



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2015-005388ENV
 Project Address: 1419 Bryant Street (Animal Care and Control Facility)
 Zoning: P (Public) Use District
 68-X Height and Bulk District
 Block/Lot: 3904/002
 Lot Size: 47,988 square feet
 Plan Area: Eastern Neighborhoods Area Plan
 Project Sponsor: Jim Buker, San Francisco Public Works, 415-557-4758
 Staff Contact: Kansai Uchida, 415-575-9048, kansai.uchida@sfgov.org

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PROJECT DESCRIPTION

The project site is located on the northwest corner of the intersection of Bryant and Alameda Streets in San Francisco's Mission neighborhood, on the block bounded by Bryant Street to the west, Division Street and US Highway 101 (Central Freeway) to the north, 10th Street and Potrero Avenue to the east, and Alameda Street to the south. The site is currently occupied by a former Muni powerhouse, built in 1893 and expanded in 1902. The single-story-plus-mezzanine, 42-foot-tall building measures 34,350 square feet, and is currently used by the San Francisco Municipal Transportation Agency (SFMTA) as a maintenance facility for Muni's overhead power lines. It has a 22-space off-street surface parking lot along the north side of the property.

San Francisco Public Works proposes to convert the existing building on the project site to an Animal Care and Control Facility. The existing Animal Care and Control Facility at 1200 15th Street would be closed once the proposed project is completed. As part of the conversion, a second story would be added within the existing building (the single story building currently has high ceilings, high enough to accommodate a second level). New exterior dog runs and gardens would be added on the ground floor and roof. The project would increase the total square footage of the building to 44,600 square feet. No expansion of the building envelope would occur. A second, smaller building at the eastern end of project site would remain in use as SFMTA storage.

(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


 Date

cc: Jim Buker, Project Sponsor; Supervisor Malia Cohen, District 10; Kimberly Durandet, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

PROJECT DESCRIPTION (continued)

Bicycle parking would be provided within the building (9 spaces) and outdoors near the northern entrance to the building (3 spaces), and 16 off-street surface parking spaces would continue to be provided along the north side of the building. Parking lot access would be available from a curb cut on Bryant Street, and loading dock access would be provided from a new curb cut on Alameda Street.

PROJECT APPROVAL

The proposed project would require issuance of a building permit by the Department of Building Inspection (DBI), which would be the Approval Action for the project. If discretionary review before the Planning Commission is requested, the Approval Action would be project approval at the discretionary review hearing instead of the building permit issuance. 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 1419 Bryant 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 1419 Bryant 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

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

August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 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 approved and the Mayor signed the Eastern Neighborhoods Rezoning and Planning Code amendments. 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 which 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 PEIR and the various scenarios discussed in the PEIR. The Eastern Neighborhoods PEIR estimated that implementation of the Eastern Neighborhoods Plan could result in approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,000 square feet of net non-residential space (excluding PDR loss) built in the Plan Area throughout the lifetime of the Plan (year 2025).

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.

The project site is within a P (Public) zoning district. The P District is intended to apply to land that is owned by a governmental agency and in some form of public use. 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 Land Use. The 1419 Bryant Street site, which is located in the Mission District of the Eastern Neighborhoods, was designated as a site with a building up to 68 feet in height (increased from 40 feet as part of the Eastern Neighborhoods rezoning process).

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 1419 Bryant 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 1419 Bryant Street project, and identified the mitigation measures applicable to the 1419 Bryant Street project. The proposed project is also consistent with the zoning controls and the

² San Francisco Planning Department. Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR), Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

³ San Francisco Planning Department. San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed August 17, 2012.

provisions of the Planning Code applicable to the project site.^{4,5} Therefore, no further CEQA evaluation for the 1419 Bryant 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 site is surrounded primarily by PDR land uses. Adjacent properties contain surface parking lots, former railroad right-of-way, storage buildings, manufacturing businesses, a truck rental lot, and office space. A commercial retail development (Potrero Center) is located on the block south of the project site. The blocks immediately north of the project site, across the US 101 Freeway and Division Street, contain storage, manufacturing, and warehouse retail uses. Building heights range from one to nine stories, with most buildings having two or three stories (approximately 30 to 40 feet tall).

