



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Community Plan Evaluation

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Case No.: 2015-011215ENV
Project Address: 340 Division Street
Zoning/Plan Area: SALI (Service/Arts/Light Industrial) District
40-X Height and Bulk District
Western SoMa Community Plan
Block/Lot: 3528/007
Lot Size: 4,255 square feet
Project Sponsor: Philip Lesser, representing TNN Properties, (650) 346-2903
Staff Contact: Don Lewis, (415) 575-9168, don.lewis@sfgov.org

PROJECT DESCRIPTION

The triangular-shaped project site is located on the north side of Division Street between 10th and 11th streets adjacent to the elevated Highway 101 in the South of Market neighborhood. The project site is occupied by an approximately 12-foot-tall, one-story, 1,400-square-foot, office building (constructed in 1952) and a surface parking lot with four spaces. The proposed project would involve the demolition of the existing building and construction of a 40-foot-tall (49 feet including the stair penthouse), four-story, 17,040-square-foot building. The current and proposed use of the project site is trade shop with accessory office. A construction and engineering business is the current and proposed business on the project site. The building would include a total of approximately 6,510 square feet of trade shop use (Production, Distribution, and Repair [PDR] use) on the second and third floors, consisting of general contracting services, and approximately 3,260 square feet of accessory office space on the fourth floor. The ground-floor level would include three vehicle parking spaces, two Class I bicycle parking spaces, four Class II bicycle parking spaces, and storage space for the trade shop use. Showers and clothes lockers would be

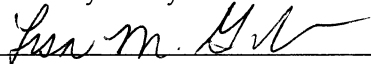
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CEQA DETERMINATION

The project is eligible for streamlined environmental review per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3.

DETERMINATION

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



LISA GIBSON
Acting Environmental Review Officer

3/23/17

Date

cc: Philip Lesser, Project Sponsor
Daniel Sirois, Current Planner
Supervisor Jane Kim, District 6

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

PROJECT DESCRIPTION (continued)

provided on the ground floor. The proposed project would relocate the existing 16-foot-wide curb cut on Division Street to the west by approximately ten feet. The proposed project would plant four new street trees on Division Street in front of the project site. During the approximate 12-month construction period, the proposed project would require excavation to approximately nine feet below ground surface for the proposed elevator pit and foundation and 350 cubic yards of soil would be removed from the project site. The proposed building would be supported by a mat foundation on improved soils; impact piling driving is not proposed.

PROJECT APPROVAL

The proposed project at 340 Division Street would require a Building Permit from the Department of Building Inspection (DBI) for the demolition of the existing building and construction of the proposed building. The issuance of the building permit by DBI is the Approval Action. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EVALUATION OVERVIEW

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

This determination evaluates the potential project-specific environmental effects of the 340 Division Street project described above, and incorporates by reference information contained in the Programmatic EIR for the *Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project* (Western SoMa PEIR).¹ Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Western SoMa PEIR.

¹ San Francisco Planning Department, *Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project* Final Environmental Impact Report (PEIR), Planning Department Case Nos. 2008.0877E and 2007.1035E, State Clearinghouse No. 2009082031, certified December 6, 2012. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed May 28, 2015.

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

As a result of the *Western SoMa Community Plan*, the project site was rezoned from SLI (Service/Light Industrial) to SALI (Service/Arts/Light Industrial) and the height and bulk district remained 40-X. The SALI district, which is largely comprised of low-scale buildings with PDR uses, is designed to protect and facilitate the expansion of existing general commercial, manufacturing, home and business service, and light industrial activities, with an emphasis on preserving and expanding arts activities.

Individual projects that could occur in the future under the *Western SoMa Community Plan* will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 340 Division Street is consistent with, and was encompassed within, the analysis in the Western SoMa PEIR. This determination also finds that the Western SoMa PEIR adequately anticipated and described the impacts of the proposed 340 Division Street project, and identified the mitigation measures applicable to the project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{2,3} Therefore, no further CEQA evaluation for the 340 Division Street project is required. In sum, the Western SoMa PEIR and this Certificate of Determination and accompanying project-specific initial study comprise the full and complete CEQA evaluation necessary for the proposed project.

