



# SAN FRANCISCO PLANNING DEPARTMENT

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## REVISED

### Initial Study – Community Plan Evaluation

*Case No.:* 2016-004946ENV  
*Project Address:* 280-282 7<sup>th</sup> Street  
*Zoning:* WMUG (WSOMA Mixed Use-General)  
Western SoMa Special Use District  
Youth and Family Zone Special Use District  
65-X  
*Block/Lot:* 3730/290  
*Lot Size:* 6,250 square feet  
*Plan Area:* Western SoMa Community Plan  
*Project Sponsor:* William Mollard, Workshop1, (415) 523-0304  
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**THIS COMMUNITY PLAN EVALUATION (CPE) SUPERSEDES THE CPE THAT WAS PUBLISHED ON MARCH 22, 2018. FOLLOWING PUBLICATION OF THE PREVIOUS CPE, THE PROPOSED PROJECT WAS REVISED.**

#### PROJECT DESCRIPTION

The project site consists of a 6,250-square-foot, L-shaped through lot located within the block bounded by Howard, 7th, Folsom and Langton streets in the South of Market neighborhood of San Francisco (Project Location, Appendix A). The site fronts 7th Street (50 feet) and Langton Street (25 feet) and currently contains a vacant, two-story, 20-foot-tall commercial building that was constructed in 1906. The site is located within the Western SoMa Light Industrial and Residential Historic District.

The proposed project would demolish the existing building and construct two new buildings with a ground-level inner courtyard between them (Project Plans, Sheets A2.0 through A3.2, Appendix B). The first building (280-282 7th Street) would front 7th Street and consist of a new 20,304-square-foot, six-story, approximately 65-foot-tall, mixed-use building with an 851-square-foot ground-floor retail unit and 17 dwelling units located on the ground and upper floors. The dwelling unit mix would include nine one-bedroom units and eight two-bedroom units, two of which would be offered at below market rate. The second building (79 Langton Street) would front Langton Street and consist of a new 6,355-square-foot, five-story, approximately 52-foot-tall residential building with three dwelling units. The dwelling unit mix would include one one-bedroom unit and two three-bedroom units. Table 1 provides a summary of the proposed project.

The proposed project would use the state density bonus law under California Government Code sections 65915-65918 to provide a seven percent increase in density (an additional 1,766 gross square feet) above the proposed base project of 25,229 gross square feet, for a total of 26,659 gross square feet and 20 dwelling units. The density increase is allowed in exchange for the project sponsor providing 12 percent

of the project's base 19 units for moderate income households.<sup>1</sup> In addition, the state density bonus law would permit the proposed project the following two waivers and one concession to achieve the additional density: a waiver from Planning Code section 134 to create a court at the mid-block instead of the required rear yard at 25 percent of lot depth; a waiver from Planning Code section 140 for five units in the proposed 7<sup>th</sup> Street building that do not meet dwelling unit exposure requirements; and, a financial concession that would exempt the project sponsor from paying the in-lieu fee required per Planning Code section 426 (Alternative Means of Satisfying the Open Space Requirements in the Eastern Neighborhoods Mixed Use Districts).

Table 1. Proposed Project Summary<sup>†</sup>

|   | 280-282 7 <sup>th</sup> Street    | 79 Langton Street        | Total  |
|---|-----------------------------------|--------------------------|--------|
| <b>Building Stories</b>                 | 6                                 | 5                        | N/A    |
| <b>Building Height</b>                  | 64'-8"<br>(74'-4" with penthouse) | 51'-4"<br>(No penthouse) | N/A    |
| <b>Building Area (gsf)</b>              | 20,304                            | 6,355                    | 26,659 |
| Residential                             | 15,181                            | 4,784                    | 19,965 |
| Retail                                  | 851                               | 0                        | 851    |
| Other: circulation, building facilities | 4,272                             | 1,571                    | 5,843  |
| <b>Residential Units</b>                | 17                                | 3                        | 20     |
| One-bedroom                             | 9                                 | 1                        | 10     |
| Two-bedroom                             | 8                                 | 0                        | 8      |
| Three-bedroom                           | 0                                 | 2                        | 2      |
| <b>Vehicle Parking (spaces)</b>         | 0                                 | 0                        | 0      |
| <b>Bicycle Parking (spaces)</b>         | 22                                | 3                        | 25     |
| Class 1                                 | 18                                | 3                        | 21     |
| Class 2                                 | 4                                 | 0                        | 4      |
| <b>Open Space (nsf)</b>                 | 3,493                             | 947                      | 4,440  |
| <b>Private</b>                          | 2,132                             | 947                      | 3,079  |
| Courtyard                               | 450                               | 512                      | 962    |
| Decks                                   | 1,432                             | 185                      | 1,617  |
| Balconies                               | 250                               | 250                      | 500    |
| <b>Common</b>                           | 1,361                             | 0                        | 1,361  |
| Courtyard                               | 414                               | 0                        | 414    |
| Decks                                   | 947                               | 0                        | 947    |

<sup>†</sup> Units are abbreviated as follows: gross square feet (gsf); net square feet (nsf).

### Open Space

The proposed project would provide 962 square feet of private open space in the courtyard for the residential component of the project. In addition, the proposed project would provide 2,117 square feet<sup>2</sup>

<sup>1</sup> Moderate income households are defined as those households earning 81 to 120 percent of the area median income (AMI).

<sup>2</sup> Total private open space (3,079 square feet) less 962 square feet of private open space (courtyard).

of private open space and 1,361 square feet of common open space that would not meet Planning Code dimensional or location standards for open space. This open space would take the form of a courtyard and decks and balconies (see Table 1).

#### *Site Circulation*

The project would not provide any off-street vehicle parking spaces, but would include 21 class 1 bicycle parking spaces located on the ground floor of each building; 18 of these spaces would be allocated to 280 7th Street and three would be allocated to 79 Langton Street. The proposed project would also provide four class 2 bicycle spaces located on the sidewalk along the 7th Street frontage. Two existing curb cuts on 7th Street and one existing curb cut on Langton Street would be removed. Four new street trees would be added along the 7<sup>th</sup> Street (three trees) and Langton Street (one tree) frontages.

#### *Construction Activities*

The proposed new buildings would be supported by one of the following three foundation systems: (1) mat foundation on improved soil; (2) spread footings on improved soil; or (3) torque-down piles. Construction of the proposed project would last approximately 15 to 18 months and include 4,850 square feet of excavation to maximum depths of four feet (majority of the site) and eight feet (at elevator pit locations) below ground surface and remove approximately 750 cubic yards of soil.

## PROJECT SETTING

The project vicinity is characterized by a mix of residential, retail, office, nighttime entertainment and production/distribution/repair (PDR) uses. The scale of development in the project vicinity varies in height from two to five stories. Land uses on the same block as the project site include residential, café, bar, co-working office and parking garage uses. Other uses within one block of the project site include restaurant, retail stores, office and PDR uses. Howard & Langton Mini Park is located less than one block northwest of the project site. Victoria Manalo Draves Park is located approximately one block east.

The project site is well served by public transportation. Within one-quarter mile of the project site, the San Francisco Municipal Railway (Muni) operates the following bus lines: 8-Bayshore, 8AX-Bayshore A Express, 8BX-Bayshore B Express, 12-Folsom/Pacific, 14-Mission, 14R-Mission Rapid, 14X-Mission Express, 19-Polk, 27-Bryant, 47-Van Ness and 83X-Mid-Market Express. The nearest bus stop, which serves the 12-Folsom/Pacific bus line, is located less than one block southeast of the project site at the intersection of 7th and Folsom streets. The BART Civic Center station is located within one half-mile northwest of the project site.

## PROJECT APPROVALS

The proposed 280-282 7<sup>th</sup> Street project would require the following approvals:

- **Large Project Authorization (Section 329).** Planning Commission approval of exceptions from street frontage requirements.
- **Demolition and site/building permits.** Department of Building Inspection approval to demolish the existing building and construct two new buildings.

The approval of the Large Project Authorization by the Planning Commission would constitute the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

## EVALUATION OF ENVIRONMENTAL EFFECTS

This initial study evaluates whether the environmental impacts of the proposed project are addressed in the programmatic environmental impact report for the *Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project* (Western SoMa PEIR).<sup>3</sup> The initial study considers whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Western SoMa PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific, focused mitigated negative declaration or environmental impact report. If no such impacts are identified, no additional environmental review shall be required for the project beyond that provided in the Western SoMa PEIR and this project-specific initial study in accordance with CEQA section 21083.3 and CEQA Guidelines section 15183.

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

The Western SoMa PEIR identified significant impacts related to cultural and paleontological resources, transportation and circulation, noise and vibration, air quality, wind and shadow, biological resources, and hazards and hazardous materials. Additionally, the PEIR identified significant cumulative impacts related to cultural and paleontological resources, transportation and circulation, noise, air quality, and shadow. Mitigation measures were identified for each of the above impacts, with the exception of shadow. These mitigation measures reduced the environmental impacts to less-than-significant levels except for those related to cultural and paleontological resources (cumulative impacts resulting from the demolition of historic resources), transportation (program-level and cumulative traffic impacts at three intersections; and cumulative transit impacts on several Muni lines), noise (cumulative noise impacts), and air quality (program-level toxic air contaminants and PM<sub>2.5</sub> pollutant impacts; program-level and cumulative criteria air pollutant impacts).

The proposed project would construct two new buildings: one six-story mixed-use building with 17 dwelling units and one 851-square-foot ground-floor retail unit; and one five-story residential building with three dwelling units. As discussed below in this initial study, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Western SoMa PEIR.

## CHANGES IN THE REGULATORY ENVIRONMENT

Since the certification of the Western SoMa PEIR in 2012, several new policies, regulations, statutes, and funding measures have been adopted, passed, or are underway that affect the physical environment and/or environmental review methodology for projects in the Western SoMa plan area. As discussed in each topic area referenced below, these policies, regulations, statutes, and funding measures have implemented or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR. These include:

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<sup>3</sup> San Francisco Planning Department, *Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project* Final Environmental Impact Report (PEIR), Planning Department Cases No. 2008.0877E and 2007.1035E, State Clearinghouse No. 2009082031, certified December 6, 2012, <http://sf-planning.org/AREA-PLAN-EIRS>, accessed February 22, 2018.

- State legislation amending CEQA to eliminate consideration of aesthetics and parking impacts for infill projects in transit priority areas, effective January 2014.
- State legislation amending CEQA and San Francisco Planning Commission resolution replacing level of service (LOS) analysis of automobile delay with vehicle miles traveled (VMT) analysis, effective March 2016 (see “Aesthetics and Parking” and “Automobile Delay and Vehicle Miles Traveled” headings below).
- San Francisco Bicycle Plan update adoption in June 2009, Better Streets Plan adoption in 2010, Transit Effectiveness Project (aka “Muni Forward”) adoption in March 2014, Vision Zero adoption by various City agencies in 2014, Proposition A and B passage in November 2014, and the Transportation Sustainability Program (see Transportation section below).
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses near Places of Entertainment effective June 2015 (see Noise section below).
- San Francisco ordinances establishing Construction Dust Control, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, amended December 2014 (see Air Quality section below).
- San Francisco Clean and Safe Parks Bond passage in November 2012 and San Francisco Recreation and Open Space Element of the General Plan adoption in April 2014 (see Recreation section below).
- Urban Water Management Plan adoption in 2011 and Sewer System Improvement Program process (see Utilities and Service Systems section below).
- Article 22A of the Health Code amendments effective August 2013 (see Hazardous Materials section below).

### **Aesthetics and Parking**

In accordance with CEQA Section 21099–Modernization of Transportation Analysis for Transit Oriented Projects–aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets all of the following three criteria:

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

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.<sup>4</sup> Project elevations are included in Appendix B (Project Plans, Sheets A3.0 through A3.2).

### **Automobile Delay and Vehicle Miles Traveled**

In addition, CEQA Section 21099(b)(1) requires that the State Office of Planning and Research (OPR) develop revisions to the CEQA Guidelines establishing criteria for determining the significance of

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<sup>4</sup> San Francisco Planning Department, *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 280-282 7<sup>th</sup> Street*, June 28, 2018. 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. 2016-004946ENV.

transportation impacts of projects that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA Section 21099(b)(2) states that upon certification of the revised guidelines for determining transportation impacts pursuant to Section 21099(b)(1), automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment under CEQA.

In January 2016, OPR published for public review and comment a *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*<sup>5</sup> recommending that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted OPR’s recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution 19579). (Note: the VMT metric does not apply to the analysis of project impacts on non-automobile modes of travel such as transit, walking, and bicycling.) Therefore, impacts and mitigation measures from the Western SoMa PEIR associated with automobile delay are not discussed in this checklist, including PEIR Mitigation Measures M-TR-1c: Optimization of Signal Timing at the Eighth/Harrison/I-80 Westbound off-Ramp Intersection. Instead, a VMT analysis is provided in the Transportation section.

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

The Western SoMa PEIR determined that adoption of the Western SoMa Community Plan would not result in a significant impact related to land use. The Western SoMa PEIR anticipated that future development under the Community Plan would result in more cohesive neighborhoods and would include more clearly defined residential, commercial, and industrial areas. No mitigation measures were identified in the PEIR.

The division of an established community typically involves the construction of a physical barrier to neighborhood access, such as a new freeway, or the removal of a means of access, such as a bridge or a roadway. The Western SoMa PEIR determined that implementation of the Western SoMa Community

<sup>5</sup> State Office of Planning and Research, Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA, <http://www.opr.ca.gov/ceqa/updates/sb-743/>, accessed February 22, 2018.

Plan would not construct any physical barriers to neighborhood access or remove any existing means of access that could physically divide established communities.

The Citywide Planning and Current Planning divisions of the Planning Department have determined that the proposed project is permitted in the WMUG (WSoMa Mixed Use General) Zoning District and is consistent with the height, density, and land uses as specified in the Western SoMa Community Plan, maintaining the mixed character of the area by encouraging residential and commercial development.<sup>6,7,8</sup>

The Western SoMa PEIR determined that implementation of the Area Plan would not create any new physical barriers in the Plan Area because the rezoning and Area Plan do not provide for any new major roadways, such as freeways, that would divide the project area or isolate individual neighborhoods within it.

For these reasons, implementation of the proposed project would not result in significant impacts related to land use and land use planning that were not previously identified in the Western SoMa PEIR.

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

One of the objectives of the Western SoMa Community Plan is to identify appropriate locations for housing to meet the citywide demand for additional housing. The Western SoMa PEIR concluded that an increase in population in the Plan Area is expected to occur as a secondary effect of the proposed rezoning and that any population increase would not, in and of itself, result in adverse physical effects but would serve to advance key City policy objectives, such as providing housing in appropriate

<sup>6</sup> San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis*, 280-282 7<sup>th</sup> Street, October 26, 2017.

<sup>7</sup> San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Current Planning Analysis*, 280-282 7<sup>th</sup> Street, October 2, 2017.

<sup>8</sup> The above noted Community Plan Evaluation Determinations for the proposed project were based on an earlier design. After the determinations were completed, the design of the proposed project was revised. In the revised design, the buildings have been reconfigured; the height of the 79 Langton Street building has been reduced from 62 feet to about 51 feet; the retail space in the 280 7<sup>th</sup> Street building has been reduced from 1,921 square feet to 851 square feet; and the commercial uses have been eliminated from the 79 Langton Street building. The overall dwelling unit count (20 units) has not changed. Therefore, the results of the Community Plan Evaluation Determinations would not change due to the proposed design revisions.

locations next to Downtown and other employment generators and furthering the City’s Transit First policies. It was anticipated that the rezoning would result in an increase in both housing development and population throughout the Plan Area. The Western SoMa PEIR determined that the anticipated increase in population and density would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the PEIR.

Implementation of the proposed project would result in 20 new residential units and approximately 851 square feet of retail use, which would increase the number of residents by about 53 people and the number of employees by three people within the Western SoMa area.<sup>9</sup> This would not constitute a substantial population increase nor would it generate a substantial demand for new housing for the potential employees. In addition, the current site is occupied by a vacant commercial building, whose proposed demolition would not displace any housing units or people. Furthermore, these direct effects of the proposed project on population and housing are within the scope of the population and housing growth anticipated under the Western SoMa Community Plan and, as such, have been evaluated in the Western SoMa PEIR.

For these reasons, the proposed project would not result in significant impacts related to population and housing that were not identified in the Western SoMa PEIR.

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

**Historic Architectural Resources**

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or

<sup>9</sup> The increase in residents (about 53 people) was determined by multiplying the total number of dwelling units (20 units) by the average household size (2.64) reported in the U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates. The increase in number of employees (about 3 people) was calculated using average employee densities (i.e. 350 gross square feet per employee for retail) from Table C-1 of the San Francisco Planning Department *Transportation Impact Analysis Guidelines for Environmental Review* (October 2002).



are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The Western SoMa PEIR identified significant and unavoidable impacts (even with mitigation) related to the substantial adverse change in the significance of historic architectural resources that would be caused by anticipated demolition within the Plan area.