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 1419 Bryant 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 1419 Bryant Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would contribute to the significant unavoidable land use impact identified in the Eastern Neighborhoods PEIR because it would result in the removal of 9,000 sf of PDR space. The PEIR identified cumulative loss of PDR employment and businesses in the Eastern Neighborhoods plan area as a significant unavoidable impact.

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** below lists the mitigation measures identified in the Eastern Neighborhoods PEIR and states whether each measure would apply to the proposed project.

⁴ Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 1401-1419 Bryant Street, January 5, 2016. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2015-005388ENV.

⁵ Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 1401-1419 Bryant Street, December 30, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2015-005388ENV.

Table 1 – Eastern Neighborhoods PEIR Mitigation Measures

Mitigation Measure	Applicability	Compliance
F. Noise		
F-1: Construction Noise (Pile Driving)	Not Applicable: pile driving not proposed	N/A
F-2: Construction Noise	Applicable: temporary construction noise from use of heavy equipment	The project sponsor has agreed to develop and implement a set of noise attenuation measures during construction.
F-3: Interior Noise Levels	Not Applicable: noise-sensitive land uses not proposed	N/A
F-4: Siting of Noise-Sensitive Uses	Not Applicable: noise-sensitive land uses not proposed	N/A
F-5: Siting of Noise-Generating Uses	Applicable: the proposed project could generate noise, such as barking dogs, above ambient levels	The project sponsor has prepared a noise analysis demonstrating that the proposed project would not adversely affect noise-sensitive uses
F-6: Open Space in Noisy Environments	Not Applicable: noise-sensitive land uses not proposed	N/A
G. Air Quality		
G-1: Construction Air Quality	Applicable: only the construction exhaust emissions portion of this mitigation measure is applicable because construction would occur within an Air Pollutant Exposure Zone	The project sponsor has agreed to comply with the construction exhaust emissions reduction requirements.
G-2: Air Quality for Sensitive Land Uses	Not Applicable: no sensitive land uses proposed, also superseded by Article 38 requirements	N/A
G-3: Siting of Uses that Emit DPM	Not Applicable: proposed facility would not generate 100 trucks per day or 40 refrigerated trucks per day	N/A
G-4: Siting of Uses that Emit other TACs	Applicable: proposed facility would include a diesel backup	The project sponsor has agreed to implement the best available control technology for diesel

Mitigation Measure	Applicability	Compliance
	generator	generators.
J. Archeological Resources		
J-1: Properties with Previous Studies	Not Applicable: project site is not within this mitigation area	N/A
J-2: Properties with no Previous Studies	Applicable: soil disturbance to approximately three feet below grade proposed in this mitigation area	Preliminary archeological review has been completed, and no further mitigation is necessary.
J-3: Mission Dolores Archeological District	Not Applicable: project site is not within this mitigation area	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: proposed project includes construction activities in a building with known prior industrial use	The project sponsor has agreed to comply with hazardous building material abatement requirements.
E. Transportation		
E-1: Traffic Signal Installation	Not Applicable: plan level mitigation by 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 & SFTA	N/A
E-4: Intelligent Traffic Management	Not Applicable: plan level mitigation by SFMTA &	N/A

Mitigation Measure	Applicability	Compliance
	Planning Department	
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	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

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

PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on December 1, 2015 to adjacent occupants and owners of properties within 300 feet of the project site. One comment was received, along with requests for project information. 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 one comment received asked whether the existing building on the project site would be converted to technology office space. As noted in the project description above, the proposed project would convert the building to an Animal Care and Control Facility. 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 CPE Checklist⁶:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;

⁶ The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2015-005388ENV.

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.