PROJECT SETTING

The triangular-shaped project site is located on the north side of Division Street between 10th and 11th streets adjacent to the elevated Highway 101 in the South of Market neighborhood. The elevated Highway 101 is approximately 30 feet tall. The project site is occupied by an approximately 12-foot-tall, one-story, 1,400-square-foot, office building (constructed in 1952) and a surface parking lot with four spaces. The property immediately adjacent to the east of the project site is a two-story warehouse building (constructed in 1988) that fronts on Division and 10th streets. The property immediately adjacent to the west of the project site is a three-story industrial building (constructed in 1927) that fronts on Division, Bryant and 10th streets. The surrounding area around the project site is characterized by a variety of uses, including industrial, commercial, and office uses. Notably, the Costco Wholesale building at 450 10th Street is approximately 320 feet to the west of the project site. There is a proposed project at 222 Dore Street (Case No. 2015-003229ENV) that involves the construction of 23 residential units and is approximately 770 feet northwest of the project site. Division Street is an east-west roadway with two lanes in each direction and sidewalks on both sides of the street. The project site is served by the 9-San Bruno, 27-Bryant, and 90-San Bruno Owl bus lines, and the closest bus stops are approximately 350 feet away near the intersection of Division and Bryant streets. Other Muni lines near the project site include the 8-Bayshore, 12-Folsom/Pacific, 14-Mission, 19-Polk, 22-Fillmore, 33-Ashbury/18th, 47-Van Ness, 55-16th

² San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Citywide Planning Analysis, 340 Division Street*, March 6, 2017. This document, and other cited documents, are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2015-011215ENV.

³ San Francisco Planning Department, *Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 340 Division Street*, December 14, 2016.

Street, and 83X-Mid-Market Express. There are bicycle lanes on Division and 11th streets. The surrounding parcels are either within the SALI, P (Public) or PDR-1-G (PDR – General) zoning districts. Height and bulk districts within a one-block radius include 40-X, 40/55-X, and 68-X.

POTENTIAL ENVIRONMENTAL EFFECTS

The Western SoMa PEIR included analyses of environmental issues including: Land Use; Aesthetics, Population and Housing; Cultural and Paleontological Resources; Transportation and Circulation; Noise and Vibration; Air Quality; Greenhouse Gas Emissions; Wind and Shadow; Recreation; Public Services, Utilities, and Service Systems; Biological Resources; Geology and Soils; Hydrology and Water Quality; Hazards and Hazardous Material; Mineral and Energy Resources; and Agriculture and Forest Resources. The proposed 340 Division Street project is in conformance with the height, use and density for the site described in the Western SoMa PEIR and would represent a small part of the growth that was forecast for the *Western SoMa Community Plan*. Thus, the project analyzed in the Western SoMa PEIR considered the incremental impacts of the proposed 340 Division Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Western SoMa PEIR.

Significant and unavoidable impacts were identified in the Western SoMa PEIR for the following topics: historic resources, transportation and circulation, noise, air quality, and shadow. The project would not demolish a historic resource, and the project site is neither located within a known or eligible historic district nor immediately adjacent to any historic building. Therefore, the project would not contribute to any historic resource impact. Transit ridership generated by the project would not considerably contribute to the transit impacts identified in the Western SoMa PEIR. Since the proposed project could generate excessive construction noise, Mitigation Measure M-NO-2a would ensure that project noise from construction activities is minimized to the maximum extent feasible. The proposed project is required to comply with the Construction Dust Control Ordinance, and implementation of Mitigation Measure M-AQ-7 would reduce construction-related air quality impacts by requiring a Construction Emissions Minimization Plan for health risks and hazards. The shadow fan analysis for the proposed project determined that the proposed building would not cast new shadow on public parks. The proposed project would shade nearby streets, sidewalks, and private property at times within the project vicinity, but at levels commonly expected in urban areas.

The Western SoMa PEIR identified feasible mitigation measures to address significant impacts related to cultural and paleontological resources, transportation and circulation, noise and vibration, air quality, wind, biological resources, and hazards and hazardous materials. **Table 1** below lists the mitigation measures identified in the Western SoMa PEIR and states whether the mitigation measure would apply to the proposed project.

Table 1 – Western SoMa PEIR Mitigation Measures

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

Mitigation Measure	Applicability	Compliance
M-CP-1b: Oral Histories	Not Applicable: the existing building is not a historic resource	Not Applicable
M-CP-1c: Interpretive Program	Not Applicable: the existing building is not a historic resource	Not Applicable
M-CP-4a: Project-Specific Preliminary Archeological Assessment (PAR)	Applicable: project would require more than five feet of below grade excavation	Pursuant to the results of the PAR, the project sponsor has agreed to implement the Planning Department's Standard Mitigation Measure #1 (Accidental Discovery), as Project Mitigation Measure 1
M-CP-4b: Procedures for Accidental Discovery of Archeological Resources	Applicable: pursuant to the results of the PAR	The project sponsor has agreed to implement the Planning Department's Standard Mitigation Measure #1 (Accidental Discovery), as Project Mitigation Measure 1
M-CP-7a: Protect Historical Resources from Adjacent Construction Activities	Not Applicable: new construction would not be adjacent to a historic resource	Not Applicable
M-CP-7b: Construction Monitoring Program for Historical Resources	Not Applicable: new construction would not be adjacent to a historic resource	Not Applicable
E. Transportation and Circulation		
M-TR-1c: Traffic Signal Optimization (8 th /Harrison/I-80 WB off-ramp)	Not applicable: automobile delay removed from CEQA analysis	Not Applicable
M-TR-4: Provision of New Loading Spaces on Folsom Street	Not Applicable: project would not remove loading spaces along Folsom Street	Not Applicable
M-C-TR-2: Impose Development Impact Fees to Offset Transit Impacts	Not Applicable: superseded by Planning Code Section 423, Eastern Neighborhoods Impact Fees and Public Benefits Fund	The project is subject to Eastern Neighborhoods Tier 1 impact fee, a portion of which funds transit improvements
F. Noise and Vibration		
M-NO-1a: Interior Noise Levels for Residential Uses	Not applicable: the project does not propose noise sensitive uses	Not Applicable

