



SAN FRANCISCO PLANNING DEPARTMENT

Community Plan Exemption Checklist

Case No.: **2014.1473ENV**
Project Address: **311 Grove Street**
Zoning: Hayes-Gough NCT (Neighborhood Commercial Transit) District
40-X and 50-X Height and Bulk Districts
Block/Lot: 0809/020
Lot Size: 3,590 square feet
Plan Area: Market and Octavia Area Plan
Project Sponsor: 311 Grove Hayes Valley, LLC
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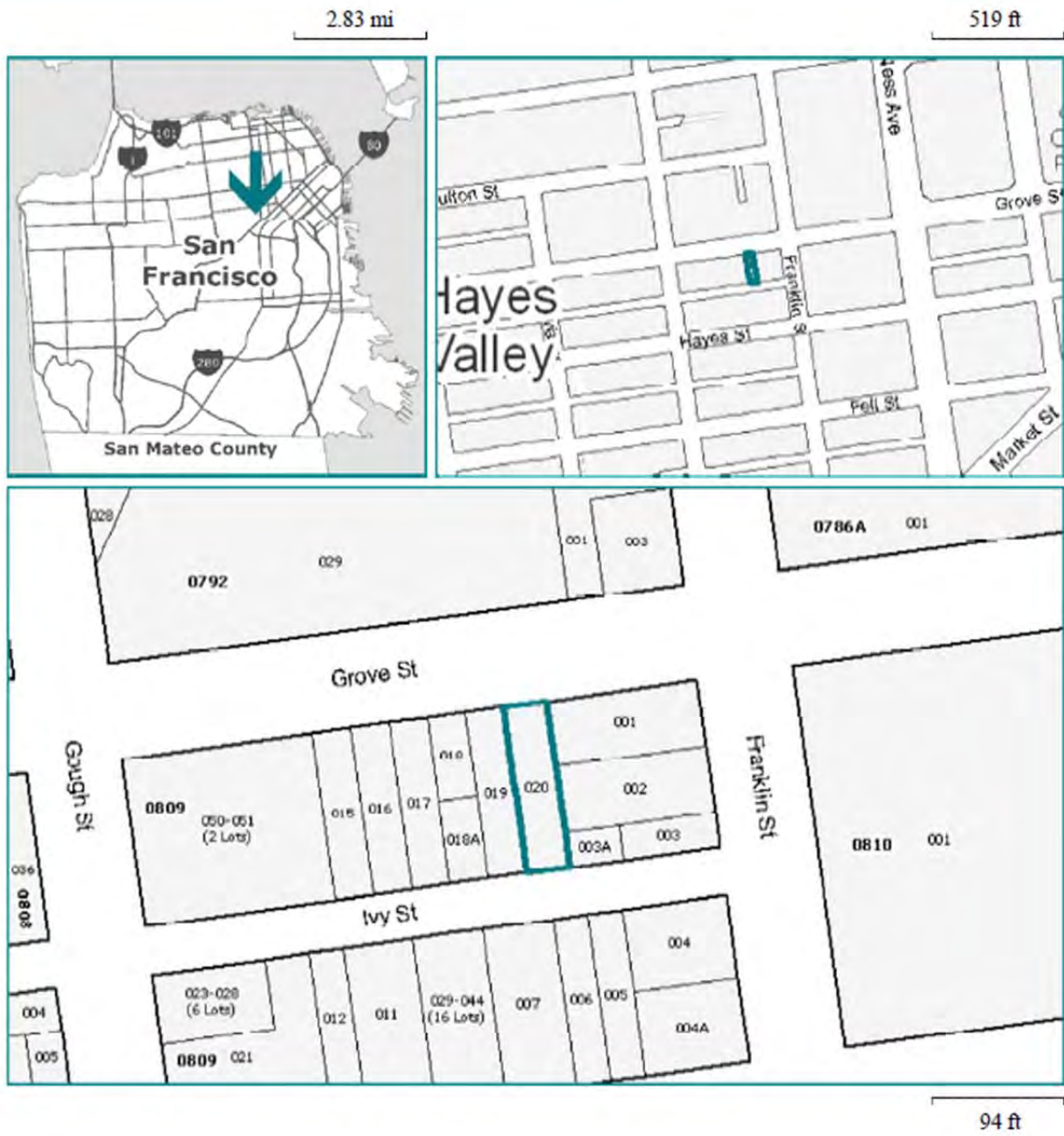
Planning
Information:
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PROJECT DESCRIPTION

The project site is on the south side of Grove Street between Franklin and Gough streets near the western edge of San Francisco's Downtown/Civic Center neighborhood. The project site is in the Hayes-Gough NCT (Neighborhood Commercial Transit) District and on a through lot with frontage on both Grove and Ivy streets (see Figures 1 and 2). The northern (Grove Street) half of the lot is in a 50-X Height and Bulk District, and the southern (Ivy Street) half of the lot is in a 40-X Height and Bulk District. The project site, which is paved but has been vacant since 1956, is currently being used as a surface parking lot. Auto repair, woodworking, and painting businesses occupied the project site prior to 1956.

The proposed project consists of constructing a new eight-unit building that would be five stories and 52 feet tall on Grove Street and four stories and 43 feet tall on Ivy Street.¹ The tallest point of the building would be the top of the elevator penthouse at about 56 feet above the Grove Street sidewalk (the proposed elevator would stop at the highest residential floor; it would not provide access to the roof deck on the Grove Street side of the building). The first through fifth floors of the building would be occupied by a total of eight dwelling units (see Figures 4 through 6). Elevations and renderings of the proposed project are provided in Figures 8 through 11). There would be one basement level with four parking spaces (see Figure 3). Garage access via a garage door and a car elevator would be provided on Ivy Street. The existing curb cut on Ivy Street would be retained, and the existing curb cut on Grove Street would be removed. A total of eight Class 1 bicycle parking spaces would be provided. Usable open space for the residents of the proposed project would be provided in the form of a ground-level yard and two roof decks (see Figures 4, 6, and 7).

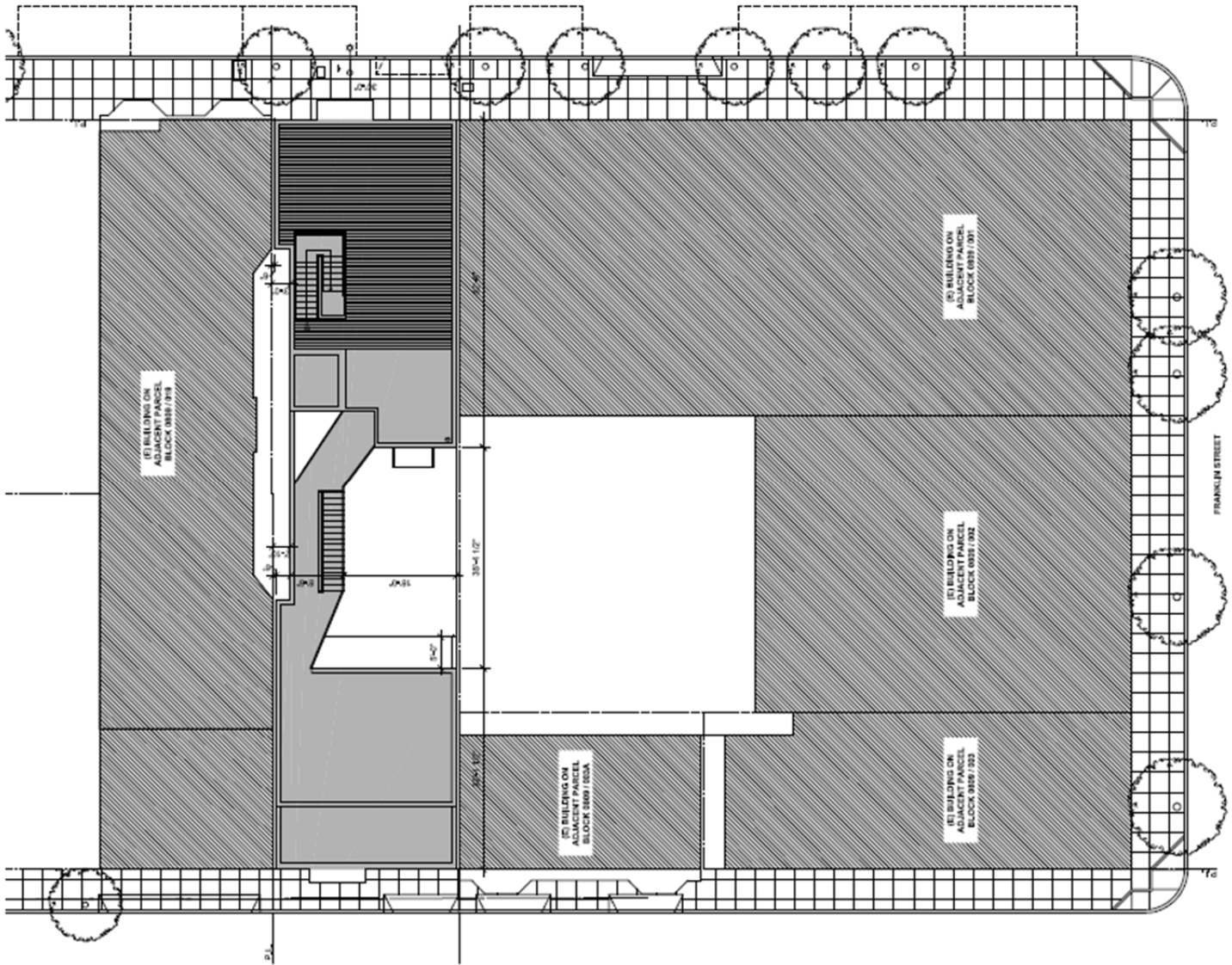
¹ Pursuant to Planning Code Section 263.20, the proposed building may exceed the height limit by one foot for every foot of additional floor-to-ceiling height in excess of 10 feet provided at the ground floor.