The proposed project would demolish the existing on-site, two-story commercial building, which was constructed in 1907 and 1927 (the buildings were originally constructed as two separate buildings). The building(s) were evaluated as part of the South of Market Historic Resource Survey, which was adopted by the Historic Preservation Commission on February 16, 2011.<sup>10</sup> Based on this survey, the existing building(s) were assigned a California Historic Resource Status Code of 6Z, which defines the building(s) as “ineligible for [National Register], [California Register], or local designation through survey evaluation.” The survey also determined that the proposed project is located within the Western SoMa Light Industrial and Residential Historic District, but is a non-contributor to the district.<sup>11</sup> Since the subject property is a non-contributor, its demolition would not impact the Western SOMA Light Industrial and Residential Historic District. However, the proposed new buildings are required to be compatible with the Western SOMA Light Industrial and Residential Historic District, in order to maintain the significance of the district. The project sponsor submitted a historic resource evaluation (HRE) prepared by a qualified consultant that evaluated the compatibility of the proposed design with the Western SoMa Light Industrial and Residential Historic District.<sup>12</sup> The Planning Department reviewed the HRE and the proposed design along with additional departmental resources and determined that it would be compatible with the character-defining features of the Western SOMA Light Industrial and Residential Historic District.<sup>13</sup>

The subject property is also associated with lesbian, gay, bisexual, transgender, and queer (LGBTQ) history.<sup>14</sup> In order to assess the historic significance of the subject property within the context of LGBTQ history and in relation to the potential existence of a LGBTQ historic district in the South of Market neighborhood, the project sponsor had a qualified consultant prepare an LGBTQ-specific HRE.<sup>15</sup> The Planning Department reviewed the HRE along with additional department records, including the *Citywide Historic Context Statement for LGBTQ History in San Francisco*,<sup>16</sup> and determined that the proposed project would not result in a significant impact related to historic architectural resources.<sup>17</sup> Specific findings are summarized as follows.

The 280-282 7th Street property contains two structures: a one-story building, constructed in 1907; and a one-story-plus-mezzanine building, constructed in 1927. As early as 1978, the subject property has housed a number of different LGBTQ-related establishments. These include an unnamed entertainment venue (1978); the Folsom Street Warehouse, an LGBTQ-themed theater company (1979); The Cave, a

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<sup>10</sup> San Francisco Planning Department, South of Market Area Historic Resource Survey, <http://sf-planning.org/south-market-area-historic-resource-survey>, accessed February 23, 2018.

<sup>11</sup> *Ibid.*

<sup>12</sup> Brandi, Richard, Historic Resource Evaluation: 280 7th Street, San Francisco, October 11, 2016.

<sup>13</sup> San Francisco Planning Department, Preservation Team Review Form: 280 7th Street, San Francisco, August 29, 2017.

<sup>14</sup> San Francisco Planning Department, Citywide Historic Context Statement for LGBTQ History in San Francisco, <http://sf-planning.org/lgbt-historic-context-statement>, accessed February 26, 2018.

<sup>15</sup> Watson, Shayne E., *Historic Resources Evaluation: 280-282 7<sup>th</sup> Street, City and County of San Francisco, California*, July 20, 2017.

<sup>16</sup> San Francisco Planning Department, Citywide Historic Context Statement for LGBTQ History in San Francisco, <http://sf-planning.org/lgbt-historic-context-statement>, accessed February 26, 2018.

<sup>17</sup> San Francisco Planning Department, *Preservation Team Review Form: 280 7<sup>th</sup> Street, San Francisco*, August 29, 2017.

leather gay bar (1980); and Rawhide II, a country themed LGBTQ bar (1982 to circa 2003). The 280 7th Street property is also potentially individually eligible for listing in the California Register under Criterion 1 (Events) for its association with LGBTQ protests against the movie "Basic Instinct," which took place in front of the building in April of 1991. The period of significance for this event is 1991 when the protests took place. However, the buildings were altered in 1996 and 1997: (1) stucco was applied to the 7th Street façades of the two buildings, giving them the appearance of one building; (2) vigas were installed at the upper level of the 7th Street façades; and (3) interior alterations were made that connected the two buildings. Since these alterations are substantial and took place subsequent to the 1991 period of significance for the eligible event, the building does not retain sufficient integrity to communicate this significance, and therefore, is not individually eligible for listing in the California Register under Criteria 1.

The Planning Department has also determined that the subject property is located within the boundaries of a California Register-eligible SoMa LGBTQ historic district. The SoMa neighborhood has been identified as one of San Francisco's historic LGBTQ enclaves due to the numerous LGBTQ properties, businesses, organizations, and individuals associated with the area. The period of significance for the SoMa LGBTQ historic district extends from the mid-1950s through mid-1980s. Since the subject property housed a country-and-western-themed gay bar from 1982 to 2003, it would qualify as a contributor to this district. The proposed project would demolish the contributory building. However, since it is one contributor of many within the district, its proposed demolition would not result in a significant impact to the SoMa LGBTQ district.

The project site is also adjacent to existing historic resources, and therefore, project-related construction activities would have the potential to damage these historic resources. The Western SoMa PEIR identified two mitigation measures that would reduce construction-related impacts on historic resources to less-than-significant levels.

PEIR Mitigation Measure M-CP-7a: Protect Historical Resources from Adjacent Construction Activities, requires project sponsors to ensure that construction contractors 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 buildings, using construction techniques that reduce vibration, using appropriate excavation shoring methods to prevent movement of adjacent structures, and providing adequate security to minimize risks of vandalism and fire. PEIR Mitigation Measure M-CP-7a, discussed under Project Mitigation Measure 1 in the Mitigation Measures section below, is applicable to the proposed project.

PEIR Mitigation Measure M-CP-7b: Construction Monitoring Program for Historical Resources, requires project sponsors to monitor adjacent historic resources for damage caused by project-related construction activities, especially when heavy equipment is used, and to repair any damage that may occur. PEIR Mitigation Measure M-CP-7b, discussed under Project Mitigation Measure 2 in the Mitigation Measures section below, is applicable to the proposed project.

For these reasons, the proposed project would not result in significant impacts on historic architectural resources beyond those identified in the Western SoMa PEIR.

### Archeological Resources

The project site is underlain by approximately eight to 10 feet of poorly compacted, undocumented, heterogeneous fill characterized by a range of sand, silty sand and clay soils followed by very dense sand (to 30 feet below ground surface) and stiff, moderately over-consolidated clay (30 to 50 feet below ground surface).<sup>18</sup> The proposed project would involve excavation to depths of approximately four feet (majority of site) and eight feet (location of elevator pits) below ground surface.

The Western SoMa PEIR requires that any project involving soils-disturbing activities to a depth of five feet or greater below ground surface and for which no archeological assessment report has been prepared implement Western SoMa PEIR Mitigation Measure M-CP-4a: Project-Specific Preliminary Archeological Assessment. This mitigation measure requires that a preliminary archeological review (PAR) be conducted in order to determine if further actions will be required. The proposed project would excavate site soils to a maximum depth of eight feet and therefore, Mitigation Measure M-CP-4a would apply.

In compliance with this measure and departmental policies, the Planning Department conducted a PAR of the proposed project and site. The PAR determined that implementation of Project Mitigation Measure 3: Archeological Testing would be required to prevent a significant impact on potential archeological resources located at the site.<sup>19</sup> The proposed project would implement Project Mitigation Measure 3 in place of Western SoMa PEIR Mitigation Measure M-CP-4b: Procedures for Accidental Discovery of Archeological Resources, which applies to all projects involving soils-disturbing activities. A detailed description of Project Mitigation Measure 3 is included in the Mitigation Measures section below.

Since the proposed project would implement Project Mitigation Measure 3, it would not result in significant impacts on archeological resources that were not identified in the Western SoMa PEIR.

| <b>Topics:</b>  | <b>Significant Impact Peculiar to Project or Project Site</b> | <b>Significant Impact not Identified in PEIR</b> | <b>Significant Impact due to Substantial New Information</b> | <b>No Significant Impact not Previously Identified in PEIR</b> |
|---|---|--|--|--|
| <b>4. TRANSPORTATION AND CIRCULATION—Would the project:</b>   |   |  |  |  |
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |

<sup>18</sup> Rockridge Geotechnical Revised Geotechnical Investigation Report: Proposed Mixed-Use Development, 280 7<sup>th</sup> Street, San Francisco, California, February 20, 2018.

<sup>19</sup> San Francisco Planning Department, Preliminary Archeological Review Log: 280 7<sup>th</sup> Street (2016-004946ENV), December 29, 2016.

| <u>Topics:</u>  | <i>Significant Impact Peculiar to Project or Project Site</i> | <i>Significant Impact not Identified in PEIR</i> | <i>Significant Impact due to Substantial New Information</i> | <i>No Significant Impact not Previously Identified in PEIR</i> |
|---|---|--|--|--|
| b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| e) Result in inadequate emergency access?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?  | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, topic 4c is not applicable to the proposed project.

The Western SoMa PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, emergency access, or construction. Transportation system improvements included as part of the Western SoMa Community Plan were identified to have significant impacts related to loading, but the impacts were reduced to less-than-significant levels with mitigation.

The Western SoMa PEIR anticipated that adoption of the Western SoMa Community Plan could result in significant impacts on traffic, transit and loading, and identified three transportation mitigation measures. One mitigation measure reduced loading impacts to less-than-significant levels. Even with mitigation, however, it was anticipated that the significant cumulative impacts on transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable.

As previously discussed under “Aesthetics and Parking” and “Automobile Delay and Vehicle Miles Traveled,” in response to state legislation that called for removing automobile delay from CEQA analysis, the Planning Commission adopted Resolution No. 19579 replacing automobile delay with a vehicle miles traveled (VMT) metric for analyzing transportation impacts of a project. Therefore, impacts and mitigation measures from the Western SoMa PEIR associated with automobile delay are not discussed in this checklist.

The Western SoMa PEIR did not evaluate VMT. The VMT analysis presented below evaluates the project’s transportation effects using the VMT metric.

## Vehicle Miles Traveled (VMT) Analysis

Many factors affect travel behavior. These factors include density, diversity of land uses, design of the transportation network, access to regional destinations, distance to high-quality transit, development scale, demographics, and transportation demand management. Typically, low-density development at great distance from other land uses, located in areas with poor access to non-private vehicular modes of travel, generate more automobile travel compared to development located in urban areas, where a higher density, mix of land uses, and travel options other than private vehicles are available.

Given these travel behavior factors, San Francisco has a lower VMT ratio than the nine-county San Francisco Bay Area region. In addition, some areas of the City have lower VMT ratios than other areas of the City. These areas of the City can be expressed geographically through transportation analysis zones. Transportation analysis zones are used in transportation planning models for transportation analysis and other planning purposes. The zones vary in size from single city blocks in the downtown core, multiple blocks in outer neighborhoods, to even larger zones in historically industrial areas like the Hunters Point Shipyard.

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010-2012, Census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area's actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from the project. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.<sup>20,21</sup>

For residential development, the existing regional average daily VMT per capita is 17.2.<sup>22</sup> For retail development, regional average daily retail VMT per employee is 14.9.<sup>23</sup> Average daily VMT for these land uses is projected to decrease in future 2040 cumulative conditions. Table 2 presents the VMT levels for transportation analysis zone (TAZ) 626, the TAZ in which the project site is located.

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<sup>20</sup> To state another way: a tour-based assessment of VMT at a retail site would consider the VMT for all trips in the tour, for any tour with a stop at the retail site. If a single tour stops at two retail locations, for example, a coffee shop on the way to work and a restaurant on the way back home, then both retail locations would be allotted the total tour VMT. A trip-based approach allows us to apportion all retail-related VMT to retail sites without double-counting.

<sup>21</sup> San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

<sup>22</sup> Includes the VMT generated by the households in the development and averaged across the household population to determine VMT per capita.

<sup>23</sup> Retail travel is not explicitly captured in SF-CHAMP, rather, there is a generic "Other" purpose which includes retail shopping, medical appointments, visiting friends or family, and all other non-work, non-school tours. The retail efficiency metric captures all of the "Other" purpose travel generated by Bay Area households. The denominator of employment (including retail; cultural, institutional, and educational; and medical employment; school enrollment, and number of households) represents the size, or attraction, of the zone for this type of "Other" purpose travel.

**Table 2. Daily Vehicle Miles Traveled.**

| Land Use                 | Existing                  |                                     |         |                       | Cumulative 2040           |                                     |         |                       |
|--------------------------|---------------------------|-------------------------------------|---------|-----------------------|---------------------------|-------------------------------------|---------|-----------------------|
|                          | Bay Area Regional Average | Bay Area Regional Average minus 15% | TAZ 626 | Percent +/- Threshold | Bay Area Regional Average | Bay Area Regional Average minus 15% | TAZ 626 | Percent +/- Threshold |
| Households (Residential) | 17.2                      | 14.6                                | 2.0     | -86                   | 16.1                      | 13.7                                | 1.7     | -88                   |
| Employment (Retail)      | 14.9                      | 12.6                                | 8.6     | -32                   | 14.6                      | 12.4                                | 8.4     | -32                   |

A project would have a significant effect on the environment if it would cause substantial additional VMT. The State Office of Planning and Research’s (OPR) *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA* (“proposed transportation impact guidelines”) recommends screening criteria to identify types, characteristics, or locations of projects that would not result in significant impacts to VMT. If a project meets one of the three screening criteria provided (Map-Based Screening, Small Projects, and Proximity to Transit Stations), then it is presumed that VMT impacts would be less than significant for the project and a detailed VMT analysis is not required. Map-Based Screening is used to determine if a project site is located within a transportation analysis zone that exhibits low levels of VMT; Small Projects are projects that would generate fewer than 100 vehicle trips per day; and the Proximity to Transit Stations criterion includes projects that are within a half mile of an existing major transit stop, have a floor area ratio of greater than or equal to 0.75, vehicle parking that is less than or equal to that required or allowed by the Planning Code without conditional use authorization, and are consistent with the applicable Sustainable Communities Strategy.

The proposed project is 86 and 88 percent below the respective existing and cumulative (2040) screening thresholds (Bay Area Regional Average Minus 15%) for residential uses.<sup>24</sup> It is also 32 percent below the existing and cumulative (2040) screening thresholds for retail uses. The proposed project also meets the Small Projects screening criterion because it would generate less than 100 vehicle trips (see Trip Generation section below). Therefore, the proposed project would not cause substantial additional VMT and impacts would be less-than-significant.

**Trip Generation**

The proposed project would construct one mixed-use and one residential building with a total of 20 dwelling units and 851 square feet of retail space. Localized trip generation for the proposed project was calculated using a trip-based analysis and information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.<sup>25</sup> The proposed project would generate an estimated 303 person trips (inbound and outbound) on a weekday daily basis, consisting of 107 person trips by auto (76 vehicle trips accounting for vehicle occupancy data for this Census Tract), 76 transit trips, 86 walk trips and 34 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 42 person trips,

<sup>24</sup> San Francisco Planning Department. *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 280-282 7<sup>th</sup> Street (2016-004946ENV)*, June 28, 2018.

<sup>25</sup> San Francisco Planning Department, *Transportation Calculations for 280-282 7<sup>th</sup> Street (2016-004946ENV)*, June 28, 2018.

consisting of 15 person trips by auto (12 vehicle trips accounting for vehicle occupancy data for this Census Tract), 11 transit trips, 11 walk trips and 5 trips by other modes.

### **Transit**

The project site is well served by public transportation. The San Francisco Municipal Railway (Muni) operates the following bus lines within one-quarter mile of the project site: 8-Bayshore, 8AX-Bayshore A Express, 8BX-Bayshore B Express, 12-Folsom/Pacific, 14-Mission, 14R-Mission Rapid, 14X-Mission Express, 19-Polk, 27-Bryant, 47-Van Ness and 83X-Mid-Market Express. The nearest bus stop, which serves the 12-Folsom/Pacific bus line, is located less than one block southeast of the project site at the intersection of 7th and Folsom streets. The BART Civic Center station is located within one half-mile northwest of the project site.

According to the *Western SoMa Community Plan Transportation Impact Study*, all transit lines serving the plan area at the time of the study were operating well-below Muni's capacity utilization (the number of passengers on board a transit vehicle relative to the total capacity) of 85 percent.<sup>26</sup> The proposed project would generate a total of 76 daily transit trips and 11 p.m. peak-hour transit trips, which would be distributed among the multiple transit lines serving the project vicinity. These 74 daily and 11 p.m. peak-hour transit trips, which would represent a minor contribution to the overall transit demand in the plan area, would be accommodated by existing transit capacity. Therefore, the proposed project would not result in unacceptable levels of transit service or cause an increase in transit service delays or operating costs.

As discussed above, the Western SoMa PEIR identified significant cumulative impacts related to delays in transit service. However, the proposed project would not contribute considerably to this impact, because its contribution of an estimated 76 daily and 11 p.m. peak-hour transit trips would not constitute a substantial proportion of the overall transit volume or the new transit trips generated by Western SoMa Community Plan projects.

For these reasons, the proposed project would not result in significant impacts related to transit beyond those identified in the Western SoMa PEIR.

