



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

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Case No.: 2014.1575ENV
Project Address: 502 7th Street
Zoning: UMU (Urban Mixed Use) District
48-X Height and Bulk District
Block/Lot: 3780/001
Lot Size: 3,998 square feet
Plan Area: Eastern Neighborhoods (Showplace Square/Potrero Hill)
Project Sponsor: SoMa Residential Development, LLC
c/o Riyadh Ghannam, RG-Architecture
(415) 649-6202, riyad@rg-architecture.com
Staff Contact: Michael Li
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PROJECT DESCRIPTION

The project site is on the southwest corner of 7th and Bryant streets in San Francisco's South of Market neighborhood. Prior to 1968, the project site was occupied by a gas station. In 1968, the existing one-story, 27-foot-tall commercial building was constructed. The building is currently occupied by a delivery services company.

(Continued on next page.)

EXEMPT STATUS

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

DETERMINATION

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


SARAH B. JONES

Environmental Review Officer

January 6, 2016
Date

cc: SoMa Residential Development, LLC, Project Sponsor
Jonathan DiSalvo, Current Planning Division
Supervisor Jane Kim, District 6

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

PROJECT DESCRIPTION (continued)

The proposed project consists of the demolition of the existing one-story, 27-foot-tall commercial building and the construction of a new five-story, 48-foot-tall building containing 16 dwelling units. There would be a 15.5-foot-tall elevator penthouse and an 8.5-foot-tall stair penthouse on the roof of the building; the maximum building height would be 63.5 feet. No automobile parking spaces would be provided. A total of 17 bicycle parking spaces would be provided; 16 Class 1 spaces would be provided in a secure storage room on the ground floor, and one Class 2 space would be provided on the Bryant Street sidewalk adjacent to the project site. Usable open space for the residents of the proposed project would be provided in the form of private patios and a common roof deck.

Construction of the proposed project is expected to last 9 to 11 months. The proposed project would be supported by a mat slab foundation; pile driving would not be required. Construction of the proposed project would require excavation to a depth of two feet below ground surface and the removal of about 592 cubic yards of soil.

PROJECT APPROVAL

The proposed project would require the following approvals:

- **Rear Yard Modification and Permitted Obstructions Variance** (*Zoning Administrator*)
- **Demolition Permit** (*Planning Department and Department of Building Inspection*)
- **Site/Building Permit** (*Planning Department and Department of Building Inspection*)
- **Condominium Map** (*Department of Public Works*)

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

COMMUNITY PLAN EXEMPTION OVERVIEW

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

or to the proposed project, then an EIR need not be prepared for the project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects of the 502 7th Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR).¹ Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 502 7th Street.

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

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

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The *Eastern Neighborhoods Draft EIR* evaluated three rezoning alternatives, two community-proposed alternatives that focused largely on the Mission District, and a “No Project” alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR. The Eastern Neighborhoods PEIR estimated that implementation of the Eastern Neighborhoods Rezoning and Area Plans could result in approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,000 square feet of net nonresidential space (excluding PDR loss) being built in the Plan Area throughout the lifetime of the Plan (year 2025).

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

² San Francisco Planning Department, *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report*, Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed July 27, 2015.

³ San Francisco Planning Commission Motion No. 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed July 27, 2015.

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

As a result of the Eastern Neighborhoods rezoning process, the project site's zoning has been reclassified from SLI (Service/Light Industrial) to UMU (Urban Mixed Use). The UMU District is designed to promote a vibrant mix of uses while maintaining the characteristics of the area, which was formerly zoned for industrial uses. The UMU District is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. Within the UMU District, PDR, residential, retail, educational, and nighttime entertainment uses are permitted. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Exemption (CPE) Checklist under Topic 1, Land Use and Land Use Planning. The 502 7th Street site, which is located in the Showplace Square/Potrero Hill Plan Area of the Eastern Neighborhoods program, was designated as a 48-X Height and Bulk District. This designation allows a building up to 48 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 502 7th Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR, including the Eastern Neighborhoods PEIR development projections. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 502 7th Street project and identifies the mitigation measures applicable to the 502 7th Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{4, 5} Therefore, no further CEQA evaluation for the 502 7th Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

PROJECT SETTING

The project vicinity is characterized by a mix of residential, retail, office, open space, and production/distribution/repair (PDR) uses. The scale of development in the project vicinity varies in height from 15 to 105 feet. Existing development on the project block consists of one-, two-, and three-story buildings containing retail, office, and PDR uses. There is a four-story office building on the southwest corner of the project block. Interstate 80, which is an elevated freeway, passes over the northwest corner of the project block, and there is surface parking underneath Interstate 80.