SOURCE: San Francisco Planning Department

FIGURE 1: PROJECT LOCATION

GROVE STREET



IVY STREET

SOURCE: Edmonds + Lee Architects

FIGURE 2: PROPOSED SITE PLAN

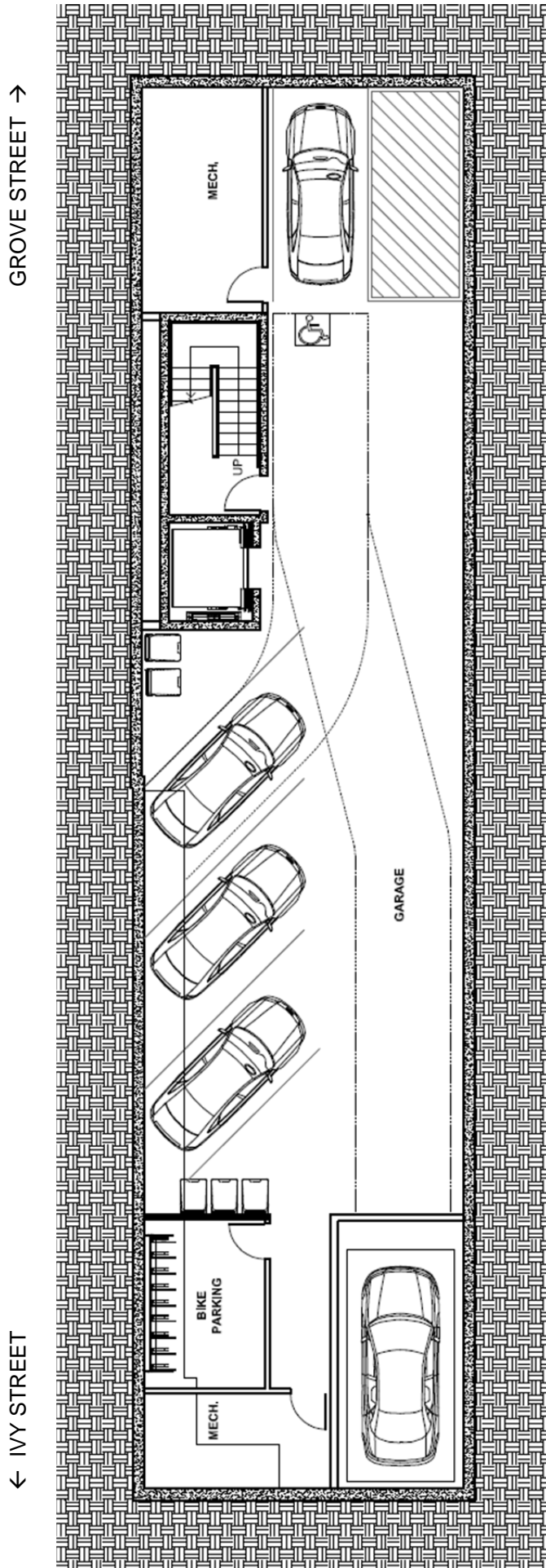
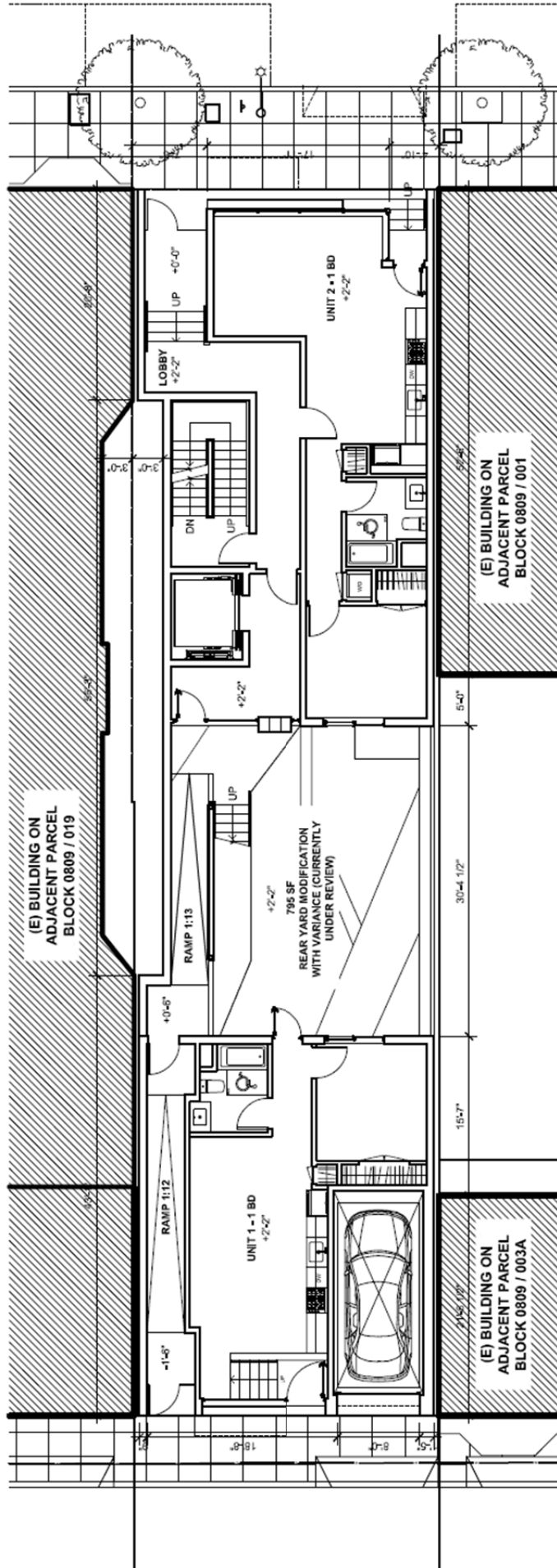