### **Loading**

The Western SoMa PEIR analyzed loading impacts associated with development projects and streetscape projects that would be implemented under the Western SoMa Community Plan. The analysis provided an overall comparison of proposed loading space supply with the Planning Code requirements and discussed the extent to which the estimated daily and peak-hour loading demand would affect loading conditions throughout the Plan Area. Based on the development anticipated under the Western SoMa PEIR, implementation of the Western SoMa Community Plan would generate about 446 delivery and service vehicle trips per day and a demand of about 26 loading spaces during the peak hour of loading activities throughout the Plan Area.

Since individual development projects implemented under the Western SoMa Community Plan would include off-street loading spaces consistent with Planning Code requirements, the loading demand

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<sup>26</sup> LCW Consulting, *Western SoMa Community Plan Transportation Impact Study*, Table 4, June 2012.

generated by these development projects would be accommodated within the combination of proposed off-street loading spaces and existing and new on-street loading spaces. Therefore, loading impacts would be less than significant.

Pursuant to Planning Code Section 152.1, the proposed project is not required to provide any off-street loading spaces, because it does not include more than 100,000 gross square feet of residential use or more than 10,000 gross square feet of retail use. There are two on-street commercial loading zones opposite the project site: one on the east side of 7th Street and one on the west side of Langton Street. During a peak period (3:30 p.m. to 4:30 p.m.) field observation,<sup>27</sup> these loading zones remained unoccupied and available for use. The proposed project would generate less than one loading trip per day,<sup>28</sup> which equates to an average peak-hour loading demand of less than one space. Therefore, the peak loading demand for the proposed project could be met by existing on-street loading zones.

Residential move-in/move-out activities would be accommodated by one of two options: the use of the existing on-street loading zones or the use of temporary loading permits on an as-needed basis.

Given the peak-hour loading demand of less than one space for the proposed project, the availability of existing on-street loading zones near the project site, and the options for accommodating residential move-in/move-out activities discussed above, the proposed project would not have significant loading impacts.

The Western SoMa PEIR stated that the Western SoMa Community Plan's transportation system improvements such as the widening of sidewalks and the construction of bulb-outs within the Plan Area, specifically along Folsom Street between 4th and 13th streets, could affect the existing supply of on-street commercial vehicle loading spaces. The PEIR identified Mitigation Measure M-TR-4: Provision of New Loading Spaces on Folsom Street, to reduce potential loading impacts on Folsom Street to less-than-significant levels. This mitigation measure would be applicable to the removal of any commercial vehicle loading spaces on Folsom Street within the Plan Area due to proposed transportation improvements and requires project sponsors to coordinate with the SFMTA to install new commercial vehicle loading spaces of equal length, on the same block, and on the same side of the street at locations where commercial vehicle loading spaces are removed.

The block of Folsom Street between 7th and Langton streets, which lies south of the project site, does not include any existing commercial vehicle loading spaces. Therefore, sidewalk widenings or bulb-outs proposed for this segment of Folsom Street would not result in the removal of any existing commercial vehicle loading spaces, and PEIR Mitigation Measure M-TR-4 is not applicable to the proposed project.

For these reasons, the proposed project would not result in significant loading impacts beyond those identified in the Western SoMa PEIR.

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<sup>27</sup> Filed observation conducted June 14, 2017.

<sup>28</sup> San Francisco Planning Department, *Transportation Calculations for 280-282 7<sup>th</sup> Street (2016-004946ENV)*, June 28, 2018.



## **Bicycle**

Bicycle lanes run along Folsom, Howard, 7<sup>th</sup> and 8<sup>th</sup> streets within the project vicinity. As noted above, the proposed project would generate about 5 p.m. peak hour trips by “other” modes, which includes bicycle trips. These project-generated bicycle trips would be accommodated by existing bicycle facilities and would not interfere with bicycle accessibility to the site or the adjoining area; the bicycle lane that runs along 7<sup>th</sup> Street is located on the opposite (west) side of the street from the project site. In addition, the proposed project would not create potentially hazardous conditions for bicyclists because it does not propose any off-street vehicle parking spaces and it would remove three curb cuts (two on 7<sup>th</sup> Street and one on Langton Street) and add four class 2 bicycle parking spaces on the 7<sup>th</sup> Street sidewalk. Furthermore, the project site is not located on the bicycle high injury network.

Therefore, the proposed project would not result in significant project-level or cumulative bicycle impacts.

## **Pedestrians**

The Western SoMa PEIR acknowledged that the Western SoMa Community Plan Area is located in an area of San Francisco with one of the highest concentrations of pedestrian injuries and deaths. Pedestrian volumes within the Plan area are low to moderate, with higher pedestrian volumes along portions of Townsend, Brannan, and Bryant Streets, and near the Caltrain terminal at Fourth and King Streets. The Western SoMa PEIR identified a number of transportation system improvements that are within the project vicinity, which include: posting of “truck route” signs on 9<sup>th</sup>, 10<sup>th</sup>, Harrison, and Bryant Streets; installation of new signalized midblock pedestrian crossings at 8<sup>th</sup> and Natoma Streets; installation of streetscape and traffic calming improvements on Minna, Natoma, and Ringold Streets; installation of sidewalk extensions/bulb-outs on Folsom Street between 4<sup>th</sup> Street and 13<sup>th</sup> Street; and installation of gateway treatments at and in the vicinity of freeway off-ramps.

The Western SoMa PEIR determined that pedestrian trips generated by new development under the community plan would be accommodated by existing sidewalks and would not substantially affect pedestrian circulation on nearby sidewalks and crosswalks. While the frequency of conflicts between pedestrians and vehicles would be expected to increase with increased traffic and pedestrian volumes associated with new residential and non-residential developments, overall implementation of the plan would not have a significant impact on existing pedestrian conditions because vehicle traffic volumes and pedestrian activity would not increase to an extent that would induce a substantial increase in conflicts. Therefore, the Western SoMa PEIR found that impacts on pedestrians would be less than significant.

The proposed project would generate approximately 22 pedestrian trips (11 walking trips and 11 trips to/from nearby transit stops) during the p.m. peak hour. The new pedestrian trips would be accommodated by existing sidewalks and crosswalks within the vicinity. Furthermore, the removal of three existing curb cuts (two on 7<sup>th</sup> Street and one on Langton Street) and the addition of four new street trees (three on 7<sup>th</sup> Street and one on Langton Street) would improve pedestrian facilities at the project site.

Therefore, the proposed project would not create potentially hazardous conditions for pedestrians or otherwise substantially interfere with pedestrian accessibility to the site and adjacent areas.

Therefore, the proposed project would not result in significant project-level or cumulative pedestrian impacts.

## Conclusion

For the above reasons, the proposed project would not result in significant impacts that were not identified in the Western SoMa PEIR related to transportation and circulation and would not contribute considerably to cumulative transportation and circulation impacts that were identified in the Western SoMa PEIR.

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

The Western SoMa PEIR identified potential conflicts related to residences and other noise-sensitive uses in proximity to noise-generating uses such as PDR, retail, entertainment, cultural/institutional/educational, and office uses. In addition, the Western SoMa PEIR noted that implementation of the *Western SoMa Community Plan* would incrementally increase traffic-generated noise on some streets in the Plan Area and would result in construction noise impacts from pile driving

and other construction activities. The Western SoMa PEIR identified six noise mitigation measures that would reduce noise impacts to less-than-significant levels.<sup>29</sup>

PEIR Mitigation Measure M-NO-1c: Siting of Noise-Generating Uses, requires a noise analysis for new development including commercial, industrial, or other uses that would be expected to generate noise levels in excess of ambient noise in the project vicinity in order to reduce potential conflicts between existing sensitive receptors and new noise-generating uses. The proposed project, which consists of 20 dwelling units and 851 square feet of retail use, does not include any substantial noise-generating uses. Therefore, PEIR Mitigation Measure M-NO-1c is not applicable to the proposed project.

PEIR Mitigation Measures M-NO-2a: General Construction Noise Control Measures, and M-NO-2b: Noise Control Measures During Pile Driving, require implementation of noise controls during construction in order to reduce construction-related noise impacts. The proposed project would demolish an existing two-story building and construct a six-story mixed-use building and a five-story residential building. These activities would contribute to construction-related noise impacts. Therefore, PEIR Mitigation Measure M-NO-2a, discussed under Project Mitigation Measure 4 within the Mitigation Measures section below, would be applicable to the proposed project. However, since none of the foundation systems recommended to support the new buildings (see Project Description and Geology and Soils sections) would require pile driving, the vibration effects typically generated by pile-driving activities would be avoided. Therefore, PEIR Mitigation Measure M-NO-2b is not applicable to the proposed project.

In addition, all construction activities for the proposed project (approximately 15-18 months) would be subject to the San Francisco Noise Ordinance (Noise Ordinance), which is codified as Article 29 of the San Francisco Police Code. The Noise Ordinance regulates construction noise and requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA<sup>30</sup> at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of SFPW or the Director of the DBI to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of SFPW authorizes a special permit for conducting the work during that period.

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<sup>29</sup> Western SoMa PEIR Mitigation Measures M-NO-1a, M-NO-1b, and M-NO-1d address the siting of sensitive land uses in noisy environments. In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents except where a project or its residents may exacerbate existing environmental hazards (*California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478. Available at: <http://www.courts.ca.gov/opinions/documents/S213478.PDF>). As noted above, the Western SoMa PEIR determined that incremental increases in traffic-related noise attributable to implementation of the *Western SoMa Community Plan* would be less than significant and thus would not exacerbate the existing noise environment. Therefore, Western SoMa PEIR Mitigation Measures M-NO-1a, M-NO-1b, and M-NO-1d are not applicable. Nonetheless, for all noise-sensitive uses, the general requirements for adequate interior noise levels of Mitigation Measures M-NO-1a and M-NO-1b are met by compliance with the acoustical standards required under the California Building Standards Code (California Code of Regulations Title 24).

<sup>30</sup> The standard method used to quantify environmental noise involves evaluating the sound with an adjustment to reflect the fact that human hearing is less sensitive to low-frequency sound than to mid- and high-frequency sound. This measurement adjustment is called "A" weighting, and the data are reported in A-weighted decibels (dBA).

The DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.), and the Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the approximately 16-month construction period for the proposed project, occupants of nearby properties could be disturbed by construction noise. There may be times when construction noise could interfere with indoor activities in residences and businesses near the project site and be perceived as an annoyance by the occupants of nearby properties. The increase in project-related construction noise in the project vicinity would not be considered a significant impact of the proposed project, because the construction noise would be temporary (approximately 15-18 months), intermittent, and restricted in occurrence and level, as the contractor is subject to and would comply with the Noise Ordinance. Compliance with the Noise Ordinance would reduce any construction-related noise effects on nearby residences to the greatest extent feasible.

The project site is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, initial study checklist topics 5e and 5f are not applicable to the proposed project.

For these reasons, the proposed project would not result in significant noise impacts beyond those identified in the Western SoMa PEIR.

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

The Western SoMa PEIR identified significant and unavoidable impacts related to the violation of an air quality standard, uses that emit diesel particulate matter (DPM), exposure of sensitive land uses to substantial pollutant concentrations, and construction emissions. The Western SoMa PEIR identified five mitigation measures that would help reduce air quality impacts; however, due to the uncertain nature of future development proposals that would result from adoption of the Western SoMa Community Plan, it

could not be determined whether implementation of these mitigation measures would reduce impacts to less-than-significant levels.

### **Construction Dust Control**

The San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance No. 176-08, effective August 29, 2008). The intent of this ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, to minimize public nuisance complaints, and to avoid orders to stop work by the DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, sweeping streets and sidewalks, and other measures. The regulations and procedures set forth in the Construction Dust Control Ordinance would ensure that construction dust impacts would not be significant.

### **Criteria Air Pollutants**

The Bay Area Air Quality Management District (BAAQMD) is the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin. As part of its *CEQA Air Quality Guidelines*, the BAAQMD developed screening criteria for determining whether a project's criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants.<sup>31</sup> Pursuant to the air quality guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. Criteria air pollutant emissions during construction and operation of the proposed project would meet the air quality guidelines screening criteria. The proposed project, with a total of 20 dwelling units and 851 square feet of retail use, is below both the construction screening criteria and the operational screening criteria for the "apartment, mid-rise" land use type and all of the commercial land use types. Therefore, the proposed project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

PEIR Mitigation Measure M-AQ-2: Transportation Demand Management Strategies for Future Development Projects, is required for projects generating more than 3,500 daily vehicle trips, resulting in excessive criteria pollutant emissions. The proposed project would generate 76 daily vehicle trips. Therefore, PEIR Mitigation Measure M-AQ-2 is not applicable to the proposed project.

### **Health Risk**

Subsequent to certification of the Western SoMa PEIR, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes (Ordinance No. 224-14, effective December 7, 2014), generally referred to as Health Code Article 38: Enhanced Ventilation Required for Urban Infill Sensitive Use Developments (Article 38). The purpose of Article 38 is to protect the public

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<sup>31</sup> Bay Area Air Quality Management District, CEQA Air Quality Guidelines, Updated May 2017, <http://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>, accessed March 5, 2018.

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

### *Siting Sensitive Land Uses*

Article 38 requires that sensitive-use projects (i.e., residential, school, child care) located within the APEZ, such as the proposed project, submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from PM<sub>2.5</sub> (fine particulate matter) equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. The DBI will not issue a building permit without written notification from the Director of the DPH that the applicant has an approved Enhanced Ventilation Proposal.

In compliance with Article 38, the project sponsor submitted an initial application to the DPH.<sup>32</sup> The regulations and procedures set forth in Article 38 would ensure that exposure to sensitive receptors would not be significant. These requirements supersede the provisions of PEIR Mitigation Measure M-AQ-3: Reduction in Exposure to Toxic Air Contaminants for New Sensitive Receptors. Therefore, PEIR Mitigation Measure M-AQ-3 is no longer applicable to the proposed project, and impacts related to siting new sensitive land uses would be less than significant through compliance with Article 38.

### *Siting New Sources*

PEIR Mitigation Measure M-AQ-4: Siting of Uses that Emit PM<sub>2.5</sub> or DPM and Other TACs, requires analysis of operational emissions for new development that would generate substantial levels of TACs as part of everyday operations, whether from stationary or mobile sources. The proposed project would not include a backup diesel generator or other sources that would emit DPM or other toxic air contaminants. For these reasons, PEIR Mitigation Measure M-AQ-4 is not applicable to the proposed project.

### **Construction**

The proposed project would require heavy-duty off-road diesel vehicles and equipment during the first few months of the anticipated 15- to 18-month construction period. PEIR Mitigation Measure M-AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants, requires that a development project that may exceed the standards for criteria air pollutants undergo an analysis of its construction emissions. If, based on that analysis, the construction emissions may be significant, the project sponsor shall submit a Construction Emissions Minimization Plan for review and approval by the Planning Department. As discussed above, the proposed project does not exceed the BAAQMD's construction screening criterion for the "apartment, mid-rise" land use type or any of the commercial land use types. For this reason, PEIR Mitigation Measure M-AQ-6 is not applicable to the proposed project.

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<sup>32</sup> San Francisco Department of Public Health, *Application for Article 38 Compliance Assessment: 280 7th Street*, August 26, 2016.

PEIR Mitigation Measure M-AQ-7: Construction Emissions Minimization Plan for Health Risks and Hazards, requires projects proposing construction in areas of poor air quality to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. PEIR Mitigation Measure M-AQ-7 requires, among other things, diesel equipment to meet a minimum performance standard (all engines greater than 25 horsepower must meet Tier 2 emissions standards and be equipped with a Level 3-verified diesel emissions control strategy). The project site is located within an APEZ, and construction activities from the proposed project would result in DPM and other TACs from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction would last approximately 15 to 18 months, and diesel-generating equipment would be required for the duration of the project’s construction phase. As a result, the proposed project’s temporary and variable construction activities would result in short-term emissions of DPM and other TACs that would add emissions to areas already adversely affected by poor air quality. Therefore, PEIR Mitigation Measure M-AQ-7 is applicable to the proposed project and is discussed under Project Mitigation Measure 5 within the Mitigation Measures section below. Implementation of this mitigation measure would result in less-than-significant air quality impacts from construction vehicles and equipment.

**Conclusion**

As discussed above, the proposed project is required to comply with the provisions of Health Code Article 38 and the Construction Dust Control Ordinance. In addition, implementation of Project Mitigation Measure 5 would reduce construction-related air quality impacts to less-than-significant levels. For these reasons, the proposed project would not result in significant air quality impacts beyond those identified in the Western SoMa PEIR.