MITIGATION MONITORING AND REPORTING PROGRAM
(Including the Text of the Mitigation Measures Adopted as Conditions of Approval)

MITIGATION MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
ARCHEOLOGICAL RESOURCES				
<p><i>Project Mitigation Measure 1 – Properties With No Previous Studies (Eastern Neighborhoods Mitigation Measure J-2)</i></p> <p>This measure would apply to those properties within the project area for which no archeological assessment report has been prepared or for which the archeological documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological resources under CEQA (CEQA Guidelines § 15064.5(a)(1)(3) and (c)(1)(2)), with the exception of those properties within Archeological Mitigation Zone B as shown in Figure 29 in Chapter IV, for which Mitigation Measure J-3, below, is applicable). That is, this measure would apply to the entirety of the study area outside of Archeological Mitigation Zones A and B.</p> <p>For projects proposed outside Archeological Mitigation Zones A and B, a Preliminary Archeological Sensitivity Study must be prepared by an archeological consultant with expertise in California prehistoric and urban historical archeology. The Sensitivity Study should contain the following:</p> <ol style="list-style-type: none"> 1) Determine the historical uses of the project site based on any previous archeological documentation and Sanborn maps; 2) Determine types of archeological resources/properties that may have been located within the project site and whether the archeological resources/property types would potentially be eligible for listing in the CRHR; 3) Determine if 19th or 20th century soils-disturbing activities may adversely affected the identified potential archeological resources; 4) Assess potential project effects in relation to the depth of any identified potential archeological resource; 5) Conclusion: assessment of whether any CRHP-eligible archeological resources could be adversely affected by the proposed project and recommendation as to appropriate further action. <p>Based on the Sensitivity Study, the Environmental Review Officer (ERO) shall determine if an Archeological Research Design/Treatment Plan (ARD/TP) shall be required to more definitively identify the potential for CRHP-eligible archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential effect</p>	<p>Project Sponsor/project archeologist of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Areas Plans and Rezoning</p>	<p>Prior to construction</p>	<p>The ERO to review and approve the ARDTEP</p>	<p>The project archeologist to report on progress bi-monthly to the ERO. Considered complete after review and approval of ARDTEP by the ERO.</p>

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MITIGATION MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
of the project on archeological resources to a less than significant level. The scope of the ARD/TP shall be determined in consultation with the ERO and consistent with the standards for archeological documentation established by the Office of Historic Preservation for purposes of compliance with CEQA, in Preservation Planning Bulletin No. 5).				
NOISE				
<p><i>Project Mitigation Measure 2 – Construction Noise (Eastern Neighborhoods Mitigation Measure F-2)</i></p> <p>Where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> • Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses; • Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site; • Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses; • Monitor the effectiveness of noise attenuation measures by taking noise measurements; and • Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed. 	Project Sponsor along with Project Contractor of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Rezoning and Area Plans Project.	During construction	Each Project Sponsor to provide Planning Department with monthly reports during construction period.	Considered complete upon receipt of final monitoring report at completion of construction.
<p><i>Project Mitigation Measure 3 – Siting of Noise-Generating Uses (Eastern Neighborhoods Mitigation Measure F-5)</i></p>	Project Sponsor along with Project Contractor of each	Design measures to be incorporated into	San Francisco Planning Department and the Department of Building	Considered complete upon approval of final construction drawing set.

MITIGATION MONITORING AND REPORTING PROGRAM
(Including the Text of the Mitigation Measures Adopted as Conditions of Approval)

MITIGATION MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>To reduce potential conflicts between existing sensitive receptors and new noise-generating uses, for new development including commercial, industrial or other uses that would be expected to generate noise levels in excess of ambient noise, either short-term, at nighttime, or as a 24-hour average, in the proposed project site vicinity, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-sensitive uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the proposed use would comply with the use compatibility requirements in the General Plan and in Police Code Section 2909I, would not adversely affect nearby noise-sensitive uses, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels that would be generated by the proposed use. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action.</p>	<p>subsequent development project undertaken pursuant to the Eastern Neighborhoods Rezoning and Area Plans Project.</p>	<p>project design and evaluated in environmental/building permit review, prior to issuance of a final building permit and certificate of occupancy</p>	<p>Inspection</p>	
AIR QUALITY				
<p><i>Project Mitigation Measure 4 – Construction Air Quality (Implementing Eastern Neighborhoods Mitigation Measure G-1)</i></p> <p>The project sponsor or the project sponsor’s Contractor shall comply with the following</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</p>	<p>Project Sponsor along with Project Contractor of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Rezoning and Area Plans Project.</p>	<p>During construction</p>	<p>Each Project Sponsor to provide Planning Department with monthly reports during construction period.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>