FIGURE 3: PROPOSED BASEMENT

SOURCE: Edmonds + Lee Architects

← IVY STREET

GROVE STREET →

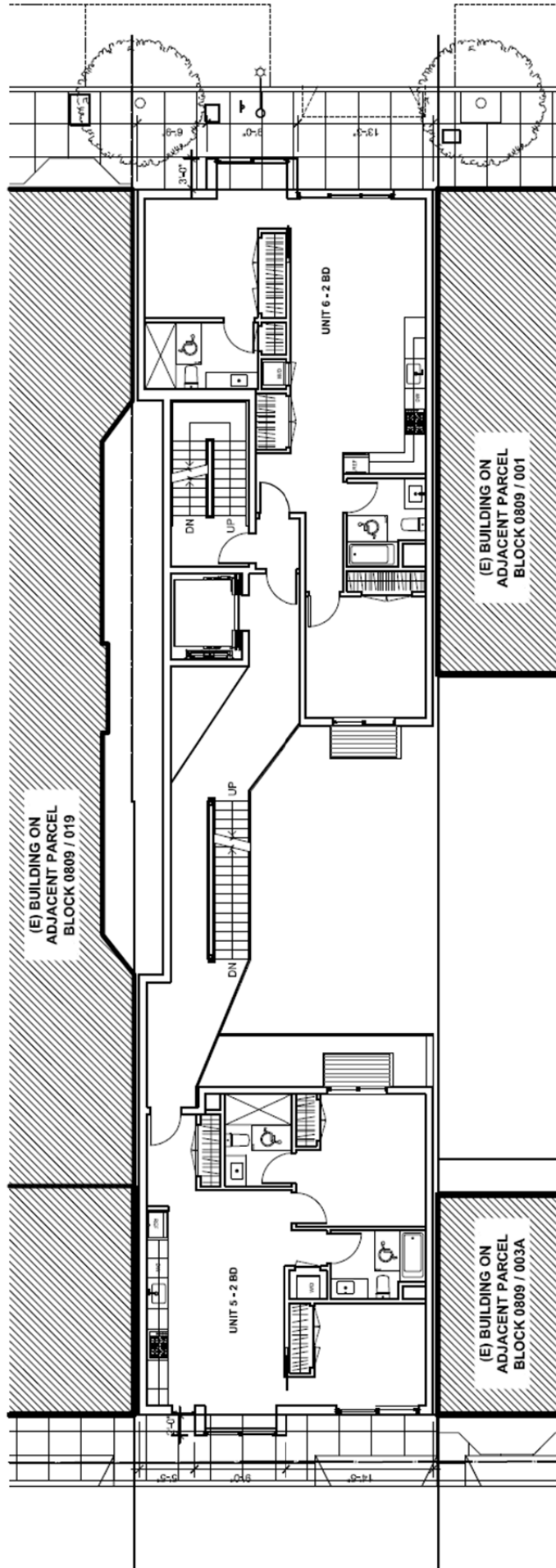


SOURCE: Edmonds + Lee Architects

FIGURE 4: PROPOSED GROUND FLOOR

← IVY STREET

GROVE STREET →

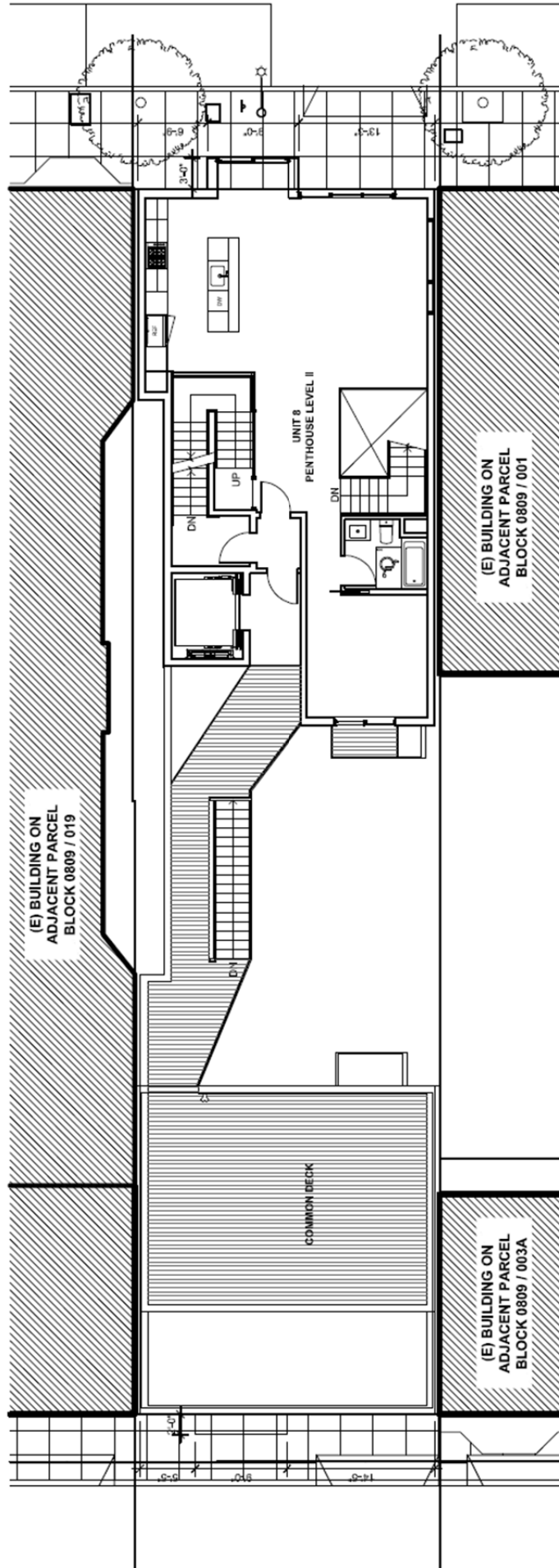


SOURCE: Edmonds + Lee Architects

FIGURE 5: PROPOSED THIRD FLOOR

← IVY STREET

GROVE STREET →

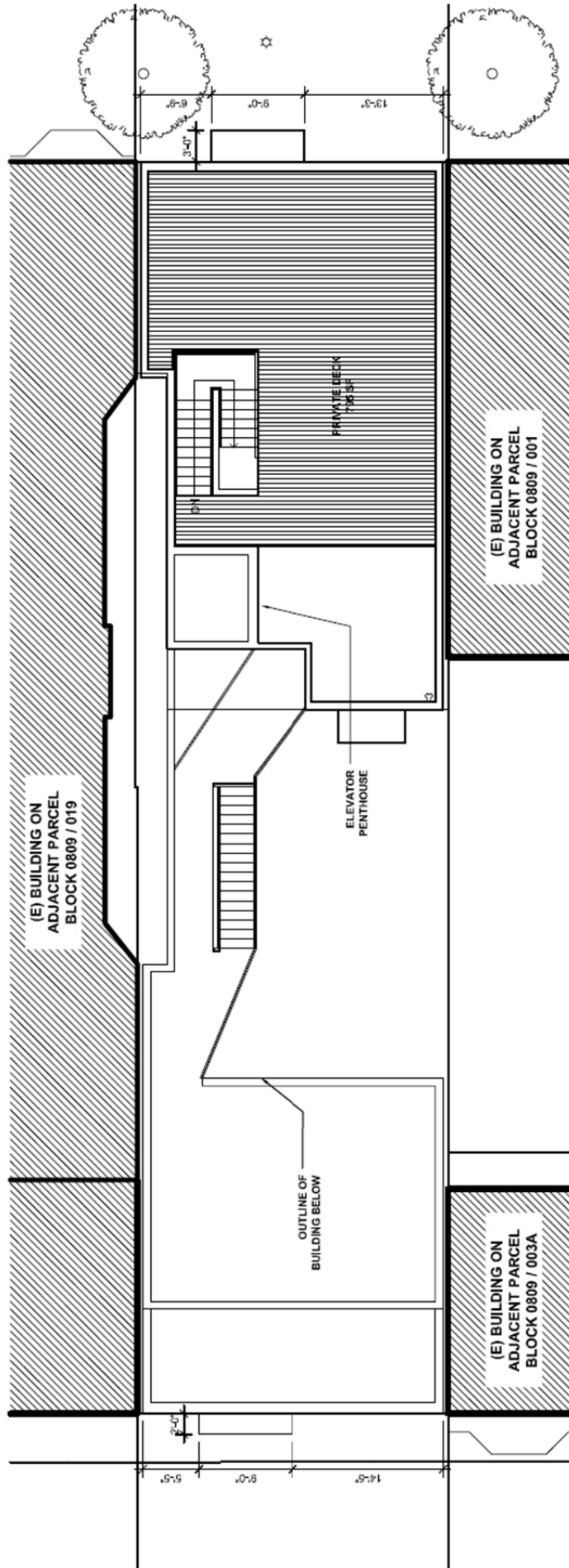


SOURCE: Edmonds + Lee Architects

FIGURE 6: PROPOSED FIFTH FLOOR

← IVY STREET

GROVE STREET →



SOURCE: Edmonds + Lee Architects

FIGURE 7: PROPOSED ROOF PLAN

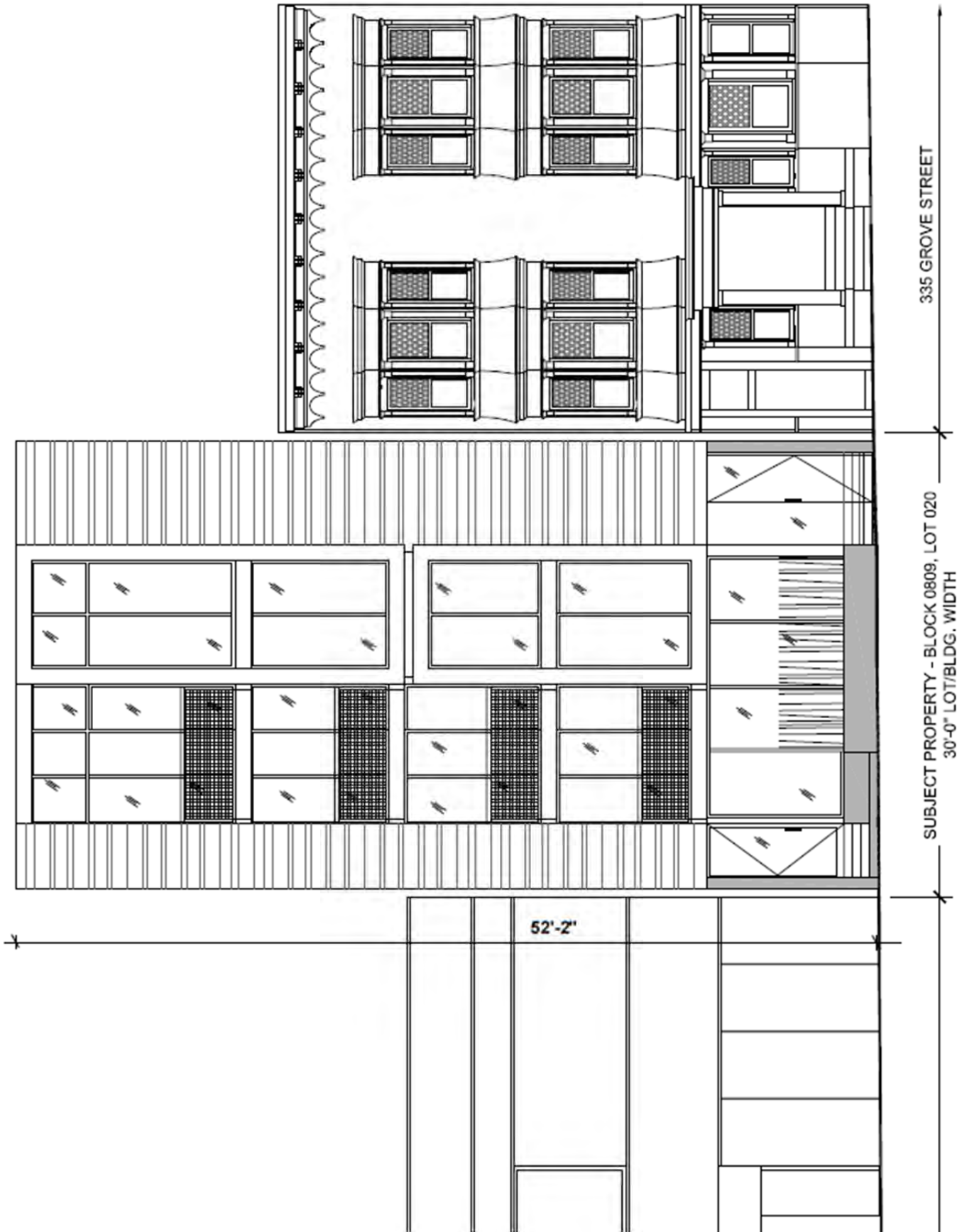


FIGURE 8: GROVE STREET ELEVATION

SOURCE: Edmonds + Lee Architects



FIGURE 9: IVY STREET ELEVATION

SOURCE: Edmonds + Lee Architects



FIGURE 10: VIEW ALONG GROVE STREET

SOURCE: Edmonds + Lee Architects



FIGURE 11: VIEW ALONG IVY STREET

SOURCE: Edmonds + Lee Architects

Project Construction

Construction of the proposed project would take about 13 months. The proposed building would rest on a mat foundation; no pile driving would be required. Construction of the proposed project would require excavation to a depth of nine feet below ground surface and the removal of about 1,200 cubic yards of soil.