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

**Western SoMa PEIR**

The Bay Area Air Quality Management District (Air District) has prepared guidelines and methodologies for analyzing greenhouse gas (GHG) emissions. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5, which address the analysis and determination of significant impacts from a proposed project’s GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the project’s GHG impact would be less than significant. San

San Francisco's *Strategies to Address Greenhouse Gas Emissions*<sup>33</sup> presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's GHG reduction strategy in compliance with the Air District and CEQA guidelines. These GHG reduction actions have resulted in a 28 percent reduction in GHG emissions in 2015 compared to 1990 levels,<sup>34</sup> exceeding the year 2020 reduction goals outlined in the Air District's *2017 Clean Air Plan*,<sup>35</sup> Executive Order S-3-05,<sup>36</sup> and Assembly Bill 32 (also known as the Global Warming Solutions Act).<sup>37, 38</sup> In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05<sup>39</sup> and B-30-15,<sup>40, 41</sup> and Senate Bill 32.<sup>42, 43</sup> Therefore, projects that are consistent with San Francisco's GHG reduction strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The Western SoMa PEIR determined that the goals and policies of the area plan were consistent with San Francisco's GHG reduction strategy and that implementation of the area plan policies would ensure that subsequent development would be consistent with GHG plans and would result in less-than-significant impacts with related to GHG emissions.

### Proposed Project

The proposed project would increase the intensity of use of the project site by replacing a two-story vacant commercial building with 20 dwelling units and 851 square feet of retail space. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of residential

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<sup>33</sup> San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2017, <http://sf-planning.org/strategies-address-greenhouse-gas-emissions>, accessed March 5, 2018.

<sup>34</sup> ICF International, Technical Review of the 2012 Community-wide GHG Inventory for the City and County of San Francisco, January 21, 2015, [http://sfenvironment.org/sites/default/files/fliers/files/icf\\_verificationmemo\\_2012sfcommunityinventory\\_2015-01-21.pdf](http://sfenvironment.org/sites/default/files/fliers/files/icf_verificationmemo_2012sfcommunityinventory_2015-01-21.pdf), accessed March 5, 2018.

<sup>35</sup> Bay Area Air Quality Management District, *Clean Air Plan*, April 2017, <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>, accessed March 5, 2018.

<sup>36</sup> Office of the Governor, Executive Order S-3-05, June 1, 2005, <https://www.gov.ca.gov/news.php?id=1861>, accessed March 5, 2018.

<sup>37</sup> California Legislative Information, Assembly Bill 32, September 27, 2006, [http://www.leginfo.ca.gov/pub/05-06/bill\\_asm/ab\\_0001-0050/ab\\_32\\_bill\\_20060927\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/05-06/bill_asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf), accessed March 5, 2018.

<sup>38</sup> Executive Order S-3-05, Assembly Bill 32, and the Bay Area 2010 Clean Air Plan set a target of reducing GHG emissions to below 1990 levels by year 2020.

<sup>39</sup> Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million metric tons of carbon dioxide equivalent (MTCO<sub>2</sub>E)); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO<sub>2</sub>E); and by 2050, reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO<sub>2</sub>E). Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalent," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

<sup>40</sup> Office of the Governor, Executive Order B-30-15, April 29, 2015, <https://www.gov.ca.gov/news.php?id=18938>, accessed March 8, 2018. Executive Order B-30-15 sets a state GHG emissions reduction goal of 40 percent below 1990 levels by the year 2030.

<sup>41</sup> San Francisco's GHG reduction goals are codified in Section 902 of the Environment Code and include: (i) by 2008, determine City GHG emissions for year 1990; (ii) by 2017, reduce GHG emissions by 25 percent below 1990 levels; (iii) by 2025, reduce GHG emissions by 40 percent below 1990 levels; and by 2050, reduce GHG emissions by 80 percent below 1990 levels.

<sup>42</sup> Senate Bill 32 amends California Health and Safety Code Division 25.5 (also known as the California Global Warming Solutions Act of 2006) by adding Section 38566, which directs that statewide greenhouse gas emissions be reduced by 40 percent below 1990 levels by 2030.

<sup>43</sup> Senate Bill 32 was paired with Assembly Bill 197, which would modify the structure of the State Air Resources Board; institute requirements for the disclosure of greenhouse gas emissions, criteria pollutants, and toxic air contaminants; and establish requirements for the review and adoption of rules, regulations, and measures for the reduction of greenhouse gas emissions.



operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

The proposed project would be subject to regulations adopted to reduce GHG emissions as identified in the GHG reduction strategy. As discussed below, compliance with the applicable regulations would reduce the project's GHG emissions related to transportation, energy use, waste disposal, wood burning, and use of refrigerants.

Compliance with the City's Transportation Sustainability Fee and bicycle parking requirements would reduce the proposed project's transportation-related GHG emissions. These regulations reduce GHG emissions from single-occupancy vehicles by promoting the use of alternative transportation modes with zero or lower GHG emissions on a per capita basis.

The proposed project would be required to comply with the energy efficiency requirements of the City's Green Building Code, the Stormwater Management Ordinance, and the Residential Water Conservation Ordinance, all of which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.<sup>44</sup>

The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Composting Ordinance, Construction and Demolition Debris Recovery Ordinance, and construction and demolition debris recycling requirements. These regulations reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy<sup>45</sup> and reducing the energy required to produce new materials.

Compliance with the City's street tree planting requirements would serve to increase carbon sequestration. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).<sup>46</sup> Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.<sup>47</sup>

Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations. Furthermore, the proposed project is within the scope of the development evaluated in the PEIR and would not result in impacts associated with GHG emissions beyond those disclosed in the PEIR. For these reasons, the proposed project would not result in significant GHG emissions that were not identified in the Western SoMa PEIR, and no mitigation measures are necessary.

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<sup>44</sup> Compliance with water conservation measures reduces the energy (and GHG emissions) required to convey, pump, and treat water required for the project.

<sup>45</sup> Embodied energy is the total energy required for the extraction, processing, manufacture, and delivery of building materials to the building site.

<sup>46</sup> While not a GHG, VOCs are precursor pollutants that form ground-level ozone. Increased ground-level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.

<sup>47</sup> San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist: 280 7th Street (2016-004946ENV)*, February 26, 2018.

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

**Wind**

The Western SoMa PEIR determined that implementation of the Western SoMa Community Plan would have a potentially significant impact related to the alteration of wind in a manner that would substantially affect public areas. However, the PEIR determined that this impact could be reduced to a less-than-significant level with implementation of PEIR Mitigation Measure M-WS-1: Screening-Level Wind Analysis and Wind Testing, which would require a wind analysis for any new structures within the Plan Area that are 80 feet or taller.

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally the case that projects less than 80 feet in height would not have the potential to generate significant wind impacts. The proposed 65-foot-tall mixed-use building and 52-foot-tall residential building would be taller than existing buildings on the project block, but would not contribute to the significant wind impact identified in the Western SoMa PEIR, because the proposed buildings would not exceed 80 feet in height. Therefore, PEIR Mitigation Measure M-WS-1 is not applicable to the proposed project.

For these reasons, the proposed project is not anticipated to cause significant wind impacts beyond those identified in the Western SoMa PEIR.

**Shadow**

Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Department between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. The Western SoMa PEIR determined that implementation of the Western SoMa Community Plan would have a significant and unavoidable impact related to the creation of new shadows in a manner that would substantially affect outdoor recreation facilities or other public areas. No mitigation measures were identified in the PEIR.

The proposed project would demolish an existing 20-foot-tall vacant commercial building and construct a 65-foot-tall mixed-use building and a 52-foot-tall residential building. The Planning Department prepared a preliminary shadow fan analysis and determined that the proposed project could potentially cast shadow on Howard and Langton Mini-Park (a San Francisco Recreation and Park Department property). As a result, the project sponsor had a qualified consultant prepare a detailed shadow

analysis.<sup>48,49</sup> This analysis demonstrated that the proposed project would not introduce any net new shadow on Howard and Langton Mini-Park or any other publically accessible open spaces.

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

For these reasons, the project would not contribute to the significant shadow impact identified in the Western SoMa PEIR.

| <b>Topics:</b>   | <b>Significant<br/>Impact Peculiar<br/>to Project or<br/>Project Site</b> | <b>Significant<br/>Impact not<br/>Identified in PEIR</b> | <b>Significant<br/>Impact due to<br/>Substantial New<br/>Information</b> | <b>No Significant<br/>Impact not<br/>Previously<br/>Identified in PEIR</b> |
|--|---|--|--|--|
| <b>9. RECREATION—Would the project:</b>  |   |  |  |  |
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated? | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |
| b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?                          | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |
| c) Physically degrade existing recreational resources?   | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |

The Western SoMa PEIR determined that implementation of the Western SoMa Community Plan would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures were identified in the PEIR.

Since the proposed project is consistent with the development density established and analyzed under the Western SoMa Community Plan, it would not degrade any recreational facilities. Therefore, the proposed project would not result in any impacts on recreational facilities beyond those analyzed in the Western SoMa PEIR.

<sup>48</sup> CADP, 280 7<sup>th</sup> Street Shadow Analysis, January 27, 2018.

<sup>49</sup> The shadow analysis for the proposed project was based on an earlier design (plans dated October 19, 2017), which included a 15-foot setback on the fifth floor at the rear of the 79 Langton Street building. After the shadow analysis was completed, the design of the proposed project was revised. In the revised design, the rear setback has been eliminated. As shown in the shadow analysis, the 79 Langton Street building would not cast net new shadow on Howard and Langton Mini-Park at any time during the year. The elimination of the rear setback would not alter the results of the shadow analysis, because shadow from this portion of the building would not reach Howard and Langton Mini-Park. Therefore, the results of the shadow analysis would not change due to the proposed design revisions.

| <u>Topics:</u>   | <i>Significant<br/>Impact Peculiar<br/>to Project or<br/>Project Site</i> | <i>Significant<br/>Impact not<br/>Identified in PEIR</i> | <i>Significant<br/>Impact due to<br/>Substantial New<br/>Information</i> | <i>No Significant<br/>Impact not<br/>Previously<br/>Identified in PEIR</i> |
|--|---|--|--|--|
| <b>10. UTILITIES AND SERVICE SYSTEMS—</b>  |   |  |  |  |
| <b>Would the project:</b>  |   |  |  |  |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?  | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                     | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                              | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |
| d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?  | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |
| e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?   | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |
| g) Comply with federal, state, and local statutes and regulations related to solid waste?  | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |

The Western SoMa PEIR determined that the anticipated increase in population as a result of Plan implementation would not result in a significant impact on the provision of water, wastewater collection and treatment, and solid waste collection and disposal. No mitigation measures were identified in the PEIR.

As the proposed project is consistent with the development density established under the Western SoMa Community Plan, there would be no additional impacts on utilities and service systems beyond those analyzed in the Western SoMa PEIR.

| <u>Topics:</u> | <i>Significant Impact Peculiar to Project or Project Site</i> | <i>Significant Impact not Identified in PEIR</i> | <i>Significant Impact due to Substantial New Information</i> | <i>No Significant Impact not Previously Identified in PEIR</i> |
|----------------|---|--|--|--|
|----------------|---|--|--|--|

**11. PUBLIC SERVICES—Would the project:**

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The Western SoMa PEIR determined that the anticipated increase in population as a result of Plan implementation would not result in a significant impact on public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

As the proposed project is consistent with the development density established under the Western SoMa Community Plan, there would be no additional impacts on public services beyond those analyzed in the Western SoMa PEIR.

| <u>Topics:</u> | <i>Significant Impact Peculiar to Project or Project Site</i> | <i>Significant Impact not Identified in PEIR</i> | <i>Significant Impact due to Substantial New Information</i> | <i>No Significant Impact not Previously Identified in PEIR</i> |
|----------------|---|--|--|--|
|----------------|---|--|--|--|

**12. BIOLOGICAL RESOURCES—Would the project:**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| <i>Topics:</i>   | <i>Significant Impact Peculiar to Project or Project Site</i> | <i>Significant Impact not Identified in PEIR</i> | <i>Significant Impact due to Substantial New Information</i> | <i>No Significant Impact not Previously Identified in PEIR</i> |
|--|---|--|--|--|
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |

As discussed in the Western SoMa PEIR, the Plan Area is almost fully developed with buildings and other improvements such as streets and parking lots. Most of the Plan Area consists of structures that have been in industrial use for many years. As a result, landscaping and other vegetation is sparse, except for a few parks. Because future development projects under the Western SoMa Community Plan would largely consist of new construction in heavily built-out former industrial neighborhoods, loss of vegetation or disturbance of wildlife other than common urban species would be minimal. Therefore, the Western SoMa PEIR concluded that implementation of the Western SoMa Community Plan would not result in any significant effects related to riparian habitat, wetlands, movement of migratory species, local policies or ordinances protecting biological resources, or habitat conservation plans.

The Western SoMa PEIR determined that the Western SoMa Community Plan would result in significant, but mitigable impacts on special-status birds and bats that may be nesting in trees or roosting in buildings that are proposed for removal/demolition as part of an individual project. As identified in the PEIR, Mitigation Measures M-BI-1a: Pre-Construction Special-Status Bird Surveys, and M-BI-1b: Pre-Construction Special-Status Bat Surveys, would reduce these impacts to less-than-significant levels.

PEIR Mitigation Measure M-BI-1a requires that building permits issued for construction of projects within the Plan Area include conditions of approval requiring pre-construction special-status bird surveys when trees would be removed or buildings would be demolished as part of an individual project. Pre-construction special-status bird surveys shall be conducted by a qualified biologist between February 1 and August 15 if tree removal or building demolition is scheduled to take place during that period. The proposed project is subject to PEIR Mitigation Measure M-BI-1a, which is identified as Project Mitigation Measure 6 in the Mitigation Measures section below.

PEIR Mitigation Measure M-BI-1b requires pre-construction special-status bat surveys by a qualified bat biologist when large trees (those with trunks over 12 inches in diameter) are to be removed, or when vacant buildings or buildings used seasonally or not occupied, especially in the upper stories, are to be demolished. The proposed project would not involve removal of any large trees but would involve demolition of an existing 20-foot-tall commercial building that is currently vacant. Therefore, PEIR Mitigation Measure M-BI-1b, which is identified as Project Mitigation Measure 7 in the Mitigation Measures section below, is applicable to the proposed project.

Since the proposed project includes the mitigation measures discussed above and is consistent with the development density established under the Western SoMa Community Plan, there would be no additional impacts on biological resources beyond those analyzed in the Western SoMa PEIR.

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

The Western SoMa PEIR concluded that implementation of the Western SoMa Community Plan would indirectly increase the population that would be subject to geologic hazards, including earthquakes, seismically induced ground shaking, liquefaction, and landslides. The PEIR also noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risk, but would reduce them to an acceptable level given the seismically active characteristics of the San Francisco Bay Area. Therefore, the PEIR concluded that implementation of the Western SoMa Community Plan would not result in significant impacts related to geologic hazards. No mitigation measures were identified in the PEIR.

A geotechnical investigation was conducted to assess the geologic conditions underlying the project site and provide recommendations related to the proposed project's design and construction. The findings and recommendations are presented in a geotechnical report and summarized below.<sup>50</sup>

The geotechnical investigation included the drilling of two test borings at the project site to depths of 30 and 50 feet below ground surface (bgs), respectively. Based on the test borings, the project site was determined to be underlain by approximately eight to 10 feet of poorly compacted, undocumented, heterogeneous fill characterized by a range of sand, silty sand and clay soils followed by very dense sand (to 30 feet below ground surface) and stiff, moderately over-consolidated clay (30 to 50 feet below ground surface). Groundwater was encountered at approximately 8.5 bgs, but is expected to fluctuate seasonally; a high groundwater level at 6 feet bgs is anticipated. There are no known active earthquake faults that run underneath the project site or in the project vicinity; the closest active fault to the project site is the San Andreas Fault, which is about twelve miles to the west. The project site is not in a landslide hazard zone, but is located within a liquefaction hazard zone.

The geotechnical report recommends that the proposed project be supported by either a mat foundation bearing on over-excavated and re-compacted fill, or spread footings supported on drilled displacement sand-cement columns (DDSCs), or a low impact deep foundation system, such as torque-down piles (TDP), that gain support in the dense to very dense sands beneath the undocumented fill and shallow potentially liquefiable deposits. None of these foundation systems require pile driving. Construction of the proposed project would last approximately 15 to 18 months and include 4,850 square feet of excavation to maximum depths of four feet (majority of the site) and eight feet (at elevator pit locations) below ground surface and remove approximately 750 cubic yards of soil. Groundwater may be encountered during excavation at the location of the elevator pits. The geotechnical report also includes recommendations related to site preparation and fill placement, foundation systems and settlement, seismic design, temporary underpinning and temporary shoring. The project sponsor would be required to implement the recommendations in the geotechnical report.

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

For these reasons, the proposed project would not result in significant impacts related to geology and soils beyond those identified in the Western SoMa PEIR, and no mitigation measures are necessary.

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<sup>50</sup> Rockridge Geotechnical, *Revised Geotechnical Investigation Report: Proposed Mixed-Use Development, 280 7<sup>th</sup> Street, San Francisco, California*, February 20, 2018.



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

The Western SoMa PEIR determined that the anticipated increase in population as a result of Plan implementation would not result in a significant impact related to hydrology and water quality, including the combined sewer system and the potential for combined sewer outflows. No mitigation measures were identified in the PEIR.

The existing building covers the entire project site. The proposed project would include an approximately 1,376-square-foot rear yard/courtyard between the two new buildings. As a result, the proposed project

would decrease the amount of impervious surface area on the project site and thereby decrease the amount of runoff and drainage from the project site. In accordance with the Stormwater Management Ordinance (Ordinance No. 83-10, effective May 22, 2010), the proposed project is subject to and would comply with the Stormwater Design Guidelines, incorporating Low Impact Design approaches and stormwater management systems into the project. Therefore, the proposed project would not adversely affect runoff and drainage.