⁴ Sue Exline, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, Case No. 2014.1575ENV, 502 7th Street, October 27, 2015.*

⁵ Jeff Joslin, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Current Planning Analysis, Case No. 2014.1575ENV, 502 7th Street, December 30, 2015.*

The 7th and Bryant streets off-ramp of Interstate 80 touches down on the north side of Bryant Street across from the project site. The San Francisco Hall of Justice occupies the northeast corner of 7th and Bryant streets; this complex of buildings includes the County Jail, the District Attorney's Office, the Sheriff's Department, and the Police Department's Southern Station. On the east side of 7th Street across from the project site, there is a two-story building containing an office use. Other land uses in the area include Bessie Carmichael Elementary School (0.2 mile northwest of the project site), Victoria Manalo Draves Park (0.2 mile north), and the South of Market Recreation Center (0.3 mile north).

The project site is well served by public transportation. Within one-quarter mile of the project site, the San Francisco Municipal Railway (Muni) operates the following bus lines: the 8 Bayshore, 10 Townsend, 12 Folsom/Pacific, 14X Mission Express, 19 Polk, 27 Bryant, 47 Van Ness, and the 83X Mid-Market Express.

POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation, and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued Initial Study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 502 7th Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 502 7th Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would not contribute to the land use impact, because the loss of the existing PDR use on the project site was accounted for in the Eastern Neighborhoods PEIR, and the loss of PDR opportunities on the 3,998-sf project site would not make a considerable contribution to the overall loss of PDR opportunities under the Eastern Neighborhoods Rezoning and Area Plans. The proposed project would not contribute to the impact on historic architectural resources, because it would not result in the demolition or alteration of any such resources. The volume of traffic and transit ridership generated by the proposed project would not contribute considerably to the traffic and transit impacts identified in the Eastern Neighborhoods PEIR. The proposed project would not contribute to the shadow impact, because it would not cast shadow on any parks or open spaces.

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

Table 1 – Eastern Neighborhoods PEIR Mitigation Measures

Mitigation Measure	Applicability	Compliance
E. Transportation		
E-1: Traffic Signal Installation	Not Applicable: plan level mitigation by the San Francisco Municipal Transportation Agency (SFMTA)	N/A
E-2: Intelligent Traffic Management	Not Applicable: plan level mitigation by SFMTA	N/A
E-3: Enhanced Funding	Not Applicable: plan level mitigation by SFMTA & the San Francisco County Transportation Authority (SFCTA)	N/A
E-4: Intelligent Traffic Management	Not Applicable: plan level mitigation by SFMTA & the San Francisco Planning Department	N/A
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by SFMTA	N/A
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA	N/A
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA	N/A
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA and SFCTA	N/A
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA	N/A
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA	N/A
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA	N/A
F. Noise		
F-1: Construction Noise (Pile Driving)	Not Applicable: pile driving is not required or proposed	N/A

Mitigation Measure	Applicability	Compliance
F-2: Construction Noise	Applicable: temporary construction noise from use of heavy equipment	The project sponsor has agreed to develop and implement noise attenuation measures during construction (see Project Mitigation Measure 2)
F-3: Interior Noise Levels	Applicable: project includes noise-sensitive uses	Completed: The project sponsor has conducted a noise analysis
F-4: Siting of Noise-Sensitive Uses	Applicable: project includes noise-sensitive uses	Completed: The project sponsor has conducted a noise analysis
F-5: Siting of Noise-Generating Uses	Not Applicable: project does not include noise-generating uses	N/A
F-6: Open Space in Noisy Environments	Applicable: project includes open space for noise-sensitive uses	Completed: The project sponsor has designed/located open space so that it is protected from sources of noise.
G. Air Quality		
G-1: Construction Air Quality	Applicable: project site is in an area of poor air quality	The proposed project is required to comply with the Construction Dust Control Ordinance. The project sponsor has agreed to implement a mitigation measure related to minimizing exhaust emissions from construction equipment and vehicles (see Project Mitigation Measure 3).
G-2: Air Quality for Sensitive Land Uses	Not Applicable: superseded by Health Code Article 38	N/A
G-3: Siting of Uses that Emit DPM	Not Applicable: project does not include uses that emit DPM	N/A
G-4: Siting of Uses that Emit other TACs	Not Applicable: project does not include uses that emit TACs	N/A