Project Approval

The proposed project would require the following approvals:

- **Rear Yard Modification; Permitted Obstructions and Ground-Floor Active Use Variances** (*Zoning Administrator*)
- **Site/Building Permit** (*Planning Department and Department of Building Inspection*)

The proposed project is subject to notification under Planning Code Section 312. If discretionary review before the Planning Commission is requested, the discretionary review decision constitutes the Approval Action for the proposed project. If no discretionary review is requested, the issuance of the building permit by the Department of Building Inspection (DBI) 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.

EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption (CPE) Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether such impacts are addressed in the Programmatic Environmental Impact Report for the Market and Octavia Area Plan (Market and Octavia PEIR).² The CPE Checklist indicates whether the proposed project would result in significant impacts that (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the Market and Octavia PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Market and Octavia PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific Mitigated Negative Declaration or Environmental Impact Report. If no such topics are identified, the proposed project is exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

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

The Market and Octavia PEIR identified significant impacts related to shadow, wind, archeology, transportation, air quality, hazardous materials, and geology. Mitigation measures were identified for these impacts and reduced all of these impacts to less-than-significant levels with the exception of those related to shadow (impacts on two open spaces: the War Memorial Open Space and United Nations

² San Francisco Planning Department, *Market and Octavia Area Plan Final Environmental Impact Report*, Case No. 2003.0347E, State Clearinghouse No. 2004012118, certified April 5, 2007.

Plaza) and transportation (project- and program-level as well as cumulative traffic impacts at nine intersections; project-level and cumulative transit impacts on the 21 Hayes Muni line).

Implementation of the proposed project would result in the construction of a new eight-unit building that would be five stories and 52 feet tall on Grove Street and four stories and 43 feet tall on Ivy Street. The building would contain eight dwelling units and four parking spaces. As discussed below in this CPE Checklist, the proposed project would not result in new, significant environmental effects or effects of greater severity than were already analyzed and disclosed in the Market and Octavia PEIR.

AESTHETICS AND PARKING IMPACTS FOR TRANSIT PRIORITY INFILL DEVELOPMENT

Public Resources Code Section 21099(d), effective January 1, 2014, provides that “aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.” Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

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

The proposed project meets each of the above criteria; therefore, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.³ Project elevations and renderings are included in the project description.

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

The Market and Octavia PEIR determined that implementation of the *Market and Octavia Area Plan* would not result in a significant adverse impact related to land use and land use planning, and no mitigation measures were identified. The proposed project consists of the construction of a new building that would be five stories and 52 feet tall on Grove Street and four stories and 43 feet tall on Ivy Street. The building

³ San Francisco Planning Department, *Transit-Oriented Infill Project Eligibility Checklist for 311 Grove Street*, June 15, 2015.

would contain eight dwelling units and four parking spaces. The proposed project is within the scope of development projected under the *Market and Octavia Area Plan*. Furthermore, the Citywide Planning and Current Planning divisions of the Planning Department have determined that the proposed project is permitted in the Hayes-Gought NCT District and is consistent with the bulk, density, and land uses as envisioned in the *Market and Octavia Area Plan*.^{4,5}

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts related to land use and land use planning beyond those identified in the Market and Octavia PEIR.

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

One goal of the *Market and Octavia Area Plan* is to implement citywide policies to increase the supply of high-density housing in neighborhoods having sufficient transit facilities, neighborhood-oriented uses, and infill development sites. The Market and Octavia PEIR analyzed a projected increase of 7,620 residents in the Plan Area by the year 2025 and determined that this anticipated growth would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the PEIR.

The proposed project consists of the construction of a new building that would be five stories and 52 feet tall on Grove Street and four stories and 43 feet tall on Ivy Street. The building would contain eight dwelling units and four parking spaces. Implementation of the proposed project would result in a net increase of about 15 residents on the project site.⁶ The population growth associated with the proposed project is within the scope of the population growth that was anticipated under the *Market and Octavia Area Plan* and analyzed in the Market and Octavia PEIR.

⁴ Susan Exline, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, Case No. 2014.1473E, 311 Grove Street, October 27, 2015.*

⁵ Jeff Joslin, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Current Planning Analysis, Case No. 2014.1473ENV, 311 Grove Street, February 16, 2016.*

⁶ The Market and Octavia PEIR assumed that the Plan Area would have an average household size of 1.87 residents per dwelling unit in the year 2025.

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts related to population and housing beyond those identified in the Market and Octavia PEIR.

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

Historic Architectural Resources

The Market and Octavia PEIR noted that although development would be allowed in the Plan Area, the implementation of urban design guidelines and other rules, such as evaluation under CEQA, would reduce the overall impact on historic architectural resources to a less-than-significant level. No mitigation measures were identified.

Under CEQA, evaluation of the potential for proposed projects to impact historical resources is a two-step process. The first step is to determine whether the property is a historical resource as defined in CEQA Guidelines Section 15064.5(a)(3). If it is determined to be a historical resource, the second step is to evaluate whether the proposed project would cause a substantial adverse change to the resource.

The project site is vacant, so implementation of the proposed project would not require the demolition of any existing on-site buildings or structures. The project site is within the Hayes Valley Residential Historic District, and the Planning Department has reviewed the proposed project for design compatibility with this district. The scale and massing of the proposed building are consistent with the scale and massing of surrounding buildings. Projecting horizontal and vertical elements are used to break up the massing of the proposed building and relate to the ground-floor heights of the adjacent buildings on both Ivy and Grove streets. The design and materials of the proposed building, while contemporary, relate to the design and materials of adjacent buildings. The Planning Department concluded that the proposed project is compatible with the character of the Hayes Valley Residential Historic District.⁷

For these reasons, the proposed project would not contribute to the significant project-specific or cumulative historic resource impacts identified in the Market and Octavia PEIR, and no historic resource mitigation measures are applicable to the proposed project.

⁷ Pilar LaValley, San Francisco Planning Department, email to Michael Li, San Francisco Planning Department, January 13, 2016.

Archeological Resources

The Market and Octavia PEIR determined that implementation of the Area Plan could result in significant impacts on archeological resources and identified four mitigation measures that would reduce these potential impacts to less-than-significant levels (Mitigation Measures C1 through C4). Mitigation Measure C1: Soil-Disturbing Activities in Archeologically Documented Properties,⁸ applies to properties that have a final Archeological Resource Design/Treatment Plan (ARDTP) on file; it requires that an addendum to the ARDTP be completed. Mitigation Measure C2: General Soil-Disturbing Activities,⁹ was determined to be applicable to any project involving any soil-disturbing activities below a depth of four feet below ground surface (bgs) and located in areas for which no archeological assessment report has been prepared. Mitigation Measure C2 requires that a Preliminary Archeological Sensitivity Study (PASS) be prepared by a qualified consultant or that a Preliminary Archeological Review (PAR) be conducted by Planning Department staff and that additional measures be implemented as necessary to reduce impacts on archeological resources to less-than-significant levels. Mitigation Measure C3: Soil-Disturbing Activities in Public Street and Open Space Improvements,¹⁰ applies to improvements to public streets and open spaces if those improvements disturb soils below a depth of four feet bgs; it requires an Archeological Monitoring Program. Mitigation Measure C4: Soil-Disturbing Activities in the Mission Dolores Archeological District,¹¹ applies to projects in the Mission Dolores Archeological District that result in substantial soils disturbance; it requires an Archeological Testing Program as well as an Archeological Monitoring Program and an Archeological Data Recovery Program, if appropriate.

The PEIR anticipated that development at the project site would have the potential to disturb archaeological deposits. Market and Octavia PEIR Mitigation Measure C2 would apply to the proposed project because the project site requires soil disturbance to a depth of nine feet bgs in an area for which no archeological assessment has been prepared. The Planning Department conducted a Preliminary Archeological Review and determined that implementation of the proposed project would have no effect on archeological resources.¹²

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts on archeological resources that were not identified in the Market and Octavia PEIR.

⁸ Throughout this CPE, mitigation measures from the Market and Octavia PEIR are numbered based on the adopted Mitigation Monitoring and Reporting Program for the Market and Octavia PEIR; mitigation measure numbers from the PEIR are also provided for reference. Mitigation Measure C1 is Mitigation Measure 5.6.A1 in the Market and Octavia PEIR.