For these reasons, the proposed project would not result in any significant impacts related to hydrology and water quality beyond those identified in the Western SoMa PEIR.

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

The Western SoMa PEIR identified less-than-significant impacts related to the routine transport, use, or disposal of hazardous material; the potential for the implementation of the Western SoMa Community

Plan or subsequent development projects within the Plan Area to interfere with an adopted emergency response plan; and the potential for subsequent development projects within the Plan Area to expose people or structures to a significant risk with respect to fires.

### **Hazardous Building Materials**

The proposed project would involve demolition of the existing 20-foot-tall commercial building on the project site, which was built in 1907 and 1927. Because this structure was built prior to 1970, hazardous building materials such as polychlorinated biphenyls (PCBs), mercury, asbestos and lead-based paint are likely to be present in this structure. Demolishing the existing structure could expose workers or the community to hazardous building materials. Therefore, PEIR Mitigation Measure M-HZ-2: Hazardous Building Materials Abatement, is applicable to the proposed project. PEIR Mitigation Measure M-HZ-2 requires any equipment containing PCBs or mercury, such as fluorescent light ballasts and fluorescent light tube fixtures, to be removed and properly disposed of in accordance with applicable federal, state, and local laws prior to the start of demolition and/or renovation of an existing structure. Implementation of this mitigation measure would reduce potential impacts related to hazardous building materials to less-than-significant levels. PEIR Mitigation Measure M-HZ-2 is identified as Project Mitigation Measure 8 in the Mitigation Measures section below.

For these reasons, the proposed project would not result in significant impacts related to hazardous building materials beyond those identified in the Western SoMa PEIR.

### **Handling of Potentially Contaminated Soils**

The Western SoMa PEIR identified potentially significant impacts related to exposing the public or the environment to unacceptable levels of hazardous materials as a result of subsequent development projects within the Plan Area. The PEIR determined that Mitigation Measure M-HZ-3: Site Assessment and Corrective Action, would reduce these impacts to less-than-significant levels.

Subsequently, the San Francisco Board of Supervisors amended Health Code Article 22A (also known as the Maher Ordinance), which is administered and overseen by the Department of Public Health (DPH). Amendments to the Maher Ordinance became effective August 24, 2013 and require that sponsors for projects that disturb more than 50 cubic yards of soil retain the services of a qualified professional to prepare a *phase I environmental site assessment* (phase I ESA) that meets the requirements of Health Code Section 22.A.6. The phase I ESA would determine the potential for site contamination and level of exposure risk associated with the proposed project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a *site mitigation plan* (SMP) to the DPH or other appropriate state or federal agencies and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

PEIR Mitigation Measure M-HZ-3, related to contaminated soil and groundwater, is therefore superseded by the Maher Ordinance and is not applicable to the proposed project.

The project site is located in a Maher Area, which indicates that it is known or suspected to contain contaminated soil and/or groundwater. The proposed project would require excavation to depths of four and eight feet below grade and the disturbance of more than 50 cubic yards of soil. In compliance with

the Maher Ordinance, the project sponsor has submitted a Maher Ordinance Application and phase I ESA to the DPH and Planning Department.<sup>51,52</sup> The phase I ESA found no evidence of the presence or likely presence of any hazardous substances or petroleum products that indicate an existing release, a past release, or a material threat of a release into structures on the property or into the ground, groundwater, or surface water. The phase I ESA did not find any physical or documentary evidence of any use, storage, or disposal of any chemicals, hazardous materials, reportable substances, or hazardous waste at the project site. The phase I ESA concluded that no *recognized environmental conditions, controlled recognized environmental conditions* or *historical recognized environmental conditions* are associated with the property, and none were identified in association with nearby sites. DPH reviewed the Maher Application, including the phase I ESA and determined that the project sponsor must submit a *phase 2 site characterization report and work plan* in order to determine further requirements.<sup>53</sup> The project sponsor would be required to comply.

Pursuant to compliance with the Maher Ordinance, the proposed project would not result in significant impacts related to hazardous soil and/or groundwater beyond those identified in the Western SoMa PEIR.

As discussed above, the proposed project would be required to implement Project Mitigation Measure 8 and comply with all applicable federal, state, and local regulations, including the Maher Ordinance. This would ensure that the proposed project would not result in significant impacts related to hazards or hazardous materials beyond those identified in the Western SoMa PEIR.

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

The Western SoMa PEIR determined that the Western SoMa Community Plan would facilitate the construction of both new residential and commercial buildings. Development of these uses would not

<sup>51</sup> San Francisco Department of Public Health, *Maher Ordinance Application: 280 7<sup>th</sup> Street*, San Francisco, June 13, 2016.

<sup>52</sup> Partner Engineering and Science, Inc., *Phase I Environmental Site Assessment Report: 280 7<sup>th</sup> Street, San Francisco*, April 14, 2016.

<sup>53</sup> Weden, Martita Lee, Senior Environmental Health Inspector, San Francisco Department of Public Health-Environmental Health Unit, letter correspondence with Joie Cameron Brown, 280 7<sup>th</sup> Street Project Sponsor, Dragonfly Investment Group, October 27, 2016.

result in the use of large amounts of fuel, water, or energy in a wasteful manner in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by the Department of Building Inspection. The Plan Area does not include any natural resources routinely extracted, and the rezoning does not result in any natural resource extraction programs. Therefore, the Western SoMa PEIR concluded that implementation of the Western SoMa Community Plan would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the PEIR.

As the proposed project is consistent with the development density established under the Western SoMa Community Plan, there would be no additional impacts on mineral and energy resources beyond those analyzed in the Western SoMa PEIR.

| <u>Topics:</u>  | <i>Significant Impact Peculiar to Project or Project Site</i> | <i>Significant Impact not Identified in PEIR</i> | <i>Significant Impact due to Substantial New Information</i> | <i>No Significant Impact not Previously Identified in PEIR</i> |
|---|---|--|--|--|
| <b>17. AGRICULTURE AND FOREST RESOURCES:—Would the project:</b>   |   |  |  |  |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?  | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?                                    | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?  | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?                                       | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |

The Western SoMa PEIR determined that no agriculture or forest resources exist in the Plan Area; therefore the Western SoMa Community Plan would have no effect on agriculture and forest resources. No mitigation measures were identified in the PEIR.

The proposed project is located on a developed site located within an urban area of San Francisco. Therefore, the proposed project would have no impact on agriculture and forest resources, which is consistent with the conclusions of the Western SoMa PEIR.

## MITIGATION MEASURES

### **Project Mitigation Measure 1 – Protect Historical Resources from Adjacent Construction Activities (Implementing Western SoMa PEIR Mitigation Measure M-CP-7a)**

The project sponsor shall consult with Planning Department environmental planning/preservation staff to determine whether adjacent or nearby buildings constitute historical resources that could be adversely affected by construction-generated vibration. For purposes of this measure, nearby historic buildings shall include those within 100 feet of a construction site if pile driving would be used; otherwise, it shall include historic buildings within 25 feet if heavy equipment would be used. (No measures need be applied if no heavy equipment would be employed.) If one or more historical resources is identified that could be adversely affected, 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 buildings (as identified by the Planning Department preservation staff), 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 Mitigation Measure 2 – Construction Monitoring Program for Historical Resources (Implementing Western SoMa PEIR Mitigation Measure M-CP-7b)**

For those historical resources identified in Mitigation Measure M-CP-7a, and where heavy equipment would be used, 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 100 feet where pile driving would be used and within 25 feet otherwise, 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.

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.

### **Project Mitigation Measure 3 – Procedures for Archeological Testing (Implementing Western SoMa PEIR Mitigation Measure M-CP-4b)**

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).

*Consultation with Descendant Communities.* On discovery of an archeological site<sup>54</sup> associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative<sup>55</sup> 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.

*Archeological Testing Program.* 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.

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

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<sup>54</sup> By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

<sup>55</sup> 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.

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 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:

- A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- 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.

*Archeological Monitoring Program.* 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:

- 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 collect soil samples and artifactual/ecofactual material as warranted for analysis;
- 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 or deep foundation activities (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving or deep foundation activities



may affect an archeological resource, the pile driving or deep foundation activities shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall 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.

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.

*Archeological Data Recovery Program.* 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.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

*Human Remains, Associated or Unassociated Funerary Objects.* The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply

with applicable State and Federal Laws, including immediate notification of the Office of the Chief Medical Examiner of the City and County of San Francisco and in the event of the Medical Examiner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The ERO shall also be immediately notified upon discovery of human remains. The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days after the discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human 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. If no agreement is reached State regulations shall be followed including the reburial of the human remains and associated burial objects with appropriate dignity on the property in a location not subject to further subsurface disturbance (Pub. Res. Code Sec. 5097.98).

*Final Archeological Resources Report.* 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.

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.

#### **Project Mitigation Measure 4 – General Construction Noise Control Measures (Implementing Western SoMa PEIR Mitigation Measure M-NO-2a)**

To ensure that project noise from construction activities is minimized to the maximum extent feasible, the project sponsor shall undertake the following:

- 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 (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds, wherever feasible).
- The project sponsor 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 project sponsor shall require the general contractor to use impact tools (e.g., jackhammers, 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 project sponsor 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 most noisy 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 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. 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 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.

#### **Project Mitigation Measure 5 – Construction Emissions Minimization Plan for Health Risks and Hazards (Implementing Western SoMa PEIR Mitigation Measure M-AQ-7)**

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

##### *A. Engine Requirements.*

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

exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two-minute idling limit.

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

B. *Waivers.*

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

**Table – Off-Road Equipment Compliance Step-down Schedule**

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

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

- C. *Construction Emissions Minimization Plan.* Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.

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

D. *Monitoring.* After start of construction activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.

**Project Mitigation Measure 6 – Pre-Construction Special-Status Bird Surveys (Implementing Western SoMa PEIR Mitigation Measure M-BI-1a)**

Conditions of approval for building permits issued for construction within the Plan Area or on the Adjacent Parcels shall include a requirement for pre-construction special-status bird surveys when trees would be removed or buildings demolished as part of an individual project. Pre-construction special-status bird surveys shall be conducted by a qualified biologist between February 1 and August 15 if tree removal or building demolition is scheduled to take place during that period. If bird species protected under the Migratory Bird Treaty Act or the California Fish and Game Code are found to be nesting in or near any work area, an appropriate no-work buffer zone (e.g., 100 feet for songbirds) shall be designated by the biologist. Depending on the species involved, input from the California Department of Fish and Game (CDFG) and/or United States Fish and Wildlife Service (USFWS) may be warranted. As recommended by the biologist, no activities shall be conducted within the no-work buffer zone that could disrupt bird breeding. Outside of the breeding season (August 16 – January 31), or after young birds have fledged, as determined by the biologist, work activities may proceed. Special-status birds that establish nests during the construction period are considered habituated to such activity and no buffer

shall be required, except as needed to avoid direct destruction of the nest, which would still be prohibited.

**Project Mitigation Measure 7 – Pre-Construction Special-Status Bat Surveys (Implementing Western SoMa PEIR Mitigation Measure M-BI-1b)**

Conditions of approval for building permits issued for construction within the Draft Plan Area or on the Adjacent Parcels shall include a requirement for pre-construction special-status bat surveys by a qualified bat biologist when large trees (those with trunks over 12 inches in diameter) are to be removed, or vacant buildings or buildings used seasonally or not occupied, especially in the upper stories, are to be demolished. If active day or night roosts are found, the bat biologist shall take actions to make such roosts unsuitable habitat prior to tree removal or building demolition. A no-disturbance buffer shall be created around active bat roosts being used for maternity or hibernation purposes at a distance to be determined in consultation with the CDFG. Bat roosts initiated during construction are presumed to be unaffected, and no buffer would be necessary.

**Project Mitigation Measure 8 – Hazardous Building Materials Abatement (Implementing Western SoMa PEIR Mitigation Measure M-HZ-2)**

The project sponsor shall ensure that any equipment containing polychlorinated biphenyls (PCBs) or mercury, 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 tube fixtures, which could contain mercury, are similarly removed intact 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.

## **APPENDIX A: PROJECT LOCATION**



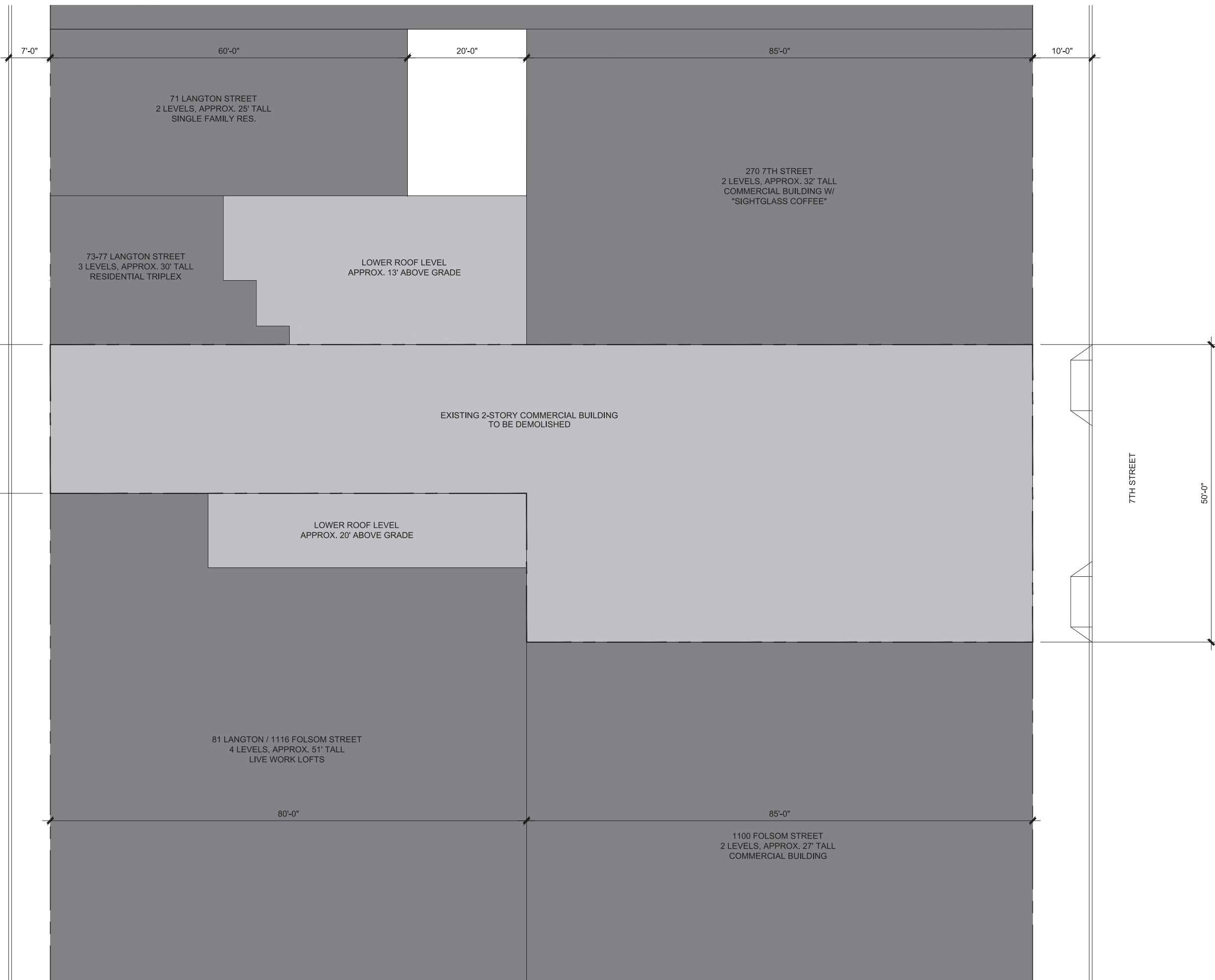


## **APPENDIX B: PROJECT PLANS**

### **280-282 7<sup>th</sup> Street**

#### **CONTENTS**

|             |   |
|-------------|---|
| Sheet A2.0  | Site Plan – Existing Conditions                           |
| Sheet A2.01 | Site Plan – Proposed Conditions                           |
| Sheet A2.1  | Site Plan – Proposed Ground Level                         |
| Sheet A2.2  | Site Plan – Proposed 2 <sup>nd</sup> Level                |
| Sheet A2.3  | Site Plan – Proposed 3 <sup>rd</sup> Level                |
| Sheet A2.4  | Site Plan – Proposed 4 <sup>th</sup> Level                |
| Sheet A2.5  | Site Plan – Proposed 5 <sup>th</sup> Level                |
| Sheet A2.6  | Site Plan – Proposed 6 <sup>th</sup> Level                |
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| Sheet A3.1  | Proposed Building Section                                 |
| Sheet A3.2  | Building Elevations – 7 <sup>th</sup> and Langton Streets |

