



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2015-004085ENV
 Project Address: 349 8th Street
 Zoning: WMUG (Western SoMa Mixed Use District – General)
 Western SoMa Special Use District
 55-X Height and Bulk District
 Block/Lot: 3755/054, 065, 006
 Lot Size: 10,325 square feet
 Plan Area: Western SoMa Community Area Plan
 Project Sponsor: Rodgers Street, LLC, (760) 214-8753
 Staff Contact: Alana Callagy, (415) 575-8734, alana.callagy@sfgov.org

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PROJECT DESCRIPTION

The 349 Eighth Street Project (proposed project) would merge three lots (054, 065, and 066) on Block 3755 used as a surface vehicular parking lot with a total of approximately 30 spaces and construct a five-story, 55-foot tall (65 feet tall with rooftop structures), mixed-use residential building with 38 residential units (approximately 40,880 square feet (sf)) and approximately 1,240 sf of ground floor commercial space. The 10,325 sf project site is located midblock between Folsom and Harrison streets, extends from Eighth Street to Rodgers Street in San Francisco's South of Market (SoMa) neighborhood, and is within the Western SoMa Mixed Use (WMUG) Zoning District and the 55-X Height and Bulk District.


(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.



 LISA M. GIBSON
 Acting Environmental Review Officer

12/7/16

 Date

cc: Riyad Ghannam, Project Sponsor; Supervisor Jane Kim, District 6; Marvis J. Philips, Alliance for Better District 6; Kimberly Durandet, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

PROJECT DESCRIPTION (continued)

The proposed mixed-use building's residential lobby and commercial space would share a frontage on Eighth Street. In addition to the lobby and commercial space, the first floor (which includes a ground floor with a Mezzanine level) would contain seven one-bedroom units. The second through fourth floors of the proposed project would contain four one-bedroom and four two-bedroom units, each. The fifth floor would contain one studio, three one-bedroom, two two-bedroom, and one three-bedroom units.

The project proposes a 1,400-sf inner courtyard, a 770-sf outer courtyard fronting Rodgers Street, and a 1,000-sf skybridge connecting portions of the fifth floor. Three of the seven one-bedroom units on the first floor would have private patios facing the inner courtyard and another three units would have balconies over the outer courtyard. The project proposes balconies for four of the units on the second floor, with two balconies over the inner courtyard and two over the outer courtyard. The project proposes balconies for two units on each of the third through fifth floors, with these balconies over the outer courtyard.

The project proposes 38 Class I bicycle parking spaces on the ground floor in the center of the building and two Class II bicycle parking spaces along both Eighth and Rodgers streets. The project would remove the existing curb cuts on Eighth and Rogers streets. No vehicle parking, below-grade levels, garage/basement, or curb-cuts are proposed.

Construction of the proposed project would occur over approximately 16 to 18 months. Construction equipment to be used would include backhoes, excavators, and construction cranes. The entire project site would be excavated to a depth of approximately four feet to accommodate the foundation with additional depths of two to three feet beyond (total depths of six to seven feet) for soil improvement measures. The total amount of excavation for the project would be approximately 1,530 cubic yards of soil.

PROJECT APPROVAL

The proposed project would require the following approvals:

- **Large Project Authorization** (Planning Commission)
- **Building Permit** (Department of Building Inspection)

The proposed project is subject to Large Project Authorization from the Planning Commission, which is the Approval Action for the 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 349 Eighth Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eight Street Project (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 Western SoMa PEIR.

The Western SoMa PEIR included analyses of the following environmental issues: land use; aesthetics; population and housing; cultural and paleontological resources; transportation and circulation; noise and vibration; air quality; greenhouse gas emissions; wind and shadow; recreation; public services, utilities, and service systems; biological resources; geology and soils; hydrology and water quality; hazards and hazardous materials; mineral and energy resources; and agricultural and forest resources.

As a result of the Western SoMa rezoning process, the project site was rezoned from SLR (Service/Light-Industrial/Residential) to WMUG (Western SoMa Mixed Use District – General). The WMUG is designed to maintain and facilitate the growth and expansion of small-scale light industrial, wholesale distribution, arts production and performance/exhibition activities, general commercial and neighborhood-serving retail and personal service activities while protecting existing housing and encouraging the development of housing at a scale and density compatible with the existing neighborhood. As currently presented, the proposed project meets the development density for the project site as proposed under the Western SoMa Community Plan.