⁹ Mitigation Measure C2 is Mitigation Measure 5.6.A2 in the Market and Octavia PEIR.

¹⁰ Mitigation Measure C3 is Mitigation Measure 5.6.A3 in the Market and Octavia PEIR.

¹¹ Mitigation Measure C4 is Mitigation Measure 5.6.A4 in the Market and Octavia PEIR.

¹² San Francisco Planning Department, Preliminary Archeological Review Case Log, July 9, 2015.

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

The Market and Octavia PEIR anticipated that growth resulting from the zoning changes under the *Market and Octavia Area Plan* would not result in significant impacts related to pedestrians, bicyclists, loading, emergency access, or construction.

The Market and Octavia PEIR identified significant traffic impacts at seven intersections and one significant transit impact. In the vicinity of the project site, the Market and Octavia PEIR identified cumulatively considerable impacts at the intersections of Hayes Street/Gough Street (one block southwest of the project site), Hayes Street/Franklin Street (one block south), and Hayes Street/Van Ness Avenue (one block southeast). The Market and Octavia PEIR identified a significant and unavoidable cumulative transit impact on the 21 Hayes Muni route during the weekday p.m. peak hour. This impact was a result of the increased vehicle delay along Hayes Street from Van Ness Avenue to Gough Street due to the proposed reconfiguration of Hayes Street under the *Market and Octavia Area Plan*.

The PEIR identified eight transportation mitigation measures involving plan-level traffic management strategies, intersection and roadway improvements, and transit improvements to be implemented by the Planning Department, San Francisco Public Works (SFPW), and the San Francisco Municipal Transportation Agency. The PEIR did not identify project-level transportation mitigation measures to be implemented by project sponsors for future development under the *Market and Octavia Area Plan*. The PEIR determined that, even with implementation of the identified plan-level mitigation measures, the significant adverse effects at seven intersections and the cumulative impacts on certain transit lines resulting from delays at several Hayes Street intersections could not be fully mitigated. These impacts were found to be significant and unavoidable.

As discussed above, the *Market and Octavia Area Plan* would not result in significant impacts on pedestrians, bicyclists, loading, emergency access, or construction. The proposed project is within the scope of development projected under the *Market and Octavia Area Plan*, and there are no conditions that are specific to the project site or the proposed project that would result in additional impacts beyond those analyzed in the PEIR.

As discussed on p. 14, parking effects of the project are not to be considered significant impacts on the environment. The transportation analysis below accounts for potential secondary effects from a parking shortfall, such as drivers circling and looking for parking spaces in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. The secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area, and thus choose to reach their destination by other modes (i.e., walking, biking, transit, taxi). If this occurs, any secondary environmental impacts that may result from a shortfall in parking in the vicinity of the project site would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise, and pedestrian safety analyses, would reasonably address potential secondary effects.

Trip Generation

Trip generation for the proposed project was calculated using information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review (Transportation Guidelines)* developed by the San Francisco Planning Department.¹³ The proposed project would generate an estimated 83 person trips (inbound and outbound) on a weekday daily basis, consisting of 19 person trips by auto, 35 transit trips, 19 walk trips, and nine trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated three person trips by auto. Accounting for vehicle occupancy data for the project site's census tract, the proposed project would generate 18 daily vehicle trips, three of which would occur during the p.m. peak hour.

Traffic

Vehicle trips associated with the proposed project would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by Level of Service (LOS), which ranges from A to F, and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco.

The Market and Octavia PEIR analyzed traffic impacts at 32 intersections in the Plan Area. Of these 32 intersections, the six intersections closest to the project site are shown in Table 1: Weekday P.M Peak-Hour Levels of Service at Nearby Intersections. As shown in Table 1, the LOS data for these six intersections indicate that all but one of these intersections operate at LOS C or better during the weekday p.m. peak hour under existing conditions. The intersection of Hayes Street/Van Ness Avenue operates at LOS E during the weekday p.m. peak hour under existing conditions. Cumulative (2025) conditions represent future conditions after the buildout of the *Market and Octavia Area Plan*. Under

¹³ San Francisco Planning Department, *Transportation Calculations, 311 Grove Street, May 22, 2015.*

cumulative conditions, three of the intersections closest to the project site would operate at LOS D or better during the weekday p.m. peak hour.

Table 1: Weekday P.M. Peak-Hour Levels of Service at Nearby Intersections

Intersection	Existing LOS (2004)	Cumulative LOS (2025)
Hayes Street/Gough Street	C	F
Hayes Street/Franklin Street	C	F
Hayes Street/Van Ness Avenue	E	F
Fell Street/Gough Street	B	B
Fell Street/Franklin Street	A	D
Fell Street/Van Ness Avenue	C	D

Source: Wilbur Smith Associates, Market and Octavia PEIR, Appendix C, Table C-9, September 2004.

Notes:

(1) **Bold** indicates intersection operates at unacceptable LOS conditions (LOS E or F).

The proposed project would generate an estimated three p.m. peak-hour vehicle trips that could travel through nearby intersections. These vehicle trips would not substantially increase traffic volumes at nearby intersections, would not substantially increase the average delay to the degree that the LOS of nearby intersections would deteriorate from acceptable to unacceptable, and would not substantially increase the average delay at intersections that currently operate at an unacceptable LOS.

The proposed project would not contribute considerably to LOS delay conditions because its contribution of an estimated 18 daily and three p.m. peak-hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by *Market and Octavia Area Plan* projects. In addition, the proposed project would not contribute considerably to 2025 cumulative traffic conditions and would not have any significant cumulative traffic impacts.

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts on traffic beyond those identified in the Market and Octavia PEIR.

Transit

The project site is well served by public transportation. Within one-quarter mile of the project site, the San Francisco Municipal Railway (Muni) operates the following transit service: the 5 Fulton, 5R Fulton Rapid, 6 Haight/Parnassus, 7 Haight/Noriega, 7X Noriega Express, 9 San Bruno, 9R San Bruno Rapid, 21 Hayes, 47 Van Ness, and 49 Mission/Van Ness bus lines; the F Market historic streetcar; and the J Church, KT Ingleside/Third Street, L Taraval, M Ocean View, and N Judah Muni Metro light rail lines.

The proposed project would be expected to generate 35 daily transit trips, including six transit trips during the p.m. peak hour. Given the wide availability of nearby transit, the addition of six p.m. peak-hour transit trips would be accommodated by existing capacity. Therefore, the proposed project would not result in unacceptable levels of transit service or cause an increase in transit delays or operating costs such that significant adverse impacts to transit service would result.

As discussed above, the Market and Octavia PEIR identified significant and unavoidable cumulative transit delay impacts to the 21 Hayes Muni route. The proposed project would not contribute considerably to these conditions as its contribution of six p.m. peak-hour transit trips would not be a substantial proportion of the overall additional transit volume generated by projects developed under the *Market and Octavia Area Plan*. The proposed project would also not contribute considerably to significant 2025 cumulative transit impacts.

For these reasons, the proposed project would not result in significant project-specific impacts related to transit beyond those identified in the Market and Octavia PEIR and would not contribute considerably to cumulative transit impacts that were identified in the Market and Octavia PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
5. NOISE —Would the project:				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Construction Impacts

The Market and Octavia PEIR noted that the background noise levels in San Francisco are elevated primarily due to traffic noise and that some streets, such as Market Street, have higher background noise levels. The PEIR identified an increase in the ambient noise levels during construction, dependent on the types of construction activities and construction schedules, and noise from increased traffic associated with construction truck trips along access routes to development sites. The PEIR determined that compliance with the San Francisco Noise Ordinance (Noise Ordinance), codified as Article 29 of the San Francisco Police Code, would reduce construction noise impacts to less-than-significant levels. No mitigation measures related to noise from construction were identified in the Market and Octavia PEIR.

All construction activities for the proposed project (approximately 13 months) would be subject to and would comply with the Noise Ordinance, which requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA¹⁴ at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of SFPW or the Director of the DBI to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of SFPW authorizes a special permit for conducting the work during that period.

The DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Although pile driving is not required or proposed, occupants of nearby properties could be disturbed by construction noise during the 13-month construction period for the proposed project. There may be times when noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties. The increase in noise levels in the project vicinity during construction of the proposed project would not be considered a significant impact, because the construction noise would be temporary, intermittent, and restricted in occurrence and level due to required compliance with the Noise Ordinance.

For these reasons, the proposed project would not result in significant project-specific or cumulative construction-related noise and vibration impacts beyond those identified in the PEIR, and no mitigation measures are necessary.

Operational Impacts

The PEIR noted that Area Plan-related land use changes would have the potential to create secondary noise impacts associated with projects' fixed-location heating, ventilating, or air-conditioning equipment and other localized noise-generating activities. The PEIR determined that existing ambient noise levels in the Plan Area would generally mask noise from new on-site equipment. Therefore, the increase in noise levels from operation of equipment would be less than significant. The PEIR also determined that all new development in the Plan Area would be required to comply with Title 24 of the California Code of Regulations (Title 24) and with the Land Use Compatibility Guidelines for Community Noise in the Environmental Protection Element of the of the *General Plan*,¹⁵ which would prevent significant operational impacts on sensitive receptors.