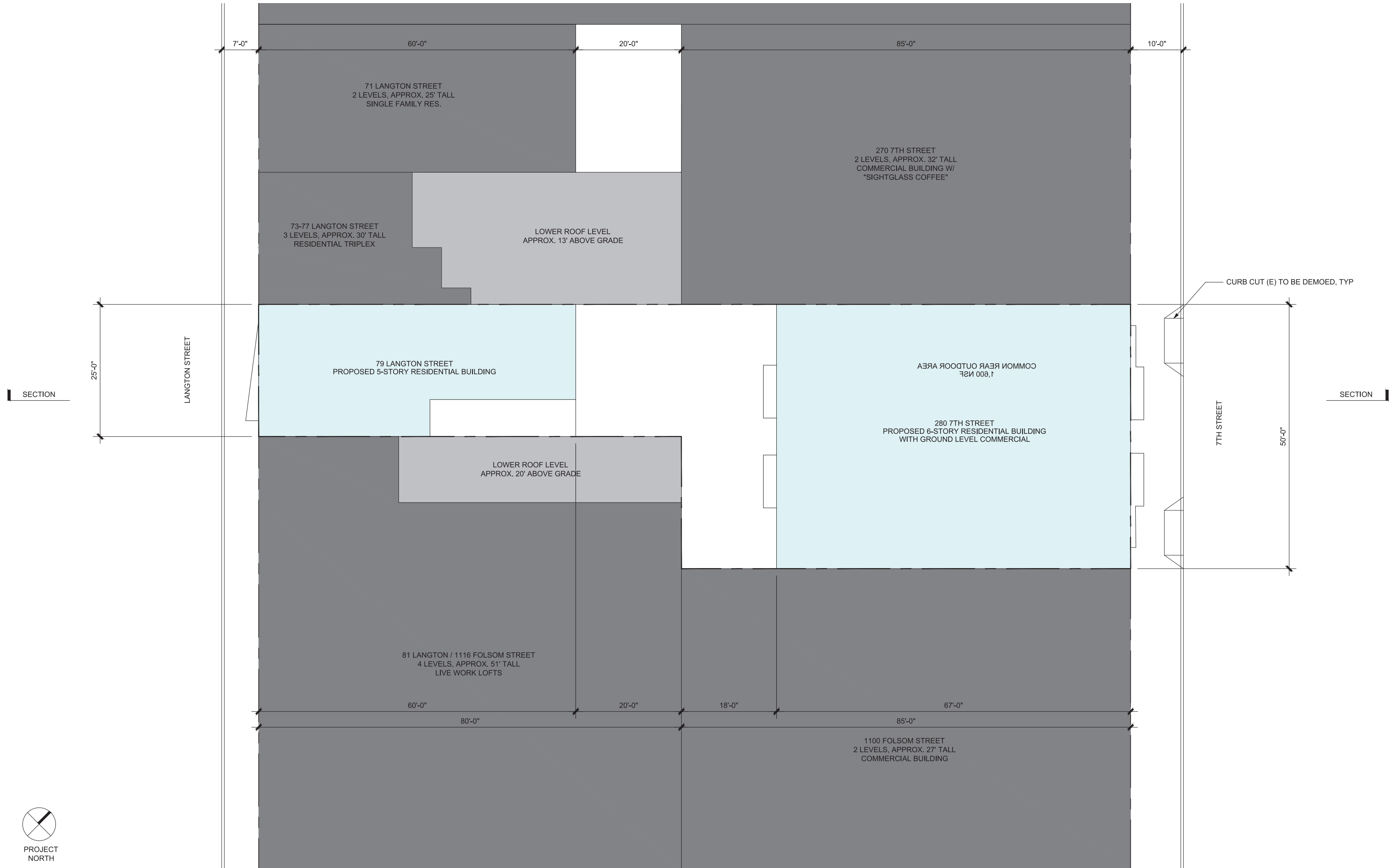


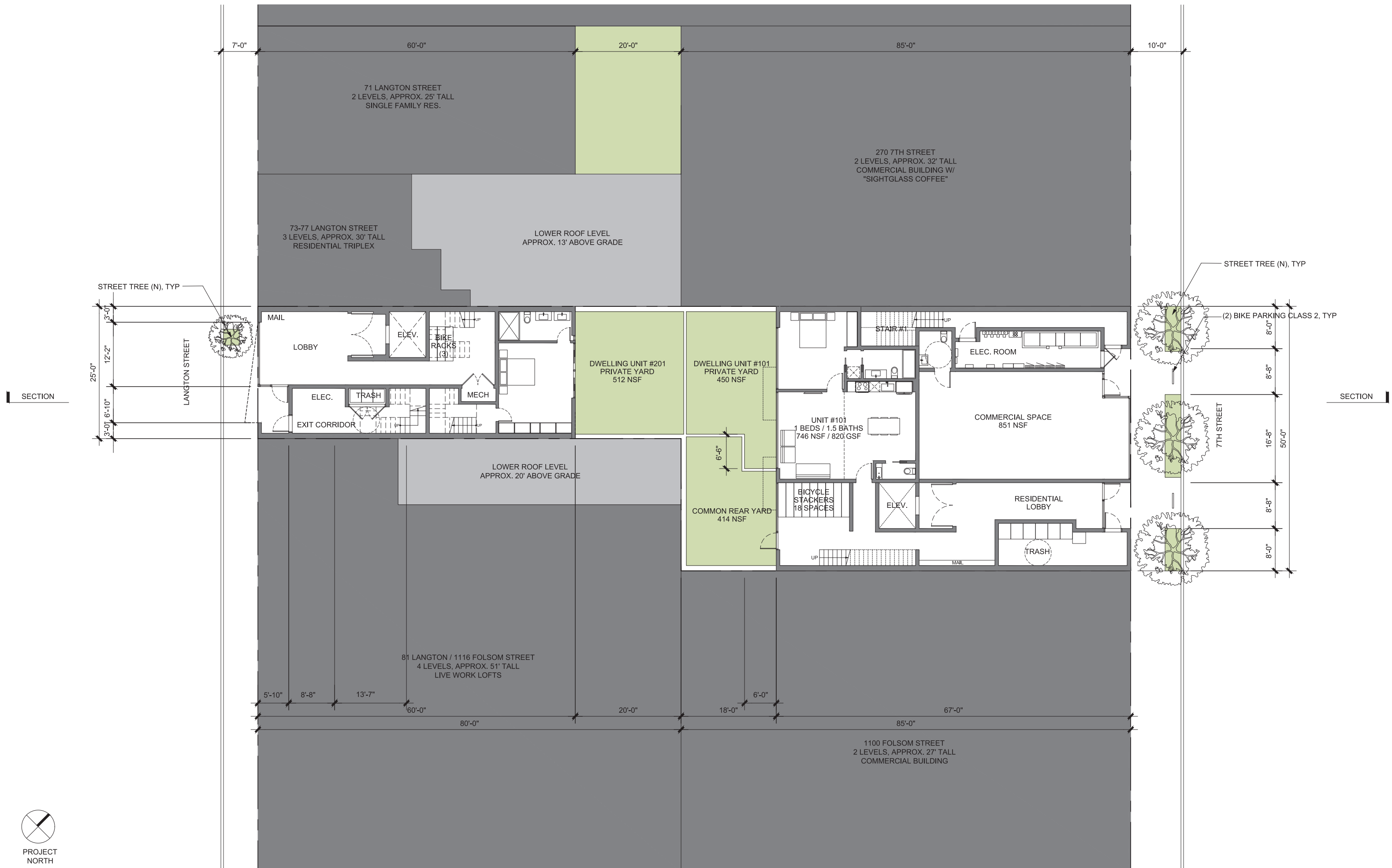
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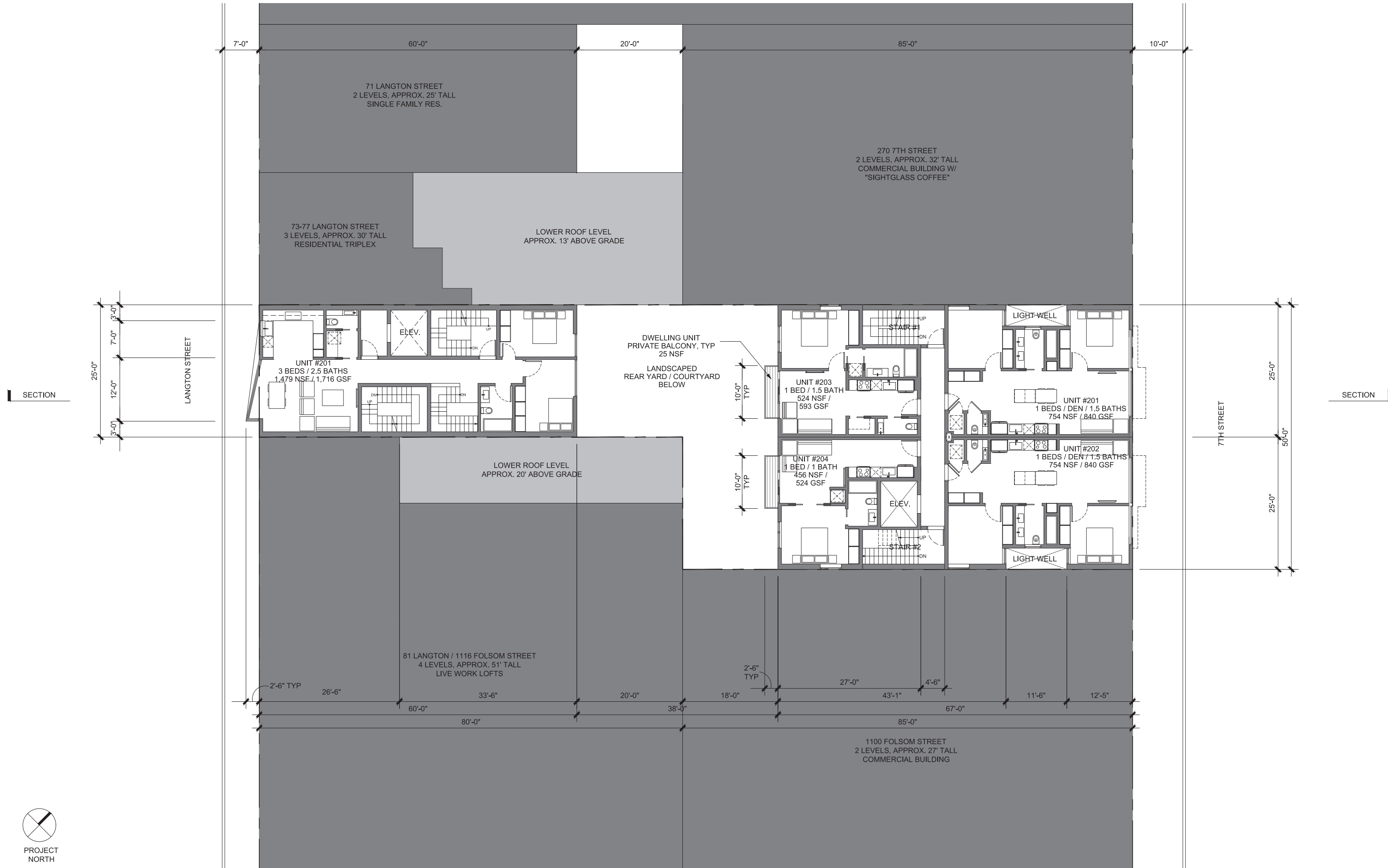


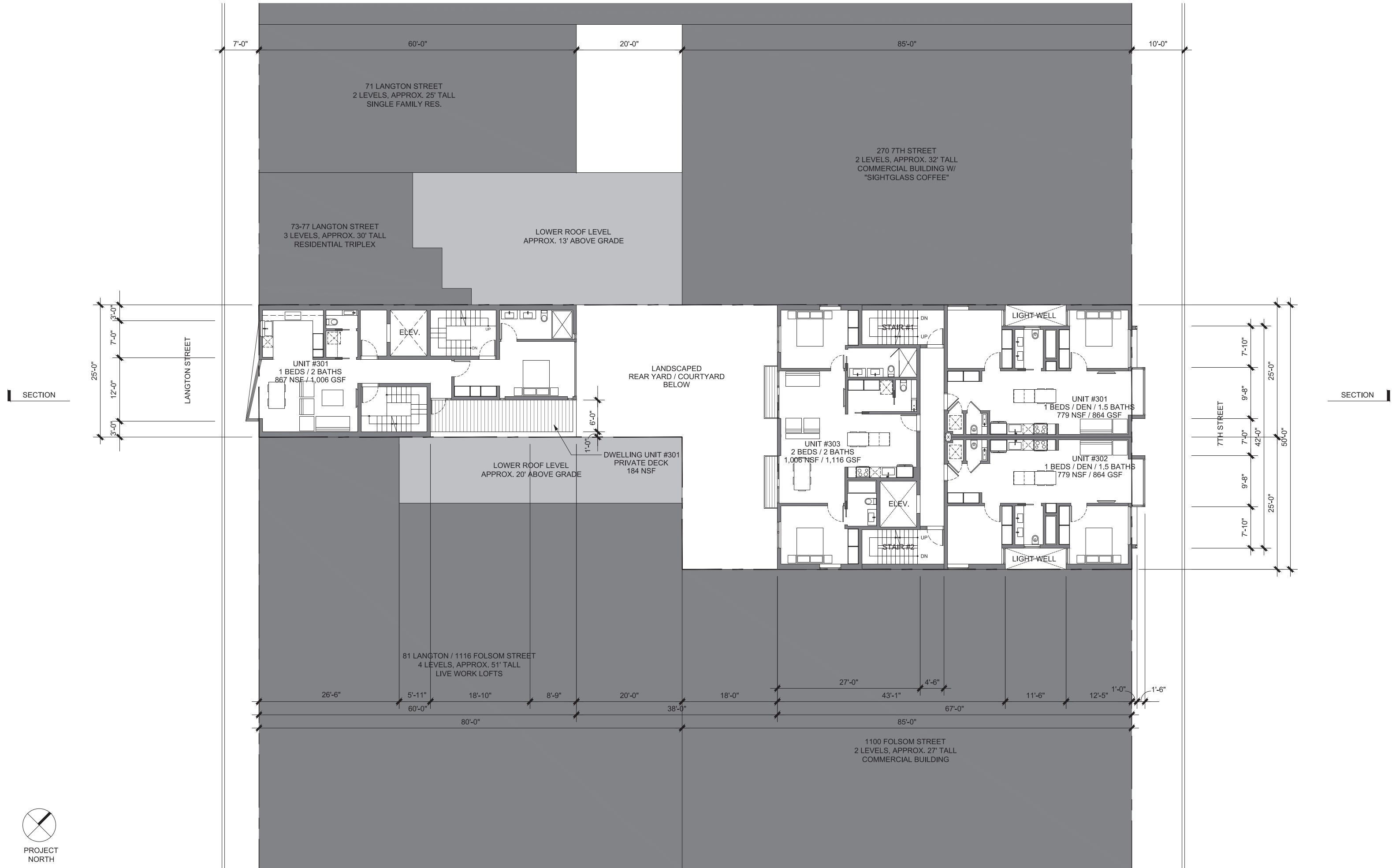
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PROJECT  
NORTH