Individual projects that could occur in the future under the Western SoMa Community Plan will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 349 Eighth Street is consistent with and was encompassed within the analysis in the Western SoMa PEIR. This determination also finds that the Western SoMa PEIR adequately anticipated and described the impacts of the proposed 349 Eighth Street project, and identified the mitigation measures applicable to the 349 Eighth Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{2,3} Therefore, no further CEQA evaluation for the 349 Eighth Street project is required. In sum, the Western SoMa PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

¹ Planning Department Case Nos. 2008.0877E and 2007.1035E, State Clearinghouse No. 2009082031. Available: <http://www.sf-planning.org/index.aspx?page=1893>.

² Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 349 8th Street, July 25, 2016. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2015-004085ENV.

³ Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 349 8th Street, June 13, 2016.

PROJECT SETTING

The 10,325 square-foot project site is located midblock between Folsom and Harrison streets and extends from Eighth Street to Rodgers Street. The site contains three parcels (349 Eighth Street and 54 and 60 Rodgers Street) used as a surface vehicular parking lot. The site is located in Block 3755, bound by Folsom, Seventh, Harrison, and Eighth streets.

The properties adjacent to the project site consist of one- to three-story buildings occupied by furniture and carpet/rug retail spaces and design services.

The project vicinity is characterized by a mix of residential, retail, office, light industrial, and entertainment uses in an area of land use transition. The closest residential uses to the proposed project are live/work condominiums and condominiums to the east, across Rodgers Street, and to the west, across Eighth Street (350 Eighth Street). Two entertainment uses, a bar (Driftwood at 1225 Folsom Street) and a club (Cat Club at 1190 Folsom Street), occur within 300 feet of the proposed project to the north on Folsom Street.

Development projects within two blocks of the project site include the remaining phases of the L Seven Development (350 Eighth Street), a multi-building, mixed-use development with 410 apartments and townhouses, commercial, and production, distribution, and repair, across Eighth Street from the project site; and a six story mixed-use building with 42 studios (1174-1178 Folsom), approximately 350 feet north of the project site. The scale of development in the project vicinity along Eighth Street varies from one- to seven-stories.

Within one-quarter mile of the project site, the San Francisco Municipal Railway (Muni) operates the following transit service: the 12-Folsom/Pacific, 19-Polk, 27-Bryant, and 47 Van Ness bus lines.

POTENTIAL ENVIRONMENTAL EFFECTS

The proposed 349 Eighth Street project is in conformance with the height, use, and density for the site described in the Western SoMa PEIR and would represent a small part of the growth that was forecast for the Western SoMa Community Plan. Thus, the project analyzed in the Western SoMa PEIR considered the incremental impacts of the proposed 349 Eighth Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Western SoMa PEIR.

Significant and unavoidable impacts were identified in the Western SoMa PEIR for the following topics: historic resources, transportation and circulation, noise, air quality, and shadow. The Western SoMa PEIR identified feasible mitigation measures to address significant impacts related to cultural and paleontological resources, transportation and circulation, noise and vibration, air quality, wind, biological resources, and hazards and hazardous materials. Table 1, below, lists the mitigation measures identified in the Western SoMa PEIR and states whether each measure would apply to the proposed project.

Table 1 – Western SoMa PEIR Mitigation Measures

Mitigation Measure	Applicability	Compliance
D. Cultural and Paleontological Resources		
M-CP-1a: Documentation of a Historical Resource	Not applicable: site is not a historic resource	Not applicable

Mitigation Measure	Applicability	Compliance
M-CP-1b: Oral Histories	Not applicable: site is not a historic resource	Not applicable
M-CP-1c: Interpretive Program	Not applicable: site is not a historic resource	Not applicable
M-CP-4a: Project-Specific Preliminary Archeological Assessment	Applicable: soil disturbing activities proposed	The project sponsor shall retain an archeological consultant, submit an Archeological Testing Plan (ATP) for review, implement the ATP prior to soil disturbance, and, as needed, implement an Archeological Monitoring Program (AMP) with all soil-disturbing activities. Project sponsor and archeologist shall notify and mitigate the finding of any archeological resource in coordination with the Environmental Review Officer (ERO).
M-CP-4b: Procedures for Accidental Discovery of Archeological Resources	Not applicable: negated by implementation of M-CP-4a/ archeological testing	Not applicable
M-CP-7a: Protect Historical Resources from Adjacent Construction Activities	Applicable: adjacent historic resources present	The project sponsor shall incorporate into construction specifications a requirement that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings.
M-CP-7b: Construction Monitoring Program for Historical Resources	Applicable: adjacent historic resources present	The project sponsor shall undertake a monitoring program to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired. Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of historical resource(s) identified by the San Francisco Planning Department within 125 feet of planned construction to document and photograph the buildings' existing conditions.