The proposed project would be required to comply with the interior noise standards set forth in Title 24. The proposed project includes the installation of mechanical equipment, such as heating and ventilation systems, that could produce operational noise. The operation of this equipment would be required to

¹⁴ The standard method used to quantify environmental noise involves evaluating the sound with an adjustment to reflect the fact that human hearing is less sensitive to low-frequency sound than to mid- and high-frequency sound. This measurement adjustment is called "A" weighting, and the data are reported in A-weighted decibels (dBA).

¹⁵ *San Francisco General Plan*. Environmental Protection Element, Policy 11.1, Land Use Compatibility Chart for Community Noise. Available online at http://www.sf-planning.org/ftp/general_plan/l6_Environmental_Protection.htm, accessed August 4, 2015.

comply with the standards set forth in Section 2909 of the Noise Ordinance, which would minimize noise from building operations. Therefore, noise impacts related to the proposed building’s operation would be less than significant. The proposed project would also not contribute, to a considerable increment, to any cumulative noise impacts resulting from the operation of mechanical equipment.

Ambient noise levels in San Francisco are largely influenced by traffic. An approximate doubling in traffic volumes in the area would be necessary to produce an increase in ambient noise levels barely perceptible to most people (a 3-dB increase). As discussed under CPE Checklist Topic 4, Transportation and Circulation, the proposed project would generate three vehicle trips during the p.m. peak hour. Given the existing traffic volumes in the project vicinity, the three vehicle trips during the p.m. peak hour would not double the traffic volumes on any street in the project vicinity. Therefore, the proposed project would not result in a perceptible increase in noise levels from project-related traffic and would not contribute, to a considerable increment, to any cumulative noise impacts resulting from project-generated traffic.

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

For these reasons, the proposed project would not result in significant project-specific or cumulative noise and vibration impacts beyond those identified in the PEIR, and no mitigation measures are necessary.

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

The Market and Octavia PEIR identified potentially significant air quality impacts resulting from temporary exposure to elevated levels of fugitive dust and diesel particulate matter (DPM) during construction of development projects under the Area Plan. The PEIR identified two mitigation measures that would reduce these air quality impacts to less-than-significant levels. Market and Octavia PEIR Mitigation Measures E1 and E2 address air quality impacts during construction. All other air quality impacts were found to be less than significant.

Construction Dust Control

Market and Octavia PEIR Mitigation Measure E1: Construction Mitigation Measure for Particulate Emissions, requires individual projects involving construction activities to include dust control measures and to maintain and operate construction equipment to minimize exhaust emissions of particulates and other pollutants. Subsequent to the certification of the Market and Octavia PEIR, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance No. 176-08, effective August 29, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by the DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, sweeping streets and sidewalks, and other measures.

The regulations and procedures set forth in the Construction Dust Control Ordinance would ensure that construction dust impacts would not be significant. These requirements supersede the dust control provisions of PEIR Mitigation Measure E1. Therefore, PEIR Mitigation Measure E1 is no longer applicable to the proposed project.

Criteria Air Pollutants

In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide, particulate matter, nitrogen dioxide, sulfur dioxide, and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. The Bay Area Air Quality Management District's (BAAQMD's) *CEQA Air Quality Guidelines (Air Quality Guidelines)* provide screening criteria¹⁶ for determining whether a project's criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the *Air Quality Guidelines*, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. Criteria air pollutant emissions during construction and operation of the proposed project would meet the *Air Quality Guidelines* screening criteria. The proposed project, with a total of eight dwelling units, is below both the construction screening criterion ("condo/townhouse, general, 240 dwelling units" land use type) and the operational screening criterion ("condo/townhouse, general, 451 dwelling units" land use type). Therefore, the proposed project would not result in any significant project-specific or cumulative impacts related to criteria air pollutants, and no mitigation measures are necessary.

Health Risk

Subsequent to certification of the Market & Octavia PEIR, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes (Ordinance No. 224-14, effective December 7, 2014), generally referred to as Health Code Article 38: Enhanced Ventilation

¹⁶ Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, May 2011, pp. 3-2 to 3-3.

Required for Urban Infill Sensitive Use Developments (Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone (APEZ) and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the APEZ. The project site is within an APEZ. The APEZ, as defined in Article 38, consists of areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM_{2.5} concentration and cumulative excess cancer risk. The APEZ incorporates health vulnerability factors and proximity to freeways. Projects within the APEZ, such as the proposed project, require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

Construction

The project site is within an identified APEZ; therefore, the ambient health risk to sensitive receptors from air pollutants is considered substantial. Market and Octavia PEIR Mitigation Measure E2: Construction Mitigation Measure for Short-Term Exhaust Emissions, requires construction equipment to be maintained and operated so as to minimize exhaust emissions of particulates and other pollutants.¹⁷ Construction of the proposed project would require heavy-duty, off-road diesel vehicles and equipment during approximately four months of the anticipated 13-month construction period. In compliance with Market and Octavia PEIR Mitigation Measure E2, the project sponsor has agreed to implement Project Mitigation Measure 1: Construction Air Quality, which would reduce DPM exhaust emissions from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment.¹⁸ Implementation of Project Mitigation Measure 1 would ensure that the proposed project would not result in significant impacts related to construction-generated health risks. The full text of Project Mitigation Measure 1 is on pp. 40-42.

Siting Sensitive Land Uses

For sensitive-use projects within an APEZ, such as the proposed project, Article 38 requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from PM_{2.5} (fine particulate matter) equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. The DBI will not issue a building permit without written notification from the Director of the DPH that the applicant has an approved Enhanced Ventilation Proposal.

¹⁷ Mitigation Measure E2 is Mitigation Measure 5.8.B in the Market and Octavia PEIR.

¹⁸ Particulate matter (PM) emissions benefits are estimated by comparing off-road PM emission standards for Tier 2 with Tier 1 and Tier 0. Tier 0 off-road engines do not have PM emission standards, but the United States Environmental Protection Agency's *Exhaust and Crankcase Emissions Factors for Nonroad Engine Modeling – Compression Ignition* has estimated Tier 0 engines between 50 and 100 hp to have a PM emission factor of 0.72 g/hp-hr and greater than 100 hp to have a PM emission factor of 0.40 g/hp-hr. Therefore, requiring off-road equipment to have at least a Tier 2 engine would result in between a 25 percent and 63 percent reduction in PM emissions, compared to off-road equipment with Tier 1 or Tier 0 engines. The 25 percent reduction comes from comparing the PM emission standards for off-road engines between 25 hp and 50 hp for Tier 2 (0.45 g/bhp-hr) and Tier 1 (0.60 g/bhp-hr). The 63 percent reduction comes from comparing the PM emission standards for off-road engines above 175 hp for Tier 2 (0.15 g/bhp-hr) and Tier 0 (0.40 g/bhp-hr). In addition to the Tier 2 requirement, ARB Level 3 VDECSs are required and would reduce PM by an additional 85 percent. Therefore, the mitigation measure would result in between an 89 percent (0.0675 g/bhp-hr) and 94 percent (0.0225 g/bhp-hr) reduction in PM emissions, as compared to equipment with Tier 1 (0.60 g/bhp-hr) or Tier 0 engines (0.40 g/bhp-hr).

In compliance with Article 38, the project sponsor has submitted an initial application for an Enhanced Ventilation Proposal to the DPH.¹⁹ The regulations and procedures set forth in Article 38 would ensure that exposure to sensitive receptors would not be significant. Therefore, impacts related to siting new sensitive land uses would be less than significant through compliance with Article 38.

Siting New Sources

The proposed project would not include a backup diesel generator or other sources that would emit DPM or other toxic air contaminants. Therefore, the proposed project would have no significant impacts related to emitting new sources of air pollutants.

Conclusion

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

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

Market and Octavia PEIR

The State CEQA Guidelines were amended in 2010 to require an analysis of a project’s greenhouse gas (GHG) emissions on the environment. The Market and Octavia PEIR was certified in 2007, before the amendment of the State CEQA Guidelines. Therefore, the Market and Octavia PEIR did not analyze the effects of GHG emissions. In addition, the BAAQMD, the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (Air Basin), has prepared guidelines that provide methodologies for analyzing air quality impacts under CEQA, including the impact of GHG emissions. The following analysis is based on BAAQMD’s guidelines for analyzing GHG emissions and incorporates amendments to the CEQA guidelines relating to GHGs. As discussed below, the proposed project would not result in any new significant environmental impacts related to GHG emissions.

Proposed Project

The proposed project would increase the activity onsite through the demolition of an existing surface parking lot and the construction of a five-story, 52-foot-tall building containing eight dwelling units and four parking spaces. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

¹⁹ Application for Article 38 Compliance Assessment, 311 Grove Street, submitted November 12, 2015.

The BAAQMD has prepared guidelines and methodologies for analyzing GHGs. These guidelines allow for projects that are consistent with a Qualified GHG Reduction Strategy to conclude that the project's GHG impact is less than significant. San Francisco's *Strategies to Address Greenhouse Gas Emissions* (GHG Reduction Strategy)²⁰ presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's Qualified GHG Reduction Strategy in compliance with the BAAQMD's guidelines. These actions have resulted in a 14.5 percent reduction in GHG emissions in 2010 compared to 1990 levels, exceeding the year 2020 reduction goals outlined in the BAAQMD's *2010 Clean Air Plan*, Executive Order S-3-05,²¹ and Assembly Bill 32 (also known as the Global Warming Solutions Act.)^{22, 23} Therefore, projects that are consistent with San Francisco's GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would be subject to and required to comply with several regulations adopted to reduce GHG emissions as identified in the GHG Reduction Strategy. The regulations that are applicable to the proposed project include Bicycle Parking requirements, Street Tree Planting Requirements for New Construction, Mandatory Recycling and Composting Ordinance, and SF Green Building Requirements for Energy Efficiency.