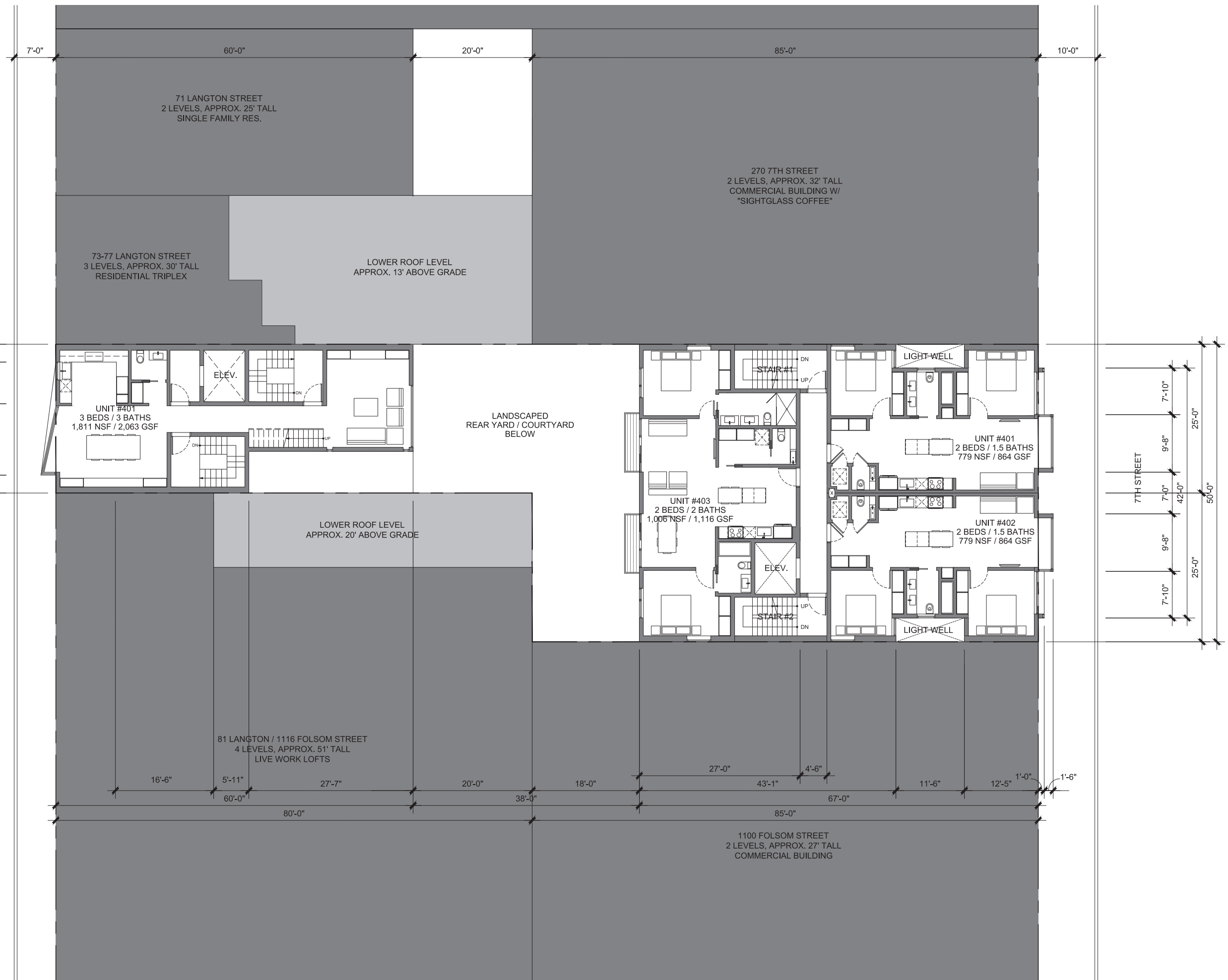


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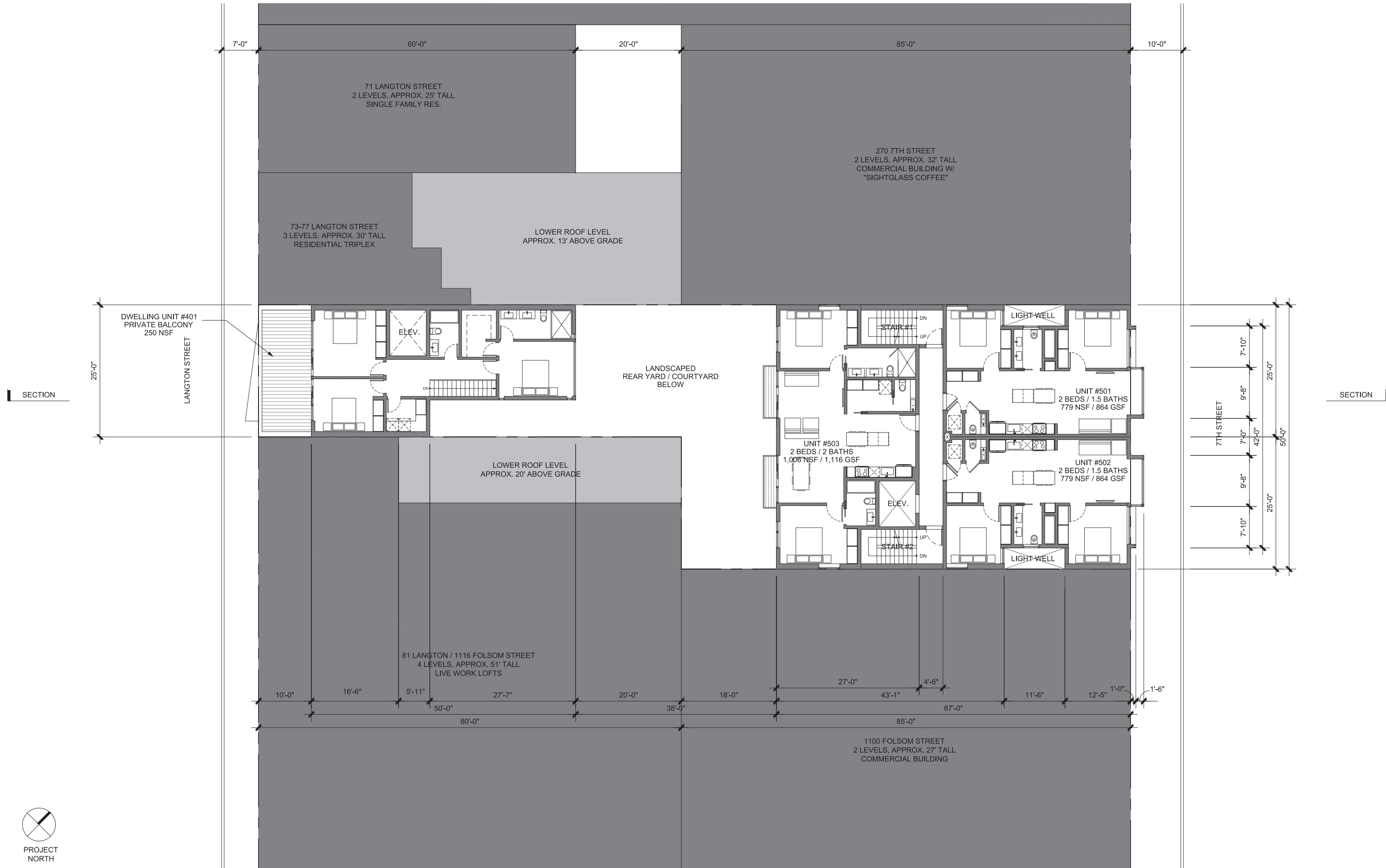


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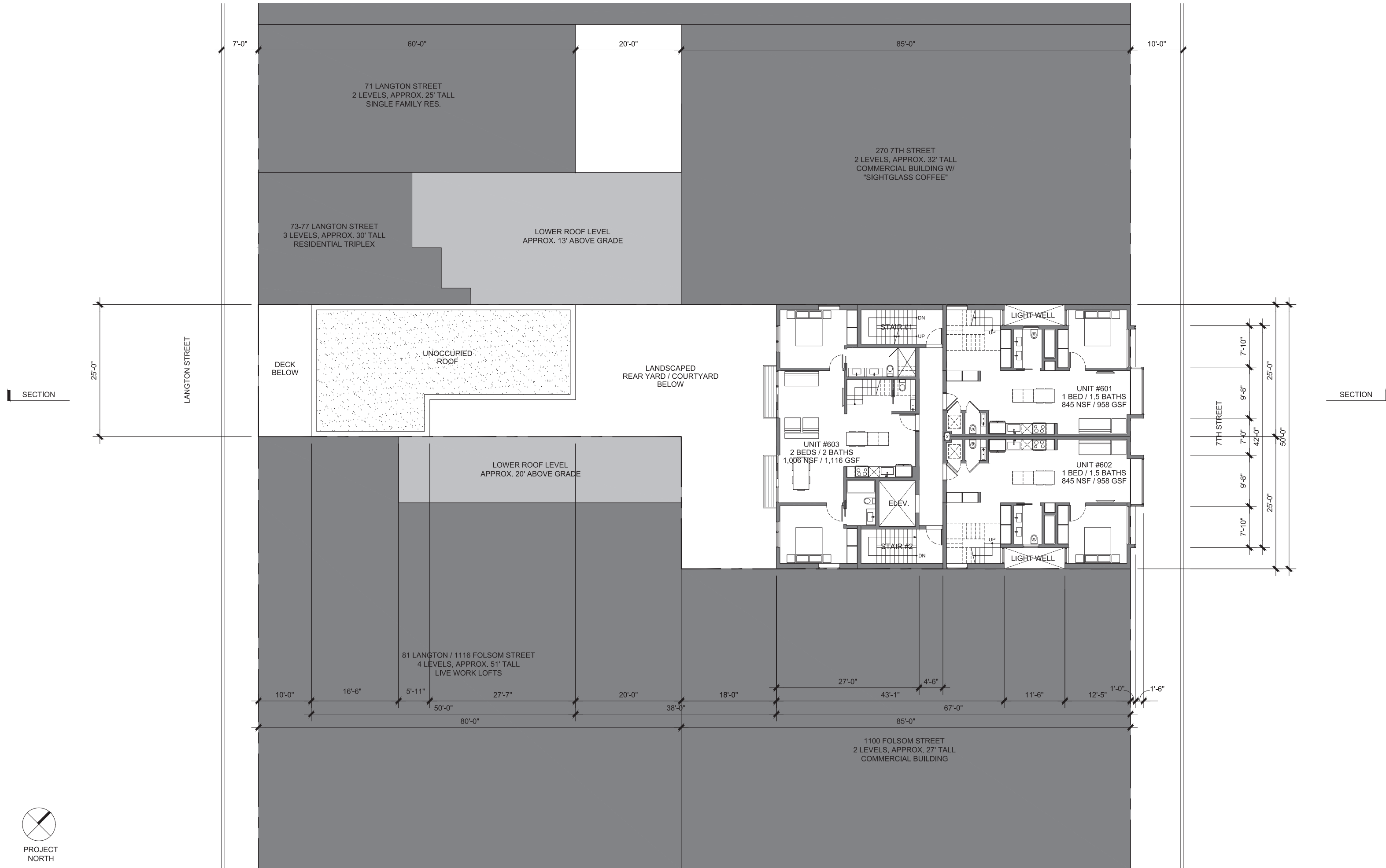


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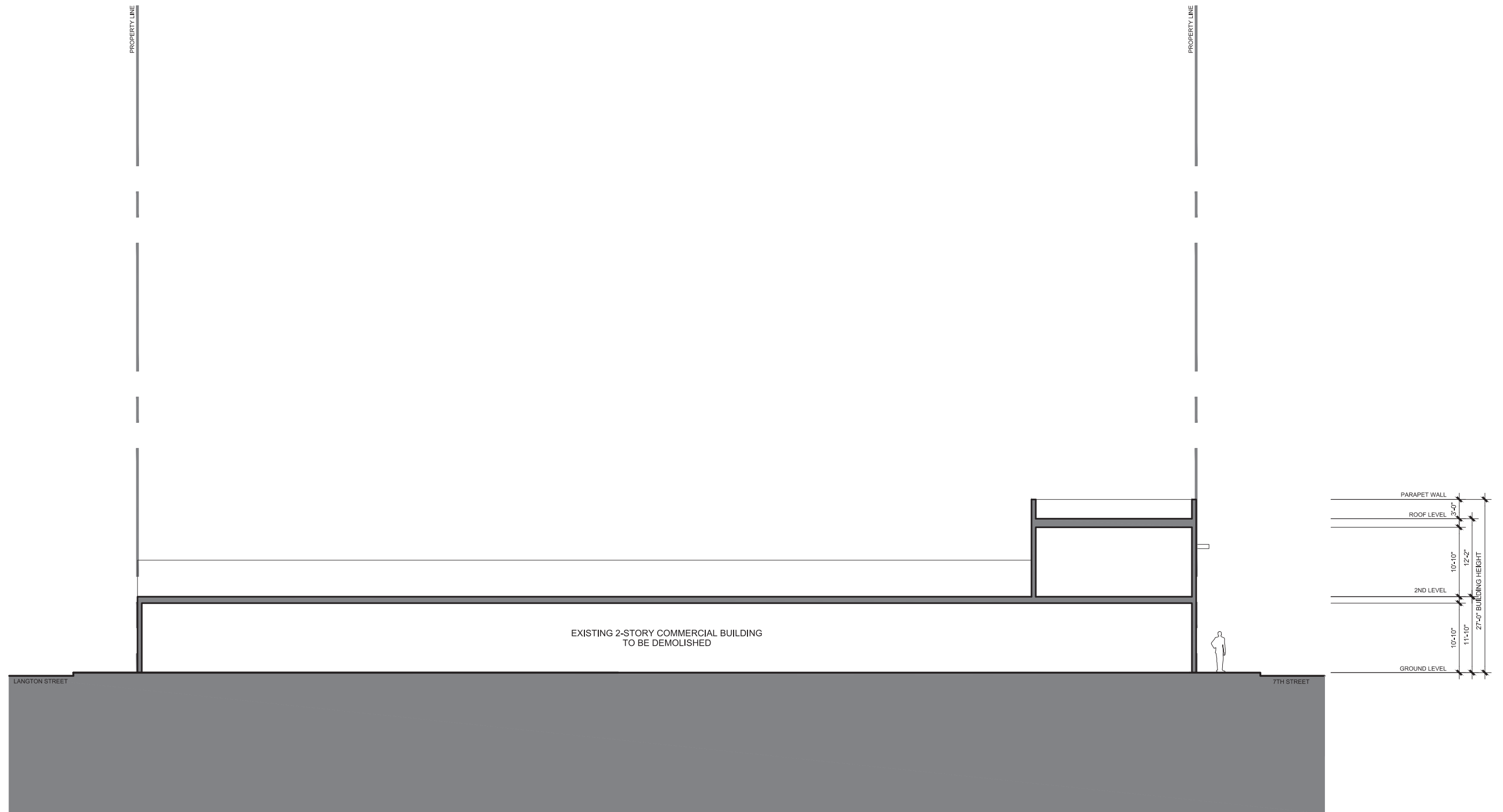


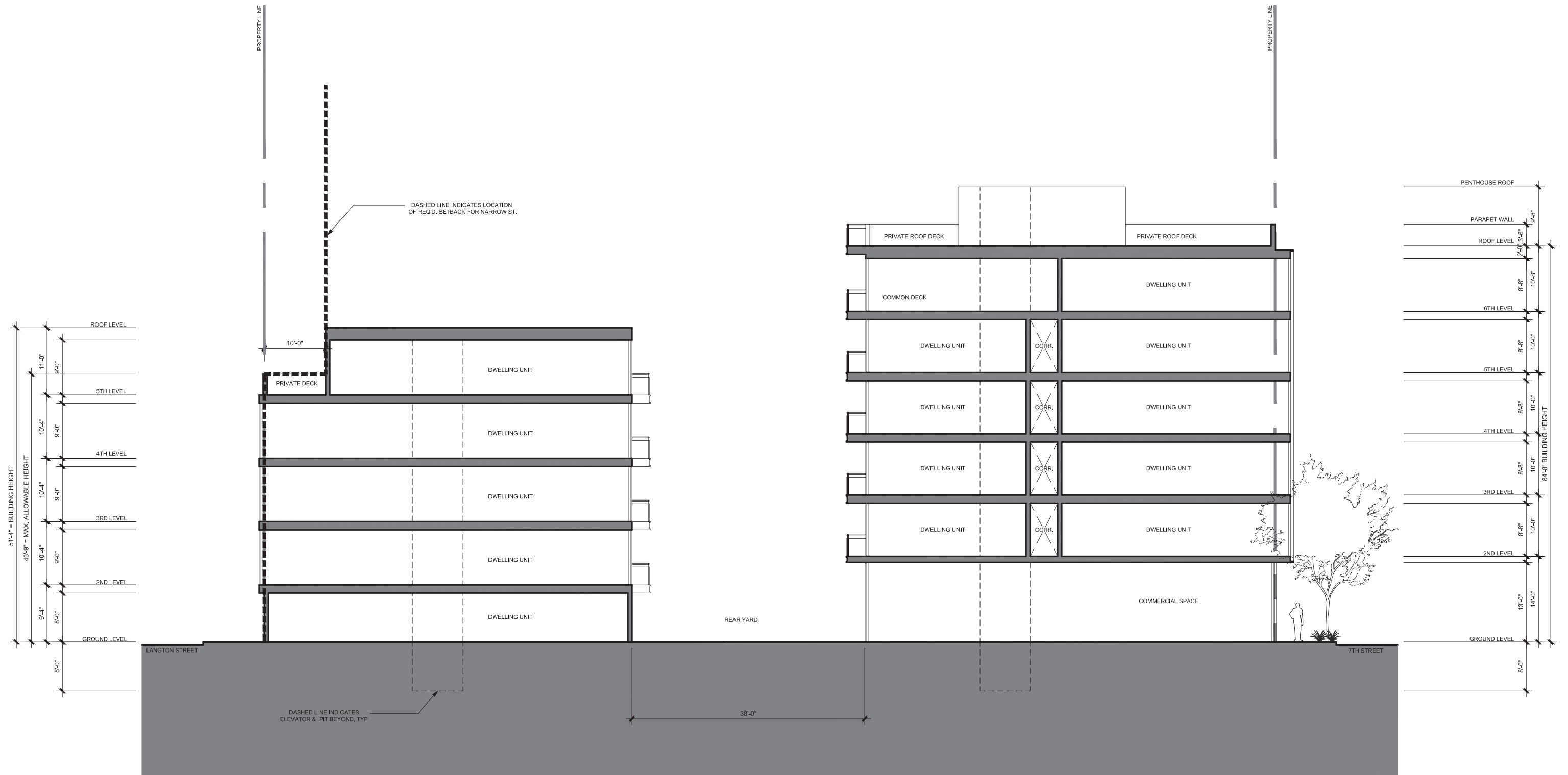
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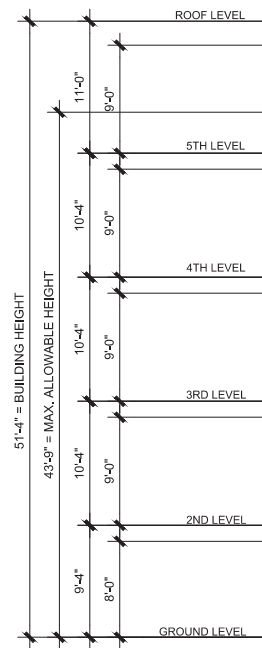