Mitigation Measure	Applicability	Compliance
E. Transportation and Circulation		
M-TR-1c: Traffic Signal Optimization (8 th /Harrison/I-80 WB off-ramp)	Not applicable: automobile delay removed from CEQA analysis	Not applicable
M-TR-4: Provision of New Loading Spaces on Folsom Street	Not applicable: project would not remove loading spaces along Folsom Street	Not applicable
M-C-TR-2: Impose Development Impact Fees to Offset Transit Impacts	Not applicable: transit ridership generated by project would not considerably contribute to impact	Not applicable; however, project is subject to Transportation Sustainability Fee (effective December 2015)
F. Noise and Vibration		
M-NO-1a: Interior Noise Levels for Residential Uses	Not applicable: impacts of the environment on the project no longer a CEQA topic	Not applicable
M-NO-1b: Siting of Noise-Sensitive Uses	Not applicable: impacts of the environment on the project no longer a CEQA topic	Not applicable
M-NO-1c: Siting of Noise-Generating Uses	Not applicable: project is not proposing a noise-generating use	Not applicable
M-NO-1d: Open Space in Noisy Environments	Not applicable: impacts of the environment on the project no longer a CEQA topic	Not applicable
M-NO-2a: General Construction Noise Control Measures	Applicable: project includes construction activities	The project sponsor shall require the general contractor to ensure that equipment and trucks used for project construction use the best available noise control techniques; locate stationary noise sources as far from adjacent or nearby sensitive receptors as possible; use hydraulically or electrically powered impact tools; and include noise control requirements to construction contractors. The project sponsor shall submit to the San Francisco Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise.
M-NO-2b: Noise Control Measures During Pile Driving	Applicable: project could potentially include pile-driving activities	Not applicable

Mitigation Measure	Applicability	Compliance
G. Air Quality		
M-AQ-2: Transportation Demand Management Strategies for Future Development Projects	Not applicable: project would not generate more than 3,500 daily vehicle trips	Not applicable, but project could be subject to the Transportation Demand Management Ordinance, if effective at the time of project approval.
M-AQ-3: Reduction in Exposure to Toxic Air Contaminants for New Sensitive Receptors	Not applicable: superseded by Health Code Article 38	Not applicable
M-AQ-4: Siting of Uses that Emit PM _{2.5} or other DPM and Other TACs	Not applicable: project-related construction and operation would not introduce substantial emissions	Not applicable
M-AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants	Not applicable: project does not exceed the BAAQMD screening criteria	Not applicable
M-AQ-7: Construction Emissions Minimization Plan for Health Risks and Hazards	Applicable: project includes construction in an area of poor air quality	The project sponsor shall include all requirements in the Construction Emissions Minimization Plan in contract specifications.
I. Wind and Shadow		
M-WS-1: Screening-Level Wind Analysis and Wind Testing	Not applicable: project would not exceed 80 feet in height	Not applicable
L. Biological Resources		
M-BI-1a: Pre-Construction Special-Status Bird Surveys	Not applicable: project site does not contain shrubs	Not applicable
M-BI-1b: Pre-Construction Special-Status Bat Surveys	Not applicable: project does not include removal of buildings or other habitat for roosting bats	Not applicable
O. Hazards and Hazardous Materials		
M-HZ-2: Hazardous Building Materials Abatement	Not applicable: project does not include demolition of a pre-1970s building	Not applicable
M-HZ-3: Site Assessment and Corrective Action	Not applicable: superseded by Health Code Article 22A (Maher Ordinance)	Not applicable

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 Western SoMa PEIR.

PUBLIC NOTICE AND COMMENT

A “Notification of Project Receiving Environmental Review” was mailed on May 3, 2016 to adjacent occupants and owners of properties within 300 feet of the project site. Only one comment was received and the commenter requested a hard copy of the CPE. No other comments were received.

CONCLUSION

As summarized above and further discussed in the CPE Checklist:⁴

1. The proposed project is consistent with the development density established for the project site in the Western SoMa Community Plan;
2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Western SoMa Community PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Western SoMa Community 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 Western SoMa 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 Western SoMa 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.

⁴ The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2015-004085ENV.

EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM

MONITORING AND REPORTING PROGRAM					
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR					
CULTURAL AND PALEONTOLOGICAL RESOURCES					
<i>Project Mitigation Measure 1 - Protect Historical Resources from Adjacent Construction Activities (Mitigation Measure M-CP-7a of the Western SoMa PEIR)</i>					
The project sponsor shall incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings. Such methods may include maintaining a safe distance between the construction site and the historic building at 20 Heron, 301, 333, and 335 Eighth, 1197 Folsom, and 6 Rodgers streets, using construction techniques that reduce vibration, appropriate excavation shoring methods to prevent movement of adjacent structures, and providing adequate security to minimize risks of vandalism and fire.	Project sponsor.	Prior to any site prep or construction activities.	Incorporate into construction specifications that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings.	Project Sponsor; contractor..	Considered complete upon ERO's approval of construction specifications
<i>Project Mitigation Measure 2 - Construction Monitoring Program for Historical Resources (Mitigation Measure M-CP-7b of the Western SoMa PEIR)</i>					
The project sponsor shall undertake a monitoring program to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired. The monitoring program, which shall apply within 25 feet, shall include the following components. Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of historical resource(s) identified by the San Francisco Planning Department within 125 feet of planned construction to document and photograph the buildings' existing conditions. Based on the construction and condition of the resource(s), the consultant shall also establish a maximum vibration level that shall not be exceeded at each building, based on existing condition, character-defining features, soils conditions, and anticipated construction practices (a common standard is 0.2 inch per second, peak particle velocity). To ensure that vibration levels do not exceed the established standard, the project sponsor shall monitor vibration levels at each structure and shall prohibit vibratory construction activities that generate vibration levels in excess of the standard.	Project sponsor, contractor, qualified historic preservation professional, and ERO.	Prior to the start of and during demolition, earth moving, or construction activities proximate to a designated historical resource.	A Planning Department Preservation Technical Specialist shall review and approve the construction monitoring program.	Project Sponsor; contractor..	During demolition, earth-moving, or construction activities.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>Should vibration levels be observed in excess of the standard, construction shall be halted and alternative construction techniques put in practice, to the extent feasible. (For example, pre-drilled piles could be substituted for driven piles, if feasible based on soils conditions; smaller, lighter equipment might be able to be used in some cases.) The consultant shall conduct regular periodic inspections of each building during ground-disturbing activity on the project site. Should damage to either building occur, the building(s) shall be remediated to its pre-construction condition at the conclusion of ground-disturbing activity on the site.</p>					
<p><i>Project Mitigation Measure 3 – Archeological Testing Program (Mitigation Measure M-CP-4a of the Western SoMa PEIR)</i></p>					
<p>Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant’s work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a) and (c).</p>	Project sponsor	Prior to issuance of grading or building permits	Project Sponsor to retain archaeological consultant to undertake archaeological monitoring program in consultation with ERO.	Project sponsor, archaeologist and Environmental Review Officer (ERO)	Complete when Project Sponsor retains qualified archaeological consultant.

MONITORING AND REPORTING PROGRAM					
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p><i>Consultation with Descendant Communities:</i> On discovery of an archeological site¹ associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative² of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.</p>	Project sponsor.	Discovery of an archeological site associated with descendant group/communities	Consultation with descendant communities	Project sponsor, descendant group representative(s), and ERO	After production of the Final Archaeological Resources Report.
<p><i>Archeological Testing Program.</i> The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.</p>	Project sponsor and archaeological consultant, at the direction of the ERO	Prior to any soils disturbance	Consultation with ERO on scope of ATP	Project sponsor, archaeologist and ERO	After consultation with and approval by ERO of AMP.
<p>At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO</p>	Project sponsor and archaeological consultant, at the direction of the ERO	After completion of the Archeological Testing Program	Submit report to ERO of the findings of the Archeological Testing Program.	Archaeological consultant and ERO	Considered complete on submittal to ERO of report on ATP findings.

¹ By the term “archeological site” is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

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

MONITORING AND REPORTING PROGRAM					
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:</p> <p>A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or</p> <p>B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.</p> <p><i>Archeological Monitoring Program.</i> If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions:</p> <ul style="list-style-type: none"> • The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context; • The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource; • The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits; • The archeological monitor shall record and be authorized to 	<p>Project Sponsor/ Archeological Consultant/ Archeological Monitor/ Contractor(s), at the direction of the ERO</p>	<p>ERO and Archeological Consultant meet prior to commencement of soil-disturbing activity. If ERO determines that an Archeological Monitoring Program is necessary, monitor throughout all soil-disturbing activities.</p>	<p>Consultation with ERO on scope of AMP</p>	<p>Archaeological consultant and ERO</p>	<p>Considered complete on finding by ERO that AMP implemented.</p>