Mitigation Measure	Applicability	Compliance
M-NO-1b: Siting of Noise-Sensitive Uses	Not applicable: the project does not propose noise sensitive uses	Not Applicable
M-NO-1c: Siting of Noise-Generating Uses	Not Applicable: project is not proposing a noise-generating use	Not Applicable
M-NO-1d: Open Space in Noisy Environments	Not applicable: the project does not propose open space	Not Applicable
M-NO-2a: General Construction Noise Control Measures	Applicable: project proposes new construction that could generate excessive construction noise	The project sponsor has agreed to develop and implement a set of noise attenuation measures during construction (Project Mitigation Measure 2).
M-NO-2b: Noise Control Measures During Pile Driving	Not Applicable: project does not include pile-driving activities	Not Applicable
G. Air Quality		
M-AQ-2: Transportation Demand Management Strategies for Future Development Projects	Not Applicable: project would not generate more than 3,500 daily vehicle trips	Not Applicable
M-AQ-3: Reduction in Exposure to Toxic Air Contaminants for New Sensitive Receptors	Not Applicable: superseded by San Francisco Health Code Article 38 (Air Pollutant Exposure Zone)	Not Applicable
M-AQ-4: Siting of Uses that Emit PM _{2.5} or other DPM and Other TACs	Not Applicable: the proposed trade shop use with accessory office would not generate substantial levels of TACs	Not Applicable
M-AQ-6: Construction Emissions Minimization Plan for Criteria Air Pollutants	Not Applicable: project meets the screening criteria for construction criteria air pollutants	Not Applicable
M-AQ-7: Construction Emissions Minimization Plan for Health Risks and Hazards	Applicable: project includes construction in an area of poor air quality	The project sponsor has agreed to implement a Construction Emissions Minimization Plan for Health Risk and Hazards (Project Mitigation Measure 3).
I. Wind and Shadow		
M-WS-1: Screening-Level Wind Analysis and Wind Testing	Not Applicable: project would not exceed 80 feet in height	Not Applicable
L. Biological Resources		
M-BI-1a: Pre-Construction Special-	Applicable: project includes building	The project sponsor has agreed to conduct pre-construction

Mitigation Measure	Applicability	Compliance
Status Bird Surveys	demolition	special-status bird surveys by a qualified biologist between February 1 and August 15 if building demolition is scheduled to take place during that period (Project Mitigation Measure 4).
M-BI-1b: Pre-Construction Special-Status Bat Surveys	Not Applicable: project does not involve removal of trees or demolition of a vacant building	Not Applicable
O. Hazards and Hazardous Materials		
M-HZ-2: Hazardous Building Materials Abatement	Applicable: project includes demolition of a pre-1970s building	The project sponsor has agreed to ensure that any equipment containing polychlorinated biphenyls (PCBs) or mercury, such as fluorescent light ballasts, are removed and properly disposed, and that any fluorescent light tube fixtures, which could contain mercury, are similarly removed intact and properly disposed of (Project Mitigation Measure 5).
M-HZ-3: Site Assessment and Corrective Action	Not Applicable: superseded by San Francisco Health Code Article 22A (Maher Ordinance)	Not Applicable

PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on December 5, 2016 to adjacent occupants and owners of properties within 300 feet of the project site. One member of the public stated that the project would add shadow to the vicinity of the project making the area gloomy. As discussed in the "Wind and Shadow" section of the initial study, the proposed project would shade portions of nearby streets, sidewalks, and private properties in the project vicinity at different times of day throughout the year. 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. No other comments were received. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Western SoMa PEIR.

CONCLUSION

As summarized above and further discussed in the project-specific initial study⁴:

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

Therefore, no further environmental review shall be required for the proposed project pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

⁴ The initial study is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2015-011215ENV.

EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>Project Mitigation Measure 1 – Accidental Discovery (Implementing Western SoMa PEIR Mitigation Measure M-CP-4b)</p> <p>This mitigation measure is required to avoid any potential adverse effect on accidentally discovered buried or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a)(c).</p> <p>The project sponsor shall distribute the Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, etc. firms); and to utilities firms involved in soils-disturbing activities within the project site. Prior to any soils-disturbing activities being undertaken, each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel, including machine operators, field crew, and supervisory personnel. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firms) to the ERO confirming that all field personnel have received copies of the “ALERT” sheet.</p> <p>Should any indication of an archeological resource be encountered during any soils-disturbing activity of the project, the project head foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any</p>	<p>Project sponsor, contractor, Planning Department’s archeologist or qualified archaeological consultant, and Planning Department’s Environmental Review Officer (ERO)</p>	<p>Prior to issuance of any permit for soil-disturbing activities and during construction.</p>	<p>Project sponsor/archeological consultant and ERO.</p>	<p>Considered complete upon ERO’s approval of FARR.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>soils-disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.</p>				
<p>If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archeological consultant from the pool of qualified archeological consultants maintained by the Planning Department archeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.</p>				
<p>Measures might include preservation in situ of the archeological resource, an archeological monitoring program, or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.</p>				
<p>The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that</p>				

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Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p> <p>Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning Division of the Planning Department shall receive one bound copy, one unbound copy, and one unlocked, searchable PDF copy on a 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 or interpretive value, the ERO may require a different final report content, format, and distribution from that presented above.</p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>Project Mitigation Measure 2: General Construction Noise Control Measures (Implementing Western SoMa PEIR Mitigation Measure M-NO-2a)</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"> • The 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 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 sponsor shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated 	Project sponsor and construction contractor.	Prior to issuance of a building permit and during construction activities.	The project sponsor shall prepare and submit monthly noise reports during construction.	During construction activities.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>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.</p> <ul style="list-style-type: none"> The 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. <p>Prior to the issuance of each building permit, along with the submission of construction documents, the 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</p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise-generating activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity.</p>				
<p>Project Mitigation Measure 3 – Construction Air Quality (Implementing Western SoMa PEIR Mitigation Measure M-AQ-7)</p>	<p>Project sponsor, contractor(s).</p>	<p>Submit certification statement prior to construction activities requiring the use of off-road equipment.</p>	<p>Project sponsor, contractor(s), and the ERO.</p>	<p>Considered complete upon submittal of certification statement.</p>
<p>A. <i>Engine Requirements.</i></p> <ol style="list-style-type: none"> 1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement. 2. Where access to alternative sources of power 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 				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>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>				
<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</p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
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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

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

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

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|--|---------------------------------|---------------------------|--|--------------------------|
| C. <i>Construction Emissions Minimization Plan.</i> Before starting on-site construction activities, the Contractor shall submit | Project sponsor, contractor(s). | Prepare and submit a Plan | Project sponsor, contractor(s), and the ERO. | Considered complete upon |
|--|---------------------------------|---------------------------|--|--------------------------|

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.</p>		<p>prior to issuance of a permit specified in Section 106A.3.2.6 of the San Francisco Building Code.</p>		<p>findings by the ERO that the Plan is complete.</p>
<ol style="list-style-type: none"> 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. 				
<ol style="list-style-type: none"> The project sponsor 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. 				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<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 required in the Plan.</p>	<p>Project sponsor/ contractor(s).</p>	<p>Submit quarterly reports.</p>	<p>Project sponsor, contractor(s), and the ERO.</p>	<p>Considered complete upon findings by the ERO that the Plan is being/has been implemented.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>Project Mitigation Measure 4– Pre-Construction Special-Status Bird Surveys (Implementing Western SoMa PEIR Mitigation Measure M-BI-1a)</p> <p>The project sponsor shall ensure that pre-construction special-status bird surveys are conducted 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. 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 Wildlife (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.</p>	<p>Project sponsor, qualified biologist, CDFG, and USFWS.</p>	<p>Prior to the issuance of demolition or building permits when trees or shrubs would be removed or buildings demolished as part of project.</p>	<p>Project sponsor, qualified biologist, CDFG, and USFWS.</p>	<p>During demolition or tree removal activities.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Action and Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>Project Mitigation Measure 5 – Hazardous Building Materials Abatement (Implementing Western SoMa PEIR Mitigation Measure M-HZ-2)</p> <p>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.</p>	Project sponsor, construction contractor(s).	Prior to and during demolition or construction activities.	Project sponsor, Department of Public Health, Department of Building Inspection, and Planning Department.	During demolition or construction activities. Project sponsor shall submit a report to the Department of Public Health, with copies to the Planning Department and the Department of Building Inspection, at the end of the construction period.