MITIGATION MONITORING AND REPORTING PROGRAM
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MITIGATION MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>requirement.</p> <p>2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.</p> <p>3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.</p> <p>4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>B. Waivers.</p> <p>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).</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 Table below.</p> <p>Table – Off-Road Equipment Compliance Step-down Schedule</p>				

MITIGATION MONITORING AND REPORTING PROGRAM
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MITIGATION MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed									
<p>Compliance Alternative Engine Emission Standard Emissions Control</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; text-align: center;">1</td> <td style="width: 20%; text-align: center;">Tier 2</td> <td style="width: 70%;">ARB Level 2 VDECS</td> </tr> <tr> <td style="text-align: center;">2</td> <td style="text-align: center;">Tier 2</td> <td>ARB Level 1 VDECS</td> </tr> <tr> <td style="text-align: center;">3</td> <td style="text-align: center;">Tier 2</td> <td>Alternative Fuel*</td> </tr> </table> <p>How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3.</p> <p>** Alternative fuels are not a VDECS.</p> <p>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.</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 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</p>	1	Tier 2	ARB Level 2 VDECS	2	Tier 2	ARB Level 1 VDECS	3	Tier 2	Alternative Fuel*				
1	Tier 2	ARB Level 2 VDECS											
2	Tier 2	ARB Level 1 VDECS											
3	Tier 2	Alternative Fuel*											

MITIGATION MONITORING AND REPORTING PROGRAM
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MITIGATION MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>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. 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>				
<p><i>Project Mitigation Measure 5 – Best Available Control Technology for Diesel Generators (Implementing Eastern Neighborhoods Mitigation Measure G-4)</i></p> <p>The project sponsor shall ensure that the backup diesel generator meet or exceed one of the following emission standards for particulate matter: (1) Tier 4 certified engine, or (2) Tier 2 or Tier 3 certified engine that is equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS). A non-verified diesel emission control strategy may be used if the filter has the same particulate matter reduction as the identical ARB verified model and if the Bay Area Air Quality Management District (BAAQMD) approves of its use. The project sponsor shall submit documentation of compliance with the BAAQMD New Source Review permitting process (Regulation 2, Rule 2, and Regulation 2, Rule 5) and the emission standard requirement of this mitigation measure to the Planning Department for review and approval prior to issuance of a permit for a backup diesel generator from any City agency.</p>	Project Sponsor of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Areas Plans and Rezoning	Upon initiation of environmental review for specific development projects that fall within the use characteristics and geographic parameters established by mitigation measure.	San Francisco Planning Department, Department of Public Health and the Department of Building Inspection	Prior to approval of final site plan for subsequent development projects.
HAZARDOUS MATERIALS				
<p><i>Project Mitigation Measure 6 – Hazardous Building Materials (Eastern Neighborhoods Mitigation Measure L-1)</i></p>	Project Sponsor/project	Prior to approval of each	Planning Department, in consultation with	Considered complete upon approval of each

MITIGATION MONITORING AND REPORTING PROGRAM
(Including the Text of the Mitigation Measures Adopted as Conditions of Approval)

MITIGATION MEASURES	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
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.	archeologist of each subsequent development project undertaken pursuant to the Eastern Neighborhoods Areas Plans and Rezoning	subsequent project, through Mitigation Plan.	DPH; where Site Mitigation Plan is required, Project Sponsor or contractor shall submit a monitoring report to DPH, with a copy to Planning Department and DBI, at end of construction.	subsequent project.