MONITORING AND REPORTING PROGRAM					
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>collect soil samples and artifactual/ecofactual material as warranted for analysis;</p> <ul style="list-style-type: none"> If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO. <p>Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.</p> <p><i>Archeological Data Recovery Program.</i> The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p>	<p>Archaeological consultant in consultation with ERO</p>	<p>After determination by ERO that an archaeological data recovery program is required</p>	<p>Consultation with ERO on scope of ADRP</p>	<p>Archaeological consultant and ERO</p>	<p>Considered complete upon approval of ADRP by ERO.</p>

MONITORING AND REPORTING PROGRAM					
Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<ul style="list-style-type: none"> • <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations. • <i>Cataloguing and Laboratory Analysis.</i> Description of selected cataloguing system and artifact analysis procedures. • <i>Discard and Deaccession Policy.</i> Description of and rationale for field and post-field discard and deaccession policies. • <i>Interpretive Program.</i> Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program. • <i>Security Measures.</i> Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities. • <i>Final Report.</i> Description of proposed report format and distribution of results. • <i>Curation.</i> Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. 					
<p><i>Human Remains and Associated or Unassociated Funerary Objects.</i> The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State</p>	Project Sponsor/Archeological Consultant in consultation with the San Francisco Coroner, NAHC and MLD.	Discovery of human remains and/or funerary objects.	Notify San Francisco coroner. Implement regulatory requirements, if applicable, regarding discovery of Native American human remains and associated/unassociated funerary objects.	Project sponsor, archaeologist and ERO	Considered complete on notification of the San Francisco County Coroner. and NAHC, if necessary..

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Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.</p> <p><i>Final Archeological Resources Report.</i> The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p>	Project sponsor and archaeological consultant at the direction of the ERO	Completion of archeological data recovery, inventoring, analysis and interpretation.	Prepare and submit FARR.	Archaeological consultant and ERO	Considered complete on submittal of FARR.
<p>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, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.</p>	Archeological Consultant at the direction of the ERO	Written certification submitted to ERO that required FARR distribution has been completed	Distribute FARR	Archaeological consultant and Environmental Review Officer (ERO)	Considered complete on distribution of FARR.
<p>Project Mitigation Measure 4 - General Construction Noise Control Measures (Mitigation Measure M-NO-2a of the Western SoMa PEIR)</p> <p>To ensure that project noise from construction activities is minimized to the maximum extent feasible, the sponsor of a subsequent development project shall undertake the following:</p> <ul style="list-style-type: none"> The sponsor of a subsequent development project shall require the general contractor to ensure that equipment and trucks used for project construction use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible). 	Project sponsor and construction contractor.	Prior to issuance of a building permit and during construction activities.		The project sponsor shall prepare and submit monthly noise reports during construction	During construction activities.

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Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<ul style="list-style-type: none"> The sponsor of a subsequent development project shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible. The sponsor of a subsequent development project shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA. The sponsor of a subsequent development project shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to: performing all work in a manner that minimizes noise to the extent feasible; undertaking the noisiest activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible. Prior to the issuance of each building permit, along with the submission of construction documents, the sponsor of a subsequent development project shall submit to the San Francisco Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the 					

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Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise-generating activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity.</p>					
<p><i>Project Mitigation Measure 5 – Construction Emissions Minimization Plan for Health Risks and Hazards (Mitigation Measure M-AQ-7 of the Western SoMa PEIR).</i></p>					
<p>The project sponsor or the project sponsor’s Contractor shall comply with the following:</p>	<p>Project sponsor, contractor(s).</p>	<p>Prior to construction activities requiring the use of off-road equipment.</p>	<p>Submit certification statement</p>	<p>Project sponsor, contractor(s), and the ERO.</p>	<p>Considered complete upon submittal of certification statement.</p>
<p>A. Engine Requirements</p>					
<p>1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.</p>					
<p>2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.</p>					
<p>3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.</p>					
<p>4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.</p>					

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B. Waivers.

1. The Planning Department’s Environmental Review Officer or designee (ERO) 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 onsite 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 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,	Project sponsor/contractor(s).	Prior to issuance of a permit specified in	Prepare and submit a Plan.	Project sponsor/contractor(s) and the ERO.	Considered complete on findings by ERO that Plan
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Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>how the Contractor will meet the requirements of Section A.</p> <ol style="list-style-type: none"> 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. 			Section 106A.3.2.6 of the Francisco Building Code.		is complete.
<p>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.</p>	Project sponsor/ contractor(s).	Quarterly.	Submit quarterly reports.	Project sponsor/ contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is being/was implemented.