These regulations, outlined in San Francisco's GHG Reduction Strategy, have proven effective as San Francisco's GHG emissions have been measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded Executive Order S-3-05, Assembly Bill 32, and the *Bay Area 2010 Clean Air Plan's* GHG reduction goals for the year 2020. The proposed project was determined to be consistent with San Francisco's GHG Reduction Strategy.²⁴ Other existing regulations, such as those implemented through Assembly Bill 32, will continue to reduce a proposed project's contribution to climate change. Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and the proposed project's contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment.

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts related to GHG emissions, and no mitigation measures are necessary.

²⁰ San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2010. The final document is available online at <http://www.sf-planning.org/index.aspx?page=2627>.

²¹ Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHG emissions need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million MTCO₂E); by 2020, reduce emissions to 1990 levels (estimated at 427 million MTCO₂E); and by 2050, reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO₂E).

²² San Francisco Department of Environment (DOE), *San Francisco Climate Action Strategy, 2013 Update*.

²³ The *Clean Air Plan*, Executive Order S-3-05, and Assembly Bill 32 goals, among others, are to reduce GHG emissions in the year 2020 to 1990 levels.

²⁴ San Francisco Planning Department, *Greenhouse Gas Compliance Checklist, 311 Grove Street, May 28, 2015*.

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

Wind

The Market and Octavia PEIR determined that new construction developed under the Area Plan, including new buildings and additions to existing buildings, could result in significant impacts related to ground-level winds. PEIR Mitigation Measure B1: Buildings in Excess of 85 Feet in Height,²⁵ and PEIR Mitigation Measure B2: All New Construction,²⁶ identified in the PEIR, require individual project sponsors to minimize the wind effects of new buildings developed under the Area Plan through site and building design measures. The Market and Octavia PEIR concluded that implementation of PEIR Mitigation Measures B1 and B2, in combination with existing Planning Code requirements, would reduce both project-level and cumulative wind impacts to less-than-significant levels. PEIR Mitigation Measure B1 is not applicable to the proposed project, because the project does not exceed a height of 85 feet. PEIR Mitigation Measure B2 is applicable to the proposed project. As discussed below, the project sponsor has fulfilled the requirements of PEIR Mitigation Measure B2.

A proposed project’s wind impacts are directly related to its height, orientation, design, location, and surrounding development context. Based on wind analyses for other development projects in San Francisco, a building that does not exceed a height of 85 feet generally has little potential to cause substantial changes to ground-level wind conditions. The project site is a vacant lot in an urban environment characterized by multi-story buildings. At a height of 52 feet (56 feet at the building’s tallest point), the proposed building would be similar in height to the existing 54-foot-tall building at 401 Grove Street and the 55-foot-tall building at 400 Grove Street that is currently under construction. The proposed building would be two stories and about 20 feet taller than the adjacent building to the west, but any overhead winds that are intercepted by the top two stories of the proposed building would be redirected onto the roof of the adjacent building instead of downward to the sidewalk along Grove Street. Given the proposed building’s height, design, location, and surrounding development context, the proposed 52-foot-tall building has little potential to cause substantial changes to ground-level wind conditions adjacent to and near the project site.

For these reasons, the proposed project would not result in any significant project-specific or cumulative wind impacts beyond those identified in the Market and Octavia PEIR.

Shadow

Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park

²⁵ Mitigation Measure B1 is Mitigation Measure 5.5.B1 in the Market and Octavia PEIR.

²⁶ Mitigation Measure B2 is Mitigation Measure 5.5.B2 in the Market and Octavia PEIR.

Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Public open spaces that are not under the jurisdiction of the Recreation and Park Commission as well as private open spaces are not subject to Planning Code Section 295.

The Market and Octavia PEIR analyzed shadow impacts on nearby existing and proposed open spaces under the jurisdiction of the San Francisco Recreation and Park Commission as well as other open spaces (the War Memorial Open Space and United Nations Plaza). The Market and Octavia PEIR determined that implementation of the Area Plan would not result in a significant shadow impact on Section 295 open spaces at the program or project level but identified potentially significant shadow impacts on non-Section 295 open spaces. Mitigation Measure A1: Parks and Open Space Not Subject to Section 295,²⁷ was identified in the PEIR and would reduce but may not eliminate significant shadow impacts on the War Memorial Open Space and United Nations Plaza. The PEIR determined that shadow impacts on non-Section 295 open spaces could be significant and unavoidable.

Implementation of the proposed project would result in the construction of a 52-foot-tall building (56 feet at the building’s tallest point). The Planning Department prepared a preliminary shadow fan analysis to determine whether the proposed project would have the potential to cast new shadow on nearby parks. The shadow fan analysis prepared by the Planning Department determined that the project as proposed would not cast shadow on any nearby parks.²⁸ Therefore, Market and Octavia PEIR Mitigation Measure A1 would not be applicable to the proposed project.

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

For these reasons, the proposed project would not result in significant project-specific or cumulative shadow impacts beyond those identified in the Market and Octavia PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
9. RECREATION —Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

²⁷ Mitigation Measure A1 is Mitigation Measure 5.5.A2 in the Market and Octavia PEIR.

²⁸ San Francisco Planning Department, *Shadow Fan Analysis for 311 Grove Street*, December 8, 2014.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR concluded that implementation of the Area Plan would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures related to recreational resources were identified in the Market and Octavia PEIR.

Since certification of the PEIR, the voters of San Francisco passed the 2012 San Francisco Clean and Safe Neighborhood Parks Bond, providing the Recreation and Park Department an additional \$195 million to continue capital projects for the renovation and repair of parks, recreation, and open space assets. An update of the Recreation and Open Space Element (ROSE) of the *General Plan* was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies locations where proposed open space connections should be built, specifically streets appropriate for potential “living alleys.” In addition, the amended ROSE identifies the role of both the *Better Streets Plan* and the Green Connections Network in open space and recreation. Green Connections are streets and paths that connect people to parks, open spaces, and the waterfront while enhancing the ecology of the street environment. Two routes identified within the Green Connections Network cross the Market and Octavia Plan Area: Marina Green to Dolores Park (Route 15) and Bay to Beach (Route 4).

The proposed project would include usable open space in the form of private balconies, a private roof deck, and a common roof deck. This usable open space would help alleviate the demand for recreational facilities.

The proposed project would be within the scope of development projected under the *Market and Octavia Area Plan* and would not result in any significant project-specific or cumulative impacts related to recreation beyond those identified in the Market and Octavia PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
10. UTILITIES AND SERVICE SYSTEMS —Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

The proposed project would be within the scope of development projected under the *Market and Octavia Area Plan* and would not result in any significant project-specific or cumulative impacts on utilities and service systems beyond those identified in the Market and Octavia PEIR.

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

The Market and Octavia PEIR determined that the anticipated increase in population under the Area Plan would not result in a significant impact to public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

The proposed project would be within the scope of development projected under the *Market and Octavia Area Plan* and would not result in any project-specific or cumulative impacts on public services beyond those identified in the Market and Octavia PEIR.

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

As described in the Market and Octavia PEIR, the Plan Area is a developed urban environment completely covered by structures, impervious surfaces, and introduced landscaping. No known, threatened, or endangered animal or plant species are known to exist in the project vicinity that could be affected by the development anticipated under the Area Plan. In addition, development envisioned under the Area Plan would not substantially interfere with the movement of any resident or migratory wildlife species. For these reasons, the PEIR concluded that implementation of the Area Plan would not result in significant impacts on biological resources, and no mitigation measures were identified.

The project site is within the area covered by the *Market and Octavia Area Plan*, and the proposed project would not result in any project-specific or cumulative impacts on biological resources that were not identified in the Market and Octavia PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
13. GEOLOGY AND SOILS —Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR did not identify any significant operational impacts related to geology, soils, and seismicity. Although the PEIR concluded that implementation of the Area Plan would indirectly increase the population that would be exposed to geologic hazards such as earthquakes, seismic ground shaking, liquefaction, and landslides, the PEIR noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risks, but would reduce them to acceptable levels given the seismically active characteristics of the Bay Area.

The Market and Octavia PEIR identified a potential significant impact related to soil erosion during construction. The PEIR found that implementation of Mitigation Measure G1: Construction-Related Soils Mitigation Measure,²⁹ which consists of construction best management practices (BMPs) to prevent erosion and discharge of soil sediments into the storm drain system, would reduce any potential impacts to less-than-significant levels.

²⁹ Mitigation Measure G1 is Mitigation Measure 5.11.A in the Market and Octavia PEIR.

In 2013, the San Francisco Public Utilities Commission (SFPUC) adopted the Construction Site Runoff Ordinance (Ordinance No. 260-13), which requires all construction sites, regardless of size to implement BMPs to prevent construction site runoff discharges into the City's combined stormwater/sewer system. Furthermore, construction sites that disturb 5,000 square feet or more of ground surface are required to apply for a Construction Site Runoff Control Permit from the SFPUC and submit an Erosion and Sediment Control Plan that includes BMPs to prevent stormwater runoff and soil erosion during construction. The proposed project is subject to the Construction Site Runoff Ordinance, which supersedes Market and Octavia PEIR Mitigation Measure G1.

A preliminary geotechnical investigation was conducted for the proposed project to assess the geologic conditions underlying the project site and provide recommendations related to the proposed project's design and construction. The findings and recommendations of the geotechnical investigation are presented in a geotechnical report and summarized below.³⁰

The geotechnical investigation included the drilling of two test borings on the project site to depths of 26.5 and 36.5 feet below ground surface (bgs). Based on the test borings, the project site is underlain by about four feet of fill consisting of silty sand with gravel, and the fill is underlain by silty sand. Groundwater was encountered at a depth of 31 feet bgs. The project site is not in an Alquist-Priolo Earthquake Fault Zone. There are no known active earthquake faults that run underneath the project site or in the project vicinity; the closest active fault to the project site is the San Andreas Fault, which is about seven miles to the southwest. The project site is not in a landslide zone or a liquefaction zone.³¹

Construction of the proposed project would require excavation to a depth of nine feet bgs and the removal of 1,200 cubic yards of soil. The geotechnical report recommends that the proposed project be supported by a continuous or spread footing foundation, with the footings embedded a minimum of 12 inches.³² As an alternative, the proposed project could be supported by a mat slab foundation.³³ The geotechnical report includes recommendations related to site preparation and grading, excavation, shoring and underpinning, dewatering, surface and subsurface drainage, foundations, retaining walls, interior slabs, utility trenches, and construction monitoring. The project sponsor has agreed to implement these and other recommendations specified in the geotechnical report.

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

³⁰ GeoEngineering Consultants, *Geotechnical Study, Proposed Residential Development, 311 Grove Street, San Francisco, California* (hereinafter "*Geotechnical Study*"), May 2015.

³¹ San Francisco Planning Department, GIS database geology layer, accessed June 11, 2015.

³² *Geotechnical Study*, p. 16.

³³ *Geotechnical Study*, p. 17.

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts related to geology and soils beyond those identified in the Market and Octavia PEIR.

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

The Market and Octavia PEIR determined that the anticipated increase in population as a result of implementation of the Area Plan would not result in a significant impact on hydrology and water quality, including the combined sewer system and the potential for combined sewer outflows. Groundwater

encountered during construction would be required to be discharged in compliance with the City's Industrial Waste Ordinance (Ordinance No. 199-77) and would meet specified water quality standards. No mitigation measures were identified in the PEIR.

The project site, which is vacant, is completely paved. Implementation of the proposed project would not increase the amount of impervious surface area on the project site, would not substantially change existing surface runoff and drainage patterns, and would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding, erosion, or siltation. The rate or amount of surface runoff would not increase to the point that it would exceed the capacity of existing or planned stormwater drainage systems. Furthermore, the proposed project would be constructed in compliance with all applicable federal, state, and local regulations governing water quality and discharges into surface and underground bodies of water. Runoff from the project site would drain into the City's combined stormwater/sewer system, ensuring that such runoff is properly treated at the Southeast Water Pollution Control Plant before being discharged into the San Francisco Bay. As a result, the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality.

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts on hydrology and water quality beyond those identified in the Market and Octavia PEIR, and no mitigation measures are necessary.

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

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

The Market and Octavia PEIR found that impacts related to hazards and hazardous materials would primarily originate from construction-related activities. Demolition or renovation of existing buildings could result in exposure to hazardous building materials such as asbestos, lead, mercury or polychlorinated biphenyls (PCBs). In addition, the discovery of contaminated soils and groundwater at a construction site could result in exposure to hazardous materials during construction. The PEIR identified a significant impact associated with soil disturbance during construction for sites in areas of naturally occurring asbestos (NOA). The PEIR found that compliance with existing regulations and implementation of Mitigation Measure F1: Program- or Project-Level Mitigation Measures for Hazardous Materials,³⁴ which would require implementation of construction best management practices to reduce dust emissions and tracking of contaminated soils beyond the site boundaries by way of construction vehicles’ tires, would reduce impacts associated with construction-related hazardous materials to less-than-significant levels.

As discussed under Topic 6, Air Quality, on p. 24, subsequent to the certification of the Market and Octavia PEIR, the San Francisco Board of Supervisors adopted the Construction Dust Control Ordinance. The regulations and procedures set forth by the Construction Dust Control Ordinance would ensure that construction dust impacts would not be significant. These requirements supersede the dust control provisions of Market and Octavia PEIR Mitigation Measure F1. In addition, construction activities in areas containing NOA are subject to regulation under the State Asbestos Airborne Toxic Control Measures (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, which is implemented in San Francisco by the BAAQMD. Compliance with the State Asbestos ATCM would ensure that the proposed project would not create a significant hazard to the public or the environment from the release of NOA. Therefore, PEIR Mitigation Measure F1 is not applicable to the proposed project.

Hazardous Building Materials

Since the project site has been vacant since 1956 and is occupied solely by a surface parking lot, it is unlikely that hazardous building materials such as polychlorinated biphenyls (PCBs), mercury, asbestos, and lead-based paint are still present on the project site. In the event that any residual hazardous building materials are encountered during excavation of the project site, such materials must be abated in accordance with applicable federal, state, and local regulations. Compliance with such regulations would

³⁴ Mitigation Measure F1 is Mitigation Measure 5.10.A in the Market and Octavia PEIR.

ensure that the proposed project would not result in significant project-specific or cumulative impacts related to hazardous building materials beyond those identified in the Market and Octavia PEIR.

Soil and Groundwater Contamination

The proposed project would require excavation to a maximum depth of nine feet below ground surface and the disturbance of approximately 1,200 cubic yards of soil. As discussed under Topic 13, Geology and Soils, on p. 34, groundwater is about 31 feet below ground surface (bgs). Construction of the proposed project would require excavation to a depth of nine feet bgs, so groundwater would not be encountered during excavation.

Construction of the proposed project would require the disturbance of more than 50 cubic yards of soil. For this reason, the proposed project is subject to the Maher Ordinance, which is administered and overseen by the DPH. The project sponsor is required to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the proposed project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal agencies and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit. A Phase I ESA has been prepared to assess the potential for site contamination.³⁵ The Phase I ESA did not identify any Recognized Environmental Conditions on the project site and concluded that no further investigation is required.³⁶

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Ordinance Application to the DPH.³⁷ After reviewing the Maher Ordinance Application, the Phase I ESA, and other supporting documents, the DPH will determine if additional steps will be required of the project sponsor (soil and/or groundwater sampling and analysis, SMP) to remediate any site contamination. Pursuant to compliance with the Maher Ordinance, the proposed project would not result in significant impacts related to contaminated soil and/or groundwater beyond those identified in the Market and Octavia PEIR, and no mitigation measures are necessary.

Fire Hazards and Emergency Response

In San Francisco, fire safety is ensured through the provisions of the San Francisco Building and Fire Codes. During the review of the building permit application, the DBI and the San Francisco Fire Department will review the project plans for compliance with all regulations related to fire safety. Compliance with fire safety regulations would ensure that the proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan or expose people or structures to a significant risk of loss, injury, or death involving fires.

³⁵ Olson Environmental, Inc., *Phase I Environmental Site Assessment, 311 Grove Street, San Francisco, California, 94102*, (hereinafter "Phase I ESA"), October 14, 2014.

³⁶ *Phase I ESA*, p. 19.

³⁷ *Maher Ordinance Application, 311 Grove Street*, submitted February 5, 2016.

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts related to hazards and hazardous materials beyond those identified in the Market and Octavia PEIR, and no mitigation measures are necessary.

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

The Market and Octavia PEIR did not analyze the Area Plan’s effects on mineral and energy resources, and no mitigation measures were identified. The project site is not a designated mineral resource recovery site, and implementation of the proposed project would not result in the loss of availability of any mineral resources.

The PEIR determined that the *Market and Octavia Area Plan* would facilitate the construction of both residential and commercial uses. Development of these uses would not result in the use of large amounts of water, gas, and electricity in a wasteful manner, or in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet or exceed current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by the DBI.

For these reasons, the proposed project would not result in any significant project-specific or cumulative impacts related to mineral and energy resources beyond those identified in the Market and Octavia PEIR, and no mitigation measures are necessary.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
17. AGRICULTURE AND FOREST RESOURCES: —Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
b) Conflict with existing zoning for agricultural uses, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of fore land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environmental which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR did not analyze the Area Plan’s effects on agriculture and forest resources, and no mitigation measures were identified. The project site is not zoned for, or occupied by, agricultural uses, forest land, or timberland, and implementation of the proposed project would not convert agricultural uses, forest land, or timberland to non-agricultural or non-forest uses.

For these reasons, the proposed project would have no project-specific or cumulative impacts related to agriculture and forest resources, and no mitigation measures are necessary.

MITIGATION MEASURES

Project Mitigation Measure 1: Construction Air Quality (Implementing PEIR Mitigation Measure E2)

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

A. Engine Requirements.

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.
2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions).

The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two-minute idling limit.

4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. *Waivers.*

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

Table – Off-Road Equipment Compliance Step-down Schedule

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

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

- C. *Construction Emissions Minimization Plan.* Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in

reasonable detail, how the Contractor will meet the requirements of Section A.

1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.
 2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.
 3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.
- D. *Monitoring.* After start of construction activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.
-