect or undertake archeological data recovery program.</p>	<p>Considered complete upon avoidance of adverse effect.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>project sponsor, either:</p> <p>A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or</p> <p>B) An archeological 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.</p>		<p>resource that could be adversely affected by project.</p>		
<p>If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The project archeological consultant, project sponsor, and the ERO shall meet and consult on the scope of the ADRP. The archeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. 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 research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the</p>	<p>ERO, archeological consultant, and project sponsor.</p>	<p>Following determination by ERO that an ADRP is required.</p>	<p>Archeological consultant to prepare an ADRP in consultation with ERO.</p>	<p>Considered complete upon approval of ADRP by ERO.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
--	--	--------------------------------	--	------------------------------------

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 format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>of appropriate curation facilities, and a summary of the accession policies of the curation facilities.</p> <p><i>Human Remains, Associated or Unassociated Funerary Objects.</i></p> <p>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, including 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 (NAHC), who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The ERO shall also be immediately notified upon discovery of human remains. The archeological consultant, project sponsor, ERO, and MLD shall have up to, but not beyond, six days after the 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. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human</p>	<p>Archeological consultant or medical examiner.</p>	<p>Following discovery of human remains.</p>	<p>Notification of Coroner and, as warranted, notification of NAHC.</p>	<p>Considered complete on finding by ERO that all State laws regarding human remains/burial objects have been adhered to, consultation with MLD is completed as warranted, and that sufficient opportunity has been provided to the archeological consultant for scientific and historical analysis of remains and funerary objects.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>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. If no agreement is reached, State regulations shall be followed, including the reburial of the human remains and associated burial objects with appropriate dignity on the property in a location not subject to further subsurface disturbance (Pub. Res. Code Sec. 5097.98).</p> <p><i>Final Archeological Resources Report.</i> 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 draft final report.</p>	<p>Archeological consultant at the direction of the ERO.</p>	<p>Following completion of cataloguing, analysis, and interpretation of recovered archeological data.</p>	<p>Archeological consultant to prepare FARR.</p>	<p>Considered complete upon review and approval of FARR by ERO.</p>
<p>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: 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</p>	<p>Archeological consultant at the direction of the ERO.</p>	<p>Following completion of FARR and review and approval by ERO.</p>	<p>Following consultation with ERO, archeological consultant to distribute FARR.</p>	<p>Considered complete upon certification to ERO that copies of FARR have been distributed.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>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.</p> <p>Project Mitigation Measure 2: Construction Air Quality (Implementing Rincon Hill PEIR Mitigation Measure E.1)</p> <p>The project sponsor or the project sponsor’s Contractor shall comply with the following:</p> <p>A. <i>Engine Requirements.</i></p> <p>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.</p>	<p>Project sponsor, contractor(s).</p>	<p>Prior to construction activities requiring the use of off-road equipment.</p>	<p>Project sponsor, contractor(s) to submit certification statement to the ERO.</p>	<p>Considered complete upon submittal of certification statement.</p>

MONITORING AND REPORTING PROGRAM

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

MONITORING AND REPORTING PROGRAM

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

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

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>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.</p>				
<p>C. <i>Construction Emissions Minimization Plan.</i> 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.</p> <ol style="list-style-type: none"> 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, 	<p>Project sponsor, contractor(s).</p>	<p>Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code.</p>	<p>Project sponsor, contractor(s) to prepare and submit a Plan to the ERO.</p>	<p>Considered complete upon findings by the ERO that the Plan is complete.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>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 a public right-of-way.</p>				
<p>D. <i>Monitoring.</i> After start of construction activities, the Contractor shall submit quarterly reports to the</p>	Project sponsor, contractor(s).	Quarterly.	Project sponsor, contractor(s) to submit quarterly reports to	Considered complete upon

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>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.</p> <p>Project Mitigation Measure 3 – Dewatering During Construction (Implementing Rincon Hill PEIR Mitigation Measure H.2)</p> <p>If dewatering is necessary, the project sponsor shall follow the recommendations of the site assessment/remediation consultant, in consultation with the Bureau of Environmental Regulation (BERM) of the San Francisco Public Utilities Commission, regarding treatment, if any, of pumped groundwater prior to discharge to the combined sewer system. Any groundwater encountered during construction of the proposed project would be subject to requirements of the City’s Industrial Waste Ordinance (Ordinance No.199-77), requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system. The BERM must be notified of projects necessitating dewatering. That office may require water analysis before discharge.</p> <p>If dewatering is necessary, groundwater pumped from the</p>			<p>the ERO.</p> <p>Project sponsor and/or construction contractor(s) to notify the BERM if dewatering is necessary and follow the recommendations of the BERM.</p>	<p>findings by the ERO that the Plan is being/has been implemented.</p> <p>Considered complete upon completion of construction</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
--	--	--------------------------------	--	------------------------------------

development site shall be retained in a holding tank to allow suspended particles to settle, if this is determined necessary by the BERM to reduce the amount of sediment entering the combined sewer system. The project sponsor shall require the general contractor to install and maintain sediment traps if determined necessary by the BERM.

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 – Construction Traffic (Implementing Rincon Hill PEIR Improvement Measure C.2)				
<p>Construction contractor(s) for the proposed project should meet with the Municipal Transportation Agency, the Fire Department, the Planning Department, and other City agencies to determine feasible measures to reduce traffic congestion, including any potential transit disruption and pedestrian circulation impacts during construction of the project. In addition, the temporary parking demand by construction contractor(s) should be met on-site or within other off-site parking facilities, and the construction contractor(s) should determine the location of an off-site parking facility for construction workers during the construction period.</p>	Project sponsor and construction contractor(s).	During project construction.	<p>Construction contractor(s) to meet with the Municipal Transportation Agency, Planning Department, and other City agencies to determine feasible measures to reduce traffic congestion during construction.</p> <p>Construction contractor(s) to determine the location of an off-site parking facility for construction workers.</p>	Considered complete upon completion of construction.
Project Improvement Measure 2 – Construction Management Plan (Implementing Project TIS Improvement Measure TR-1)				
<p>To minimize potential disruptions to traffic, transit, pedestrians, and bicyclists, the project sponsor and/or construction contractor should develop a Construction Management Plan that could include, but not necessarily be limited to, the following:</p>	Project sponsor and construction contractor(s).	During project construction.	Project sponsor and/or construction contractor(s) to develop and implement Construction Management Plan.	Considered complete upon completion of construction.
<ul style="list-style-type: none"> Identify optimal truck routes to and from the site to minimize impacts to traffic, transit, 				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
--	--	--------------------------------	--	------------------------------------

pedestrians, and bicyclists;

- Identify off-street parking alternatives for construction workers;
- Encourage construction workers to use transit when commuting to and from the project site, reducing the need for parking.

The Construction Management Plan would disseminate appropriate information to contractors and affected agencies with respect to coordinating construction activities to minimize overall disruptions and ensure that overall circulation in the area is maintained to the extent possible, with particular focus on ensuring transit, pedestrian, and bicycle connectivity. The program would supplement and expand, rather than modify or supersede, any manual, regulations, or provisions set forth by the San Francisco Municipal Transportation Agency, the San Francisco Public Works, other City agencies, and Caltrans.