73-77 LANGTON STREET  
3 LEVELS, APPROX. 33' TALL  
RESIDENTIAL TRIPLEX

79 7TH STREET  
PROPOSED PROJECT

81 LANGTON / 1116 FOLSOM STREET  
4 LEVELS, APPROX. 50' TALL  
COMMERCIAL BUILDING



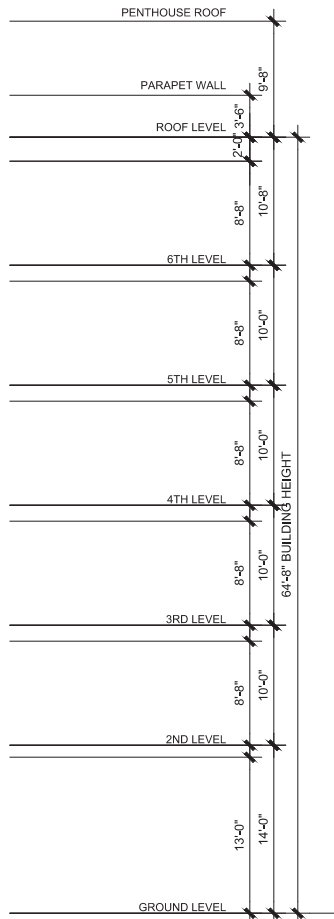
1100 FOLSOM STREET  
2 LEVELS, APPROX. 25' TALL  
COMMERCIAL BUILDING W/  
"FUNKY FURNITURE"



280 7TH STREET  
PROPOSED PROJECT



270 7TH STREET  
2 LEVELS, APPROX. 30' TALL  
COMMERCIAL BUILDING W/  
"SIGHTGLASS COFFEE"





# SAN FRANCISCO PLANNING DEPARTMENT

## Agreement to Implement Mitigation Measure(s)

*Case No.:* 2016-004946ENV  
*Project Title:* 280-282 7<sup>th</sup> Street  
*BPA Nos:* To be determined  
*Zoning:* WMUG (WSOMA Mixed Use-General) Use District  
 Western SoMa Special Use District  
 Youth and Family Zone Special Use District  
 65-X Height and Bulk District  
*Block/Lot:* 3730/290  
*Lot Size:* 6,250 square feet  
*Project Sponsor:* William Mollard, Workshop1, (415) 523-0304  
*Lead Agency:* San Francisco Planning Department  
*Staff Contact:* Jennifer McKellar, (415) 575-8754  
 Jennifer.McKellar@sfgov.org

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Information:  
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### MITIGATION MEASURES

- **Project Mitigation Measure 1:** Protect Historical Resources from Adjacent Construction Activities (Implementing Western SoMa PEIR Mitigation Measure M-CP-7a)
- **Project Mitigation Measure 2:** Construction Monitoring Program for Historical Resources (Implementing Western SoMa PEIR Mitigation Measure M-CP-7b)
- **Project Mitigation Measure 3:** Procedures for Archeological Testing (Implementing Western SoMa PEIR Mitigation Measure M-CP-4b)
- **Project Mitigation Measure 4:** General Construction Noise Control Measures (Implementing Western SoMa PEIR Mitigation Measure M-NO-2a)
- **Project Mitigation Measure 5:** Construction Air Quality (Implementing Western SoMa PEIR Mitigation Measure M-AQ-7)
- **Project Mitigation Measure 6:** Pre-Construction Special-Status Bird Surveys (Implementing Western SoMa PEIR Mitigation Measure M-BI-1a)
- **Project Mitigation Measure 7:** Pre-Construction Special-Status Bat Surveys (Implementing Western SoMa PEIR Mitigation Measure M-BI-1b)
- **Project Mitigation Measure 8:** Hazardous Building Materials Abatement (Implementing Western SoMa PEIR Mitigation Measure M-HZ-2)

X  I agree to implement the above mitigation measure(s), which are detailed in EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM (attached below), as a condition of project approval.

\_\_\_\_\_  
Property Owner or Legal Agent Signature  
President, Workshop1  
on behalf of Dragonfly Assets C-54 LLC

Dafna Akiva

03-21-18

\_\_\_\_\_  
Date

**EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM**

| <b>MONITORING AND REPORTING PROGRAM</b>  |  |  |   |  |
|--|--|--|---|--|
| <b>Adopted Mitigation/Improvement Measures</b>   | <b>Responsibility for Implementation</b>   | <b>Mitigation Schedule</b>   | <b>Monitoring and Reporting Actions and Responsibility</b>  | <b>Status / Date Completed</b>                       |
| <p><b>MITIGATION MEASURES</b></p> <p><b>Project Mitigation Measure 1: Protect Historical Resources from Adjacent Construction Activities (Implementing Western SoMa PEIR Mitigation Measure M-CP-7a)</b></p> <p>The project sponsor shall consult with Planning Department environmental planning/preservation staff to determine whether adjacent or nearby buildings constitute historical resources that could be adversely affected by construction-generated vibration. For purposes of this measure, nearby historic buildings shall include those within 100 feet of a construction site if pile driving would be used; otherwise, it shall include historic buildings within 25 feet if heavy equipment would be used. (No measures need be applied if no heavy equipment would be employed.) If one or more historical resources is identified that could be adversely affected, 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 buildings (as identified by the Planning Department preservation staff),</p> | <p>Project sponsor and construction contractor(s) under the direction of the Environmental Review Officer (ERO).</p> | <p>Prior to and during demolition and construction activities.</p> | <p>The project sponsor and construction contractor(s) to implement measures to prevent damage to adjacent and nearby historic buildings during the construction period.</p> | <p>Considered complete upon end of construction.</p> |

**MONITORING AND REPORTING PROGRAM**

| Adopted Mitigation/Improvement Measures  | Responsibility<br>for<br>Implementation  | Mitigation<br>Schedule  | Monitoring and Reporting<br>Actions and Responsibility   | Status / Date<br>Completed                           |
|--|--|---|--|--|
| <p>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.</p> <p><b>Project Mitigation Measure 2: Construction Monitoring Program for Historical Resources (Implementing Western SoMa PEIR Mitigation Measure M-CP-7b)</b></p> <p>For those historical resources identified in Mitigation Measure M-CP-7a, and where heavy equipment would be used, 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 100 feet where pile driving would be used and within 25 feet otherwise, 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</p> | <p>Project sponsor, construction contractor(s), and qualified historic preservation professional under the direction of the ERO.</p> | <p>Prior to and during ground-disturbing, demolition, or construction activities.</p> | <p>The project sponsor and construction contractor(s) shall monitor vibration levels during ground-disturbing, demolition, or construction activities.</p> <p>In the event that vibration levels exceed the maximum limit established by the historic preservation professional, construction shall be halted and alternative construction techniques shall be implemented to the extent feasible.</p> | <p>Considered complete upon end of construction.</p> |



**MONITORING AND REPORTING PROGRAM**

| Adopted Mitigation/Improvement Measures  | Responsibility for Implementation   | Mitigation Schedule          | Monitoring and Reporting Actions and Responsibility  | Status / Date Completed  |
|--|---|------------------------------|--|--|
| <p>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.</p>   |   |                              |  |  |
| <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><b>Project Mitigation Measure 3: Procedures for Archeological Testing (Implementing Western SoMa PEIR Mitigation Measure M-CP-4b)</b></p>   | <p>Project sponsor / Head Foreman and archeological consultant at the direction of the ERO.</p> | <p>Archeological Testing</p> | <p>The project sponsor shall retain a qualified archeological consultant that shall undertake an archeological testing program approved by the ERO. The consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this</p> | <p>Considered complete upon distribution of approved FARR.</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</p>   |   |                              |  |  |

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| <p>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> |  |                            | <p>measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO).</p> |                                |

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*Consultation with Descendant Communities.* On discovery of an archeological site<sup>1</sup> associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative<sup>2</sup> 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.

*Archeological Testing Program.* 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

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

<sup>2</sup> 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.

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| <p>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> <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 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</p> |  |                                |  |                                    |

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significance and that interpretive use of the resource is feasible.

*Archeological Monitoring Program.* 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:

- 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

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| <p>apparent discovery of an archeological resource;</p> <ul style="list-style-type: none"> <li>▪ 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;</li> <li>▪ The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;</li> <li>▪ 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 or deep foundation activities (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving or deep foundation activities may affect an archeological resource, the pile driving or deep foundation activities shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The</li> </ul> |  |                                |  |                                    |

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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.

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.

*Archeological Data Recovery Program.* 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

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proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format



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and distribution of results.

- *Curation.* 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.

*Human Remains, Associated or Unassociated Funerary Objects.* The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Office of the Chief Medical Examiner of the City and County of San Francisco and in the event of the Medical Examiner’s determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The ERO shall also be immediately notified upon discovery of human remains. The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days after the discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human

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remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human 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. If no agreement is reached State regulations shall be followed including the reburial of the human remains and associated burial objects with appropriate dignity on the property in a location not subject to further subsurface disturbance (Pub. Res. Code Sec. 5097.98).

*Final Archeological Resources Report.* 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.

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey

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|--|---|--|---|---|
| <p>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> |   |  |   |   |
| <p><b>Project Mitigation Measure 4: General Construction Noise Control Measures (Implementing Western SoMa PEIR Mitigation Measure M-NO-2a)</b></p> <p>To ensure that project noise from construction activities is minimized to the maximum extent feasible, the project sponsor shall undertake the following:</p> <ul style="list-style-type: none"> <li>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 (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds, wherever feasible).</li> </ul>   | Project sponsor and construction contractor(s). | Prior to and during demolition or construction activities. | The project sponsor and construction contractor(s) shall submit a noise attenuation plan to the Department of Building Inspection and monthly reports to the Planning Department. | Considered complete upon submittal of final monthly report. |

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| <ul style="list-style-type: none"> <li>• The project sponsor 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.</li> <br/> <li>• The project sponsor shall require the general contractor to use impact tools (e.g., jackhammers, 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.</li> <br/> <li>• The project sponsor 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 most noisy activities during times of least disturbance to</li> </ul> |  |                                |  |                                    |

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| <p>surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible.</p> <ul style="list-style-type: none"> <li>• Prior to the issuance of each building permit, along with the submission of construction documents, 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. 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 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.</li> </ul> |  |                                |  |                                    |

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| <p><b>Project Mitigation Measure 5: Construction Air Quality (Implementing Western SoMa PEIR Mitigation Measure M-AQ-7)</b></p> <p>The project sponsor or the project sponsor’s Contractor shall comply with the following:</p> <p style="margin-left: 20px;">A. <i>Engine Requirements.</i></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.</li> <li>3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location,</li> </ol> | Project sponsor, contractor(s).         | Prior to construction activities requiring the use of off-road equipment. | Project sponsor, contractor(s) to submit certification statement to the ERO. | Considered complete upon submittal of certification statement. |

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| <p>except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two-minute idling limit.</p> <p>4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>B. <i>Waivers.</i></p> <p>1. The Planning Department’s Environmental Review Officer (ERO) or designee may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for on-site power generation meets the requirements of Subsection (A)(1).</p> |  |                                |  |                                    |

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

**Table – Off-Road Equipment Compliance Step-down Schedule**

| <b>Engine Emission Standard</b> | <b>Emissions Control</b> |
|---------------------------------|--------------------------|
| Tier 2                          | ARB Level 2 VDECS        |
| Tier 2                          | ARB Level 1 VDECS        |
| Tier 2                          | Alternative Fuel*        |

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



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| <p>C. <i>Construction Emissions Minimization Plan.</i> Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.</p> <ol style="list-style-type: none"> <li>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.</li> <li>2. The ERO shall ensure that all applicable</li> </ol> | Project sponsor, contractor(s).          | Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code. | Project sponsor, contractor(s) to prepare and submit a Plan to the ERO. | Considered complete upon findings by the ERO that the Plan is complete. |

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|--|---|------------------------|--|---|
| <p>requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.</p> <p>3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.</p> |   |                        |  |   |
| <p>D. <i>Monitoring.</i> After start of construction activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information</p>   | Project sponsor, contractor(s).         | Quarterly.             | Project sponsor, contractor(s) to submit quarterly reports to the ERO. | Considered complete upon findings by the ERO that the Plan is being/has been implemented. |

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|--|--|---|--|--|
| <p>required in the Plan.</p> <p><b>Project Mitigation Measure 6: Pre-Construction Special-Status Bird Surveys (Implementing Western SoMa PEIR Mitigation Measure M-BI-1a)</b></p> <p>Conditions of approval for building permits issued for construction within the Plan Area or on the Adjacent Parcels shall include a requirement for pre-construction special-status bird surveys when trees would be removed or buildings demolished as part of an individual project. Pre-construction special-status bird surveys shall be conducted by a qualified biologist between February 1 and August 15 if tree removal or building demolition is scheduled to take place during that period. If bird species protected under the Migratory Bird Treaty Act or the California Fish and Game Code are found to be nesting in or near any work area, an appropriate no-work buffer zone (e.g., 100 feet for songbirds) shall be designated by the biologist. Depending on the species involved, input from the California Department of Fish and Game (CDFG) and/or United States Fish and Wildlife Service (USFWS) may be warranted. As recommended by the biologist, no activities shall be conducted within the no-work buffer zone that could disrupt bird breeding. Outside of the breeding season (August 16 – January 31), or after young birds have fledged, as determined by the biologist, work activities may proceed. Special-status birds that establish nests during the construction period are considered habituated to such activity and no buffer shall be required,</p> | <p>Project sponsor, construction contractor(s), and qualified biologist.</p> | <p>Prior to and during tree removal or demolition activities.</p> | <p>If tree removal or building demolition is proposed between February 1 and August 15, the qualified biologist shall conduct a pre-construction special-status bird survey.</p> <p>If birds protected under the Migratory Bird Treaty Act or the California Fish and Game Code are found to be nesting in or near any work area, the qualified biologist shall designate a no-work buffer zone.</p> | <p>Considered complete upon end of construction.</p> |

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| <b>Adopted Mitigation/Improvement Measures</b>  | <b>Responsibility for Implementation</b>                                  | <b>Mitigation Schedule</b>                                 | <b>Monitoring and Reporting Actions and Responsibility</b>   | <b>Status / Date Completed</b>                |
|---|---|--|--|---|
| <p>except as needed to avoid direct destruction of the nest, which would still be prohibited.</p> <p><b>Project Mitigation Measure 7: Pre-Construction Special-Status Bat Surveys (Implementing Western SoMa PEIR Mitigation Measure M-BI-1b)</b></p> <p>Conditions of approval for building permits issued for construction within the Draft Plan Area or on the Adjacent Parcels shall include a requirement for pre-construction special-status bat surveys by a qualified bat biologist when large trees (those with trunks over 12 inches in diameter) are to be removed, or vacant buildings or buildings used seasonally or not occupied, especially in the upper stories, are to be demolished. If active day or night roosts are found, the bat biologist shall take actions to make such roosts unsuitable habitat prior to tree removal or building demolition. A no-disturbance buffer shall be created around active bat roosts being used for maternity or hibernation purposes at a distance to be determined in consultation with the CDFG. Bat roosts initiated during construction are presumed to be unaffected, and no buffer would be necessary.</p> | Project sponsor, construction contractor(s), and qualified bat biologist. | Prior to and during tree removal or demolition activities. | If any special-status bats are found to be roosting in or near any work area, the qualified bat biologist shall designate a no-work buffer zone.         | Considered complete upon end of construction. |
| <p><b>Project Mitigation Measure 8: Hazardous Building Materials Abatement (Implementing Western SoMa PEIR Mitigation Measure M-HZ-2)</b></p> <p>The project sponsor shall ensure that any equipment containing polychlorinated biphenyls (PCBs) or mercury, such as fluorescent light ballasts, are removed and</p>  | Project sponsor and construction contractor(s).                           | During demolition and construction activities.             | The project sponsor and construction contractor(s) to submit a report to the Department of Public Health, with copies to the Planning Department and the | Considered complete upon submittal of report. |

**MONITORING AND REPORTING PROGRAM**

| <b>Adopted Mitigation/Improvement Measures</b>  | <b>Responsibility<br/>for<br/>Implementation</b> | <b>Mitigation<br/>Schedule</b> | <b>Monitoring and Reporting<br/>Actions and Responsibility</b>                 | <b>Status / Date<br/>Completed</b> |
|---|--|--------------------------------|--|------------------------------------|
| properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tube fixtures, which could contain mercury, are similarly removed intact 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. |  |                                | Department of Building<br>Inspection, at the end of the<br>construction period |                                    |