Mitigation Measure	Applicability	Compliance
J. Archeological Resources		
J-1: Properties with Previous Studies	Applicable: project site is in an area for which a previous archeological study has been conducted	Completed: The Planning Department conducted a Preliminary Archeological Review and determined that an addendum to the existing ARDTP is not required. The project sponsor has agreed to implement a mitigation measure related to the accidental discovery of archeological resources (see Project Mitigation Measure 1).
J-2: Properties with no Previous Studies	Not Applicable: project site is not in an area for which no previous archeological study has been conducted	N/A
J-3: Mission Dolores Archeological District	Not Applicable: project site is not in the Mission Dolores Archeological District	N/A
K. Historical Resources		
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area	Not Applicable: plan-level mitigation completed by Planning Department	N/A
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission	N/A
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission	N/A
L. Hazardous Materials		
L-1: Hazardous Building Materials	Applicable: project includes demolition of an existing building	The project sponsor has agreed to remove and properly dispose of any hazardous building materials in accordance with applicable federal, state, and local laws

Mitigation Measure	Applicability	Compliance
		prior to demolishing the existing building (see Project Mitigation Measure 4).

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

PUBLIC NOTICE AND COMMENT

A “Notification of Project Receiving Environmental Review” was mailed on June 11, 2015 to adjacent occupants and owners of properties within 300 feet of the project site. No member of the public submitted comments in response to the notice. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

CONCLUSION

As summarized above and further discussed in the attached CPE Checklist:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;
2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR;
4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and
5. The project sponsor will undertake feasible mitigation measures specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

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

EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM

MONITORING AND REPORTING PROGRAM				
Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation/Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>MITIGATION MEASURES</p> <p><u>Project Mitigation Measure 1: Accidental Discovery (Implementing Eastern Neighborhoods PEIR Mitigation Measure J-2)</u></p> <p>The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in <i>CEQA Guidelines</i> Section 15064.5(a) and (c). The project sponsor shall distribute the Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils-disturbing activities within the project site. Prior to any soils-disturbing activities being undertaken, each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of</p>	<p>Project sponsor, project archeologist.</p>	<p>Prior to issuance of any permit for soils-disturbing activities and during construction activities.</p>	<p>Project sponsor, project archeologist, ERO.</p>	<p>During soils-disturbing and construction activities.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation/Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
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the Alert Sheet.

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

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

Measures might include: preservation in situ of the archeological resource; an archeological monitoring program; or an archeological testing program. If an

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archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning Division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

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

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy, and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning Division of the Planning Department shall receive one bound copy, one unbound copy and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for

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

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Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation/Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>sensitive uses;</p> <ul style="list-style-type: none"> • Monitor the effectiveness of noise attenuation measures by taking noise measurements; and • Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed. 				
<p><u>Project Mitigation Measure 3: Construction Air Quality (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-1)</u></p> <p>A. <i>Engine Requirements.</i></p> <ol style="list-style-type: none"> 1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement. 2. Where access to alternative sources of power 	Project sponsor, construction contractor(s).	Prior to the start of and during use of on-site heavy diesel equipment.	Project sponsor, Planning Department.	During demolition and construction activities. The project sponsor shall submit quarterly reports to the ERO during the construction period and a final report at the end of the construction period.

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Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation/Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>are available, portable diesel engines shall be prohibited.</p> <p>3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two-minute idling limit.</p> <p>4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>B. <i>Waivers.</i></p> <p>1. The Planning Department’s Environmental Review Officer (ERO) or designee may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project</p>				

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Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation/Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for on-site power generation meets the requirements of Subsection (A)(1).</p> <p>2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to the table below.</p>				

Table – Off-Road Equipment Compliance Step-down Schedule

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

How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the

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<p>Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3. Alternative fuels are not a VDECS.</p> <p>C. <i>Construction Emissions Minimization Plan.</i> Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.</p> <p>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</p>				

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Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation/ Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>also specify the type of alternative fuel being used.</p> <p>2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.</p> <p>3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.</p> <p>D. <i>Monitoring.</i> After start of construction activities, the Contractor shall submit quarterly reports to the 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,</p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation/Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>including the start and end dates and duration of each construction phase, and the specific information required in the Plan.</p> <p><u>Project Mitigation Measure 4: Hazardous Building Materials (Implementing Eastern Neighborhoods PEIR Mitigation Measure L-1)</u></p> <p>The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.</p>	<p>Project sponsor, construction contractor(s).</p>	<p>Prior to and during demolition or construction activities.</p>	<p>Project sponsor, Department of Public Health, Department of Building Inspection, and Planning Department.</p>	<p>During demolition or construction activities. Project sponsor shall submit a report to the Department of Public Health, with copies to the Planning Department and the Department of Building Inspection, at the end of the construction